LEGISLATIVE COUNCIL

Wednesday 27 March 1996

The PRESIDENT (Hon. Peter Dunn) took the Chair at 2.15 p.m. and read prayers.

SAMCOR

The Hon. K.T. GRIFFIN (Attorney-General): I seek leave to table a ministerial statement made by the Minister for Primary Industries on the subject of Samcor.

Leave granted.

HOUSING TRUST EASY-PAY SERVICE

The Hon. DIANA LAIDLAW (Minister for Transport): I seek leave to table a ministerial statement made today in another place by the Minister for Housing, Urban Development and Local Government Relations on Housing Trust payments.

Leave granted.

COLLEX LIQUID WASTE TREATMENT PLANT

The Hon. DIANA LAIDLAW (Minister for Transport): I seek leave to table a ministerial statement by the Minister for Housing, Urban Development and Local Government Relations on the Collex waste treatment plant.

Leave granted.

QUESTION TIME

MARION CORRIDOR SCHOOLS

The Hon. CAROLYN PICKLES: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services a question about the Marion corridor schools.

Leave granted.

The Hon. CAROLYN PICKLES: A review report into the future of the Sturt Primary, South Road Primary, Marion Primary and the Clovelly Park Primary Schools and the Marion, Daws Road and Hamilton High Schools was presented to the Minister for Education and Children's Services in October 1995. The report recommends two options, both of which propose the closure of three schools. Schools in the Marion corridor offer special programs, including curriculum for children with impaired hearing and programs for overseas students. Does the Government intend to proceed with the Marion corridor schools review, which recommends a reduction in the number of schools in the corridor from seven to four, and how much extra funding will the Government guarantee to the remaining schools?

The Hon. R.I. LUCAS: It is not correct to say that as Minister I received a copy of the Marion corridor project report in October. I will check on that for the honourable member. It was certainly after that. From recollection it was some time in November or December last year, just prior to the end of the school year that I received a copy of the recommendations. In that report, as has been circulated to all the schools in that area, the local community has recognised that there has been a significant reduction in the number of students in the area.

The local community is saying to the Government, 'We believe that a certain number of schools should be closed in our local community.' However, they did not recommend which schools. The report recommended—and, as I said, this has been shared with the local school communities down there—a number of options that envisaged the reduction of a number of school sites. What they left for the Government and the department—and ultimately me, as Minister—was to make the difficult decision as to which school sites ought to be closed. We ought to be clear on this.

The community review has recommended some reduction in school sites in that area. At this stage, I am not confirming the number but information has been shared with local school communities. I have indicated to the schools, the local members and the local media which, of course, have been interested in this, that I will be making a final determination of this by the end of term 1. The answer to the honourable member's question is, 'Yes, I am still considering the recommendations of the local review team.' As I have indicated before, having heard the review team's recommendations, I will not necessarily agree with all its recommendations. I have sought additional advice from the department, and I have also been looking at it in terms of what I see as appropriate educational outcomes and opportunities for young people and older students at Hamilton, having regard to moving into the next century. The final determination will be announced prior to the end of term 1.

HEALTH MINISTER

The Hon. R.R. ROBERTS: I seek leave to ask a question of the Minister representing the Minister for Health.

The Hon. K.T. Griffin: On the subject of what?

The Hon. R.R. ROBERTS: Health.

Leave granted.

The Hon. R.R. ROBERTS: My question is: why is the Minister for Health visiting the USA, and for what purpose is the Minister meeting with Kaiser Permanente?

The Hon. R.I. LUCAS: I am not in a position to indicate that the Minister for Health is meeting with the company to which the shadow Minister has referred. It is certainly beyond my knowledge that he is meeting with that company. That is a claim the honourable member makes. I am not saying whether he is right or wrong; I just do not know.

The Hon. T.G. Cameron: You're Acting Minister, and you don't know where he is?

The Hon. R.I. LUCAS: I'm Acting Minister, but it is not my responsibility to know where the Minister happens to be on any day whilst he is travelling overseas. For the sake of the honourable member, I am happy to seek advice from the Minister's office and to bring back a reply as soon as I can.

QUEEN ELIZABETH HOSPITAL

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the Minister representing the Minister for Health a question about the Queen Elizabeth Hospital sale or privatisation.

Leave granted.

The Hon. T.G. ROBERTS: It appears that I will have some difficulty in getting answers on the basis of the reply to the previous question. My questions are:

1. What are the names of the companies that have registered expressions of interest for the $130 million

redevelopment of the Queen Elizabeth Hospital, the time for those expressions having closed on 23 February?

2. Why is the Minister for Health now in the United States negotiating with Kaiser Permanente before the short list has been announced?

The PRESIDENT: Order! I did not hear any of the question because of the noise behind the questioner. I suggest that if members want their questions answered there should be some decorum on the left. The Minister for Education and Children's Services.

The Hon. T.G. Cameron interjecting:

The PRESIDENT: Order!

Members interjecting:

The Hon. R.I. LUCAS: You would have been none the wiser, Mr President, if you had heard the question, given the quality of it. The Minister for Health is visiting overseas on important issues relating to his portfolio and, frankly, I do not know his itinerary or details of his meetings. I indicated to the Deputy Leader, who has claimed that the Minister is meeting with a particular company, that I do not know whether or not he is meeting with that company.

The Minister is overseas and is pursuing a number of issues of great importance in the administration of the health portfolio. I understand that he is also participating in a conference while he is overseas and that he is undertaking a number of other activities as well. I am sure that when the Minister returns he will be in a position to share some of the information as to the broad purposes of his visit overseas. In the interim, as Acting Minister, I am only too happy to respond to and take up the questions, ever so well put by the Hon. Terry Roberts and whomever wrote them for him and the Hon. Ron Roberts and whomever wrote his question for him, with officers of the Minister for Health to see whether there is any more information that I might be able to share with them and other members of the Chamber before the Minister returns. I undertake to speak with staff in the Minister's office to see whether or not there is any information that we might be able to share with members.

The Hon. T.G. ROBERTS: Mr President, I desire to ask a supplementary question in view of the answers not only to my question but also to that of the Hon. Ron Roberts. Has the Minister a contact phone number that Opposition members might be able to use to contact the Minister in his absence?

The Hon. R.I. LUCAS: Although I understand that the honourable member's question was a flippant one, as Acting Minister I will treat it with some seriousness. I must indicate that I will be surprised, having taken advice, whether I will be providing for the honourable member an ongoing telephone number for contact with the Minister for Health, but I will seek advice and, as soon as I can, I will bring back some sort of response for him.

The Hon. T.G. CAMERON: My question, which is directed to the Minister for Education and Children's Services in his capacity as Acting Minister for Health, relates to the Queen Elizabeth Hospital probity matter.

Members interjecting:

The Hon. T.G. CAMERON: I am sorry, I did not hear that interjection. What did you say?

The PRESIDENT: Order!

The Hon. T.G. CAMERON: Mr President, I did not hear the Leader of the Opposition's interjection. I just wonder whether he has the courage to repeat it.

The PRESIDENT: I suggest that the honourable member ignores interjections.

Members interjecting:

The Hon. T.G. CAMERON: You would be an expert on that: you would be the biggest wanker I have ever come across!

The Hon. R.I. LUCAS: Mr President, on a point of order, I do not normally take exception, but I think the honourable member used some unparliamentary language which, as we are in Question Time, you might ask him to withdraw and apologise for.

The PRESIDENT: I uphold the point of order. Will the honourable member withdraw and apologise?

The Hon. T.G. CAMERON: I unreservedly apologise for calling the Leader of the Opposition a wanker.

The Hon. R.R. Roberts: Even though it's true.

The Hon. A.J. REDFORD: I rise on a point of order, Mr President. The Deputy Leader of the Opposition repeated it when he said, 'Even though he is.' I would ask you to ask him to withdraw his comment.

The Hon. R.R. Roberts: Interjections are unacceptable and shouldn't be recorded.

The PRESIDENT: Order! If we continue down this track, there will not be a Question Time. I suggest that all members take a deep breath and get on with questioning as such. I warn the Deputy Leader of the Opposition. I think that the questioner, when withdrawing and apologising, meant the Leader of the Government, not the Leader of the Opposition.

The Hon. T.G. CAMERON: I did, Mr President. Thank you for pointing that out to me. We sometimes forget that there has been an election.

I seek leave to make a brief explanation before asking the Acting Minister for Health a question about the Queen Elizabeth Hospital probity matter.

Leave granted.

The Hon. T.G. CAMERON: On 13 February the Minister said that the probity auditor for bids for the $130 million redevelopment of the Queen Elizabeth Hospital had not been appointed because he was negotiating with a prominent business person who was considering whether he had time to undertake this task. The Minister also said that he was unsure whether the position should be full time. My questions are:

1. Has the Government yet appointed a probity auditor for the Queen Elizabeth Hospital redevelopment project?
2. Who is the auditor?
3. Will the position be full time?
4. What authority will the auditor have?

The Hon. R.I. LUCAS: I will take advice on that and bring back an answer as soon as I possibly can.

PENNESHAW BREAKWATER

The Hon. SANDRA KANCK: I seek leave to make an explanation before asking the Minister for Transport about the proposed breakwater at Penneshaw, Kangaroo Island.

Leave granted.

The Hon. SANDRA KANCK: I am advised by Kangaroo Island resident, Mr Ian Gilfillan, who is a member of a local committee looking at the matter, that the introduction of a large vessel by *Sealink* to the Cape Jervis to Penneshaw run will require a major extension of the existing breakwater to protect the berthing facility at Penneshaw. Local residents are understandably very concerned at the impact that this would have on the marine ecology of the area and the future of the historic Penneshaw jetty. Ian Gilfillan tells me that correspondence from the local committee to the South Australian

Ports Corporation regarding the matter and its concerns go unanswered.

Three options are proposed. Option 1 is an extension of the existing breakwater through the jetty. Option 2 is a breakwater partially covering the Penneshaw Reef, and option 3 is a breakwater extending over Penneshaw Reef and out into deeper water.

The concerns of the locals are well described in a letter written to the Ports Corporation on 10 February this year by committee member and principal of Adventureland Diving, Mr John Lavers. He describes the reef thus:

> To the north of Penneshaw jetty is a reef. This reef is fashioned in rather a horseshoe shape and drops to a depth of approximately 15 metres. It contains a wide variety of marine invertebrates; for example, Brittle stars, Basket stars, sponges, Gorgonian corals. . .

Mr Lavers explains that the fish species that exist there are predominantly algae eaters and both they and the other species to which I have referred rely for sustenance on the currents that come through from Backstairs Passage and Hog Bay. He also mentions that in the late 1970s Dr John Ottoway and others were commissioned by the Fisheries Department to survey Kangaroo Island and make some recommendations. Apparently they recommended that some of these areas be declared marine reserves because of the uniqueness of the flora and fauna there. The letter, addressed to Mr Malcolm Bagnall of the Ports Corporation, further stated:

> . . . if you adopt option 1, a breakwater through the end of Penneshaw jetty, you will reduce the water flow to such a degree as to seriously affect the marine life of this reef. This, of course, can easily be established after the event. Such a breakwater would also cause a large build-up of sand and sediment on its shoreward side. This is not something that is conjecture, because the existing small breakwater built by the March family to protect the ferry already has a build-up of some 2½ metres of sand and sediment on it. This evidence is clear to anyone prepared to don a mask and snorkel and look. It is obvious that any extension of that breakwater is bound to compound the problem. . . Since the conception of this ferry both the Labor and Liberal Governments have filtered an enormous multi-million tax on motor vehicles using the ferry service into general revenue. It is time in all conscience to return a small proportion of that money to preserving the island's natural beauty.

Mr Ian Gilfillan, speaking on behalf of the committee, tells me that they are demanding that an EIS be done before any work at all is authorised for the breakwater and that the jetty must be retained as it is an invaluable feature and attraction for the tourist industry on the island. My questions to the Minister are:

1. Why has the South Australian Ports Corporation not even acknowledged, let alone replied to, correspondence from islanders regarding the jetty and breakwater?

2. Will the Minister give an assurance that an EIS will be done and taken into account before any decision on the breakwater is made?

3. How much revenue is the Government collecting each year through taxes on motor vehicles using the ferry service?

4. Acknowledging her achievements in saving and restoring the Henley and Brighton jetties, will the Minister promise to achieve the same result for the historic Penneshaw jetty?

The Hon. DIANA LAIDLAW: I was interested to learn from the honourable member's question that Mr Ian Gilfillan is now a resident of Kangaroo Island and not Norwood. It is good to see that he is involved with some issues associated with Kangaroo Island. I have no idea why the Ports Corporation has not acknowledged or responded to the letter, and I will find out. I was provided with an initial briefing on this issue some time ago, and I do not have up-to-date advice, which I will now seek, to enable me to respond to the second and third questions. In relation to the fourth question, I respect that the jetty is seen as an historic jetty in terms of jetty infrastructure in South Australia. I will inquire about plans for that jetty. I accept also that, with respect to the jetty, size and structure is seen as an important part of the aesthetics generally in the environment and tourism factor at Penneshaw.

QUEEN ELIZABETH HOSPITAL

The Hon. T. CROTHERS: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services, in his capacity as Acting Minister for Health, a question about the Queen Elizabeth Hospital redevelopment.

Leave granted.

The Hon. T. CROTHERS: The Opposition has in its possession information which shows clearly that expressions of interest have been called for in respect of the proposed $130 million redevelopment of the Queen Elizabeth Hospital. The information further indicates that, after these expressions of interest, submissions have been analysed and that requests for tenders are scheduled to be called for on or about 25 March. Guidelines in the Opposition's information show that short-listed companies which have been picked out of the expressions of interest lodgements will then be asked to respond to a request for proposals. My question to the Acting Minister for Health is as follows: will companies short-listed for the $130 million Queen Elizabeth redevelopment be requested to submit formal tenders for the project, or will they be invited to submit proposals similar to the process used to select United Water to manage Adelaide's water systems?

The Hon. R.I. LUCAS: I will take advice from the Minister's office and bring back a reply as soon as I can.

PARKS HIGH SCHOOL

The Hon. CAROLYN PICKLES: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services a question about The Parks High School closure.

Leave granted.

The Hon. CAROLYN PICKLES: As we have previously heard, on 15 March, the Minister for Education announced that The Parks High School will close at the end of this year. The Minister made this decision after commissioning a review, which recommended that the school stay open. The review states:

> The Parks High School is an asset to the public education system in South Australia with outstanding values and learning practices that are at the cutting edge. The school clearly values diversity and equity, and this is displayed in the many programs that have been developed to support disadvantaged students.

The Minister has rejected those recommendations of the review, and I understand that this week he had a meeting with some of the students from the school but refused to reconsider his decision. My question is: why will the Minister not reconsider his decision to close The Parks High School?

The Hon. R.I. LUCAS: This is the third time this question has been asked. I understand why it is asked again today, so for the sake of the public record I will again briefly indicate the position. The recommendations of the report were received by me, as I have indicated before. I considered

the recommendations of the report together with information provided to me by officers of the Department for Education and Children's Services as well as other information. I then made the decision that I announced one or two weeks ago. On Monday morning of this week, I met with a representative group of students and, I think, two staff members from the school, and they put to me their concerns, their anger, their disappointment and their frustration at the difficult decision that I had taken and announced.

As I indicated to them, the information that they provided to me had already been fairly indicated. What they saw as the reasons for the continuing presence of The Parks High School had already been fairly and adequately put in terms of the information that the review committee had provided to the department and me to enable me to make the decision that I took one or two weeks ago. The meeting on Monday morning provided no new information about the concerns of students and staff regarding the closure of the school.

The Hon. Carolyn Pickles: They were pretty upset.

The Hon. R.I. LUCAS: Yes, I freely acknowledge that—at the meeting and at subsequent discussions with members of the media. It is true that whenever a school is closed—such as the schools that have been closed over the past two years—almost without exception there are students, staff and parents who are upset at the decisions that are taken. A number of families and students at Brentwood on the Yorke Peninsula are also very upset at the moment about the closure of their school. Equally, under the previous Labor Government, when 70 schools were closed or amalgamated there were students, staff and parents in virtually all those schools who were upset.

The Hon. Carolyn Pickles interjecting:

The Hon. R.I. LUCAS: That's not true, and the honourable member knows it. The processes that the department followed on this occasion were very similar to the processes—

The Hon. Carolyn Pickles interjecting:

The Hon. R.I. LUCAS: There was no media announcement solely. There was, in effect, information shared with, first, the principal of the school, then the senior staff, then all other staff, then the students, and then in the normal way information was shared with the broader parent community as well. Consultation with the local community was undertaken over a very extensive period.

The local community knew, because there was pressure on me, as Minister, to announce my decision prior to this week when the first information for intending year 8 students was to be circulated for next year. The local community knew that a decision was about to be made. Indeed, it wanted it taken and announced prior to this week, one way or another. The local community wanted the school to remain open, but equally it wanted to know whether or not the Minister would make a decision contrary to the wishes of the local review committee. As Minister, that is the decision I took. I do not resile from that decision.

I spoke with the students, staff and the representative group on Monday morning and indicated that decision to them. When these decisions are made we know that students, parents and staff in all schools that are closed or amalgamated against their wishes will be angry, disappointed or concerned with the decision. Therefore, the fact that that occurs after the decision is announced is not new information: it is factored into the decision-making process. We expect local communities not to be happy with decisions that Governments make that are contrary to the wishes and recommendations of a local review—that is expected. I have indicated on at least two or three previous occasions in this Chamber the process of decision making I followed but, as the question was asked today I repeat: that was the process we followed. Whilst I sympathised with the students and staff who met with me on Monday, I indicated firmly but politely to them that the decision had been taken and would not be changed.

DUCK HUNTING

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister for Transport, representing the Minister for the Environment and Natural Resources, a question about the duck hunting season.

Leave granted.

The Hon. M.J. ELLIOTT: The Minister has recently disappointed the animal welfare movement in South Australia by announcing the start of another duck hunting season.

An honourable member interjecting:

The Hon. M.J. ELLIOTT: It is not opinion: it has disappointed them. They tell me they are disappointed. This season comes about despite well-known evidence that the recreational hunting of birds with shotguns is a contravention of the spirit of the Prevention of Cruelty to Animals Act because of the high wounding rate. Members might be aware that New South Wales and Western Australia have banned this sport, which many South Australians believe to be cruel and unnecessary. The Animal Welfare Advisory Committee, which is charged with advising the Government on animal welfare issues, has again this year recommended against the sport.

I understand that since 1988 the committee has offered ample evidence supporting the banning of the sport in recommendations to the Minister for the Environment and Natural Resources, including evidence of duck maiming rates of up to 80 per cent. The published evidence of wounding and crippling rates is extensive and has, I believe, been brought to the Minister's attention. If it has not, I will happily supply the information to him. One study published in 1987 indicated that three Canadian wildlife officials found that hunters crippled on average 39 per cent of ducks hit. This did not take into account birds that were lightly wounded—whatever that means.

A letter sent to me from the Conservation Council states that munitions tests and computer modelling have shown that for every bird shot and retrieved one bird is wounded but not retrieved. Field studies also show that between five and eight birds are downed but not retrieved for every 10 birds bagged. Clearly circumstances will vary the precise proportion of birds wounded or crippled but not retrieved. What cannot be disputed is the fact that spraying flying birds with small pellets is an inefficient and inhumane method of killing. A 1993 opinion poll held in New South Wales showed that 71 per cent of people disapproved of duck shooting, and only 20 per cent approved of it.

It was also recently brought to my attention that proposals are being put to the Minister—and I am not suggesting that he is sanctioning them—that it could be used for tourism purposes, that people could come to South Australia to hunt ducks and, as long as they were an accompanied by someone who had passed a duck recognition test, they would be okay. Presumably the person who passed the test would say, 'Hey, don't shoot that one, it is such and such a breed.' My questions to the Minister are:

1. Why has the Minister paid so little attention to the advice of his Animal Welfare Advisory Committee?

2. Will the Minister accept the advice of the committee and ban duck shooting as a sport in South Australia?

3. Why has the Minister paid so little attention to evidence of high wounding rates involved in recreational duck hunting?

4. Has the Minister been approached in relation to tourism opportunities linked to duck shooting?

The Hon. DIANA LAIDLAW: I will refer those questions to the Minister and bring back a reply.

LANGUAGES, LEARNING

The Hon. P. NOCELLA: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services a question about language teaching in South Australia.

Leave granted.

The Hon. P. NOCELLA: The Government commissioned a report last year from Mr Joseph Lo Bianco on the state of language teaching in South Australia and with the purpose of making some recommendations to improve the situation in this State, which sees a serious attrition in the rate of languages taught at secondary school level. The report recommends a series of decisive measures. Amongst these measures, under recommendation (3d), the Minister is urged to discuss the positive outcome of the school languages study in Victoria, on the subject of a tertiary bonus point incentive, with his ministerial colleague responsible for the tertiary sector and, through him, with the appropriate authorities within the higher education institutions.

Given the fact that there is generalised support for the encouraging of the teaching of languages other than English at secondary level, not only for the purpose of academic pursuits but also for the practical purpose of trade, tourism and the hospitality industry as a whole; given that this measure, that is, the bonus point incentive system, has positive implications for and involves no costs to the education system but provides a reward; and, given that in Victoria this system has been in existence for many years and lately has been upgraded to the point where all four universities in Victoria offer a bonus incentive point scheme, will the Minister inform the Council of what action he has taken with his ministerial colleague and, through him, with the appropriate authorities within the higher education institutions? Secondly, when can we expect to have a bonus point incentive system in South Australia for the study of languages other than English?

The Hon. R.I. LUCAS: Because we are such a consultative Government and do not rush into making decisions, I indicated when I received the Lo Bianco report that the recommendations were so wide ranging and comprehensive that we would not be rushed into making decisions without consulting with those who will be affected in the field. I indicated as Minister that I believed we should use term 1 of this year for proper consultation or to allow any affected group or individual, or anyone with an interest in the recommendations of the Lo Bianco report, to provide a submission to the Government and the department as to whether they agree or disagree with the recommendations of Mr Lo Bianco.

It is important to note that Mr Lo Bianco acted as a single consultant while he discussed with various reference groups the work in progress. The report was his and his alone and not the work of a representative group of all who were interested in language education in South Australia. As Minister, and consistent with our general philosophy, we want to engage in proper consultation with all who might want to put a viewpoint to us. We have therefore placed on notice the general guideline of consultation during term 2. We have not made decisions on any of the individual recommendations made by Mr Lo Bianco in his report and will not be rushed into implementing recommendations of that report, including the particular recommendation to which the Hon. Mr Nocella has referred.

The other two points I make are that, first, it is important to remind members (and Mr Nocella has referred to this) that this decision is not one for the State Government but for each of the individual universities. It is not Government controlled but an issue that the universities and the university councils can make in terms of whether or not they will advantage students who study a language by issuing bonus marks. Secondly, there have been a number of people in Victoria, and now here in South Australia, who are looking at this issue who have similarly argued that those young people who undertake studies in mathematics 1 and 2 and physics should similarly be given a bonus point advantage for studying maths 2 in particular.

In Victoria you now see bonus marks for some language study but also see bonus marks at year 12 for mathematics study. That has meant that the physics lobby in Victoria is stressing the importance of physics to Victoria's future, and similarly in South Australia people are arguing that, because of the tremendous growth in information technology—the tremendous demand for people to work in the information technology area—we need more people taking maths 1 and 2 and the sciences. If we are to introduce bonus marks for languages, we need to introduce bonus marks for maths and physics as well. It is not a simple and open shut case that there ought to be bonus marks for languages. Certainly, having consulted in the field, I will have discussions with the Minister for Further Education (the Hon. Dr Bob Such) about this issue. Certainly as a Minister I do not have a final and fixed view on this issue. I can see the arguments from both sides and in the end it is not a decision for me as Minister but a decision for the three universities individually.

The Hon. P. NOCELLA: By way of supplementary question, since all the people being consulted have already been consulted by Mr Lo Bianco, can we expect some prompt action since the views will not be different from the ones already canvassed during the course of the exercise?

The Hon. R.I. LUCAS: It is not true to say that all the people who have been given the opportunity during term 1 of this year were consulted by Mr Lo Bianco. Mr Lo Bianco acted by himself and acted within a relatively short time frame. He had access to a number of reference groups and working parties, but I assure the Hon. Mr Nocella that I have had discussions with a number of individual language teachers in schools who were broadly aware of what Mr Lo Bianco was looking at. However, only now has he specifically recommended that this or something else should happen or that this should change, which may have been different from their view, and there is now a report and specific recommendations that say that certain languages should be given greater priority than other languages, which is a controversial issue in the South Australian educational context.

It is fine to say that there might have been the opportunity for discussion when Mr Lo Bianco was working on it, but it

is only when someone has finalised a report and recommended a reduction in the number of languages, that there be bonus marks or whatever the recommendation might be, that people can then concentrate on the specific recommendations.

So, I strongly suggest to the Hon. Mr Nocella that he ought not adopt the position that this consultation is exactly the same as that which occurred before and is, therefore, a waste of time. I can assure him that this Government will not be rushed into shortening the consultation period. We will allow teachers, parents, students and academics—

An honourable member: And ethnic schools.

The Hon. R.I. LUCAS:—and ethnic schools, universities and many others a proper period of consultation to allow them to put a view to the Government and to me as Minister. If the Hon. Mr Nocella is adopting a position that we should not consult with all these people, I am disappointed at the autocratic attitude of the Hon. Mr Nocella, that he is saying to me as Minister that I should not consult thoroughly and properly with everyone who might be affected and who might have a point of view on this important issue.

STATUTORY AUTHORITIES REVIEW COMMITTEE

The Hon. L.H. DAVIS: I lay on the table the interim report of the committee concerning a review of the Electricity Trust of South Australia (ETSA's Expenditure on Energy Exploration and Research), and move:

That the report be printed.

Motion carried.

ASER PROJECT

The Hon. L.H. DAVIS: I seek leave to make a statement before asking the Minister representing the Deputy Premier and Treasurer a question about ASER.

Leave granted.

The Hon. L.H. DAVIS: They are grizzling on the other side, as well they might. Yesterday's statement by the Deputy Premier—

Members interjecting:

The PRESIDENT: Order!

The Hon. L.H. DAVIS: You just stick with radiata, Ron.

Members interjecting:

The Hon. L.H. DAVIS: You'll get the answer to your question, Mr Cameron; just listen! Yesterday's statement by the Deputy Premier (Hon. Stephen Baker) in another place about the ASER project and Adelaide Casino confirms only what some members of the Liberal Party have feared for many years. In 1983, the ASER project was—

Members interjecting:

The PRESIDENT: Order, The Hon. Terry Cameron!

The Hon. L.H. DAVIS:—announced by the Premier Mr Bannon in Tokyo. In 1984, during debate of the ASER legislation, Mr Bannon proudly labelled it as a Government project. In 1985, Mr Bannon used the ASER project as a backdrop for media conferences during the State election. The original project, consisting of the Casino, Hotel, Convention Centre, Riverside office building and public areas, was budgeted to cost $160 million. After the Casino opened in late—

Members interjecting:

The Hon. L.H. DAVIS: We'll get to that in a minute. We'll give you the complete answer in a minute. Just relax! After the Casino opened in late 1985, the project was dogged by one fiasco after another. The form of the ASER complex and architecture of the hotel, office building and Convention Centre was savaged by a range of critics. The ASER project ran over budget and way behind schedule. The builders' labourers treated ASER as a picnic ground. ASER could well have been a site for the musical *Anything Goes*. There were strikes for rain, sun, fleas, the wrong person picking up a fallen piece of timber, toilet cleaners, and other unionists getting paid too much. Lights were turned off on the ASER cranes, creating a potential hazard for aircraft. You accept that too, Mr Cameron, do you?

In late 1987, an angry Premier Bannon stopped work on the Riverside building because the aluminium cladding was silver, not pink, only to be sprung when I revealed that 16 months earlier the Government had been advised and led by ASER Chairman Ian Weiss that the building was to be gunmetal grey. The hotel was meant to cost $60 million but blew out to $160 million and was completed 16 months behind schedule. By the time the ASER project was completed in 1989, the cost had ballooned to $340 million. But Premier Bannon, who initially claimed that ASER was a Government project and basked in its early glory, was now bleating that it was a private project. Finance Minister Frank Blevins hid behind the skirts of commercial confidentiality—

The PRESIDENT: Order! The honourable member has peppered this question with opinion. I ask that he stop doing so.

The Hon. L.H. DAVIS: Very well, Sir—in refusing Parliament details of ASER costs. In 1992 a select committee of the Legislative Council was established to investigate, amongst other things, the ASER Project Trust and SASFIT's investment. The select committee took evidence from ASER Chairman Ian Weiss, who defended the structure and profitability of the ASER project. Ian Weiss told the select committee that the hotel and Casino could be regarded as one business unit in a bid to justify the structure and the huge profits skimmed from the Casino by the ASER Trust, and this meant that Southern Cross Homes, with a one-third interest in the Casino, never received a dime on its $12 million investment.

The select committee heard evidence from Mr Ross Woods, a Queensland Director of Accountants Horwath and Horwath, who had expertise in the hotel and leisure industry. He claimed that the 8.5 per cent annual return, which the ASER Property Trust was guaranteed on the hotel's cost price of $160 million, adjusted annually for inflation, was larger than anything he had seen in Australia. By 1992-93, the ASER Property Trust was receiving $15.3 million annually on the hotel, which was valued in the books at $180 million. Although Mr Woods told the committee that the Hyatt's market value could be as low as only $65 million.

Mr Woods also expressed surprise that ASER was receiving a 10 per cent return on the $24.5 million capital cost of the Casino. Mr Woods totally rejected the fiction that the Hyatt and the Casino should be styled as one business unit. He was adamant that they should be regarded as separate units.

The ASER background and latest information on the ASER Property Trust clearly reveals that this was a financial scandal of major proportions, which will impact on the South Australian Superannuation Fund Investment Trust. My question to the Minister is: what will the impact be, in financial terms, on the South Australian Superannuation Fund Investment Trust and other public sector superannuation schemes, and will taxpayers have to bear the burden of yet

another financial scandal of the Bannon Government from an investment which was claimed by Premier Bannon to be a private project?

The Hon. R.I. LUCAS: The Hon. Mr Davis has clearly articulated another Labor financial disaster which it has inflicted upon the people of South Australia. The tragedy is that some of these financial disasters have taken almost two years to unravel and to try to sort our way through the process. I will certainly refer the honourable member's question and take some advice from the honourable the Treasurer and bring back a reply as expeditiously as I can.

ADVERTISING, MISLEADING

In reply to **Hon. ANNE LEVY** (19 March).

The Hon. K.T. GRIFFIN: 'The Miracle Slender Patch' product has been marketed heavily in South Australia. The book is printed by Diamond Press Holdings Pty Ltd ACN 001 660 260 Melbourne and distributed by Salmat, 11 East Terrace, Mile End, South Australia 5031.

The weight loss patches and other therapeutic goods have been under investigation for the past month. An Officer from the Office of Consumer and Business Affairs (OCBA), Consumer Affairs Branch, has worked with an officer from the Commonwealth Department of Health and Family Services, Therapeutic Goods Administration (TGA), Surveillance Branch, Canberra.

Initial investigations revealed that although therapeutic goods must be registered by the TGA to be legally sold, the above-mentioned goods had not been registered.

On 5 March 1996 a memo was circulated to the Consumer Affairs Branch staff, advising that the products were not registered and that the matter was under further investigation in Canberra.

On 15 March 1996 the Commonwealth Department of Health and Family Services, in a media release, stated that, 'Slender Patch had been under investigation for the past month and as the product had not been evaluated by the TGA the quality, safety and efficacy of the product was not known.' The media release further stated that, 'Consumers need to be wary of unapproved products that offer miracle treatments.'

A representative from OCBA telephoned Slender Patch on (02) 9973 2211, and a recorded message stated that persons who ordered after 28 February 1996 are entitled to a refund.

Over 140 000 diet patch treatments were seized in Sydney, on 14 March 1996, as part of an ongoing investigation by the TGA.

OCBA have advised the Australian Competition and Consumer Commission (ACCC) of the above concerns.

OCBA have received numerous telephone inquires and have registered six complaints.

Since the press release by the Commonwealth Department of Health and Family Services the media officer for OCBA has been advised of the situation and will promote consumer awareness in regular radio programs.

GOVERNMENT ACCOUNTABILITY

In reply to **Hon. M.J. ELLIOTT** (14 February).

The Hon. R.I. LUCAS: The Premier has provided the following response:

1. The ministerial statement by the honourable the Premier on 6 February 1996 stated in part—'in these arrangements, there is nothing which attempts to limit the powers, privileges and responsibilities of the Parliament or any of its committees.' The statement also indicated that the Government would be having discussions with the Australian Democrats about a protocol for the provision of information and dealing with commercial confidentiality. The honourable member's question is therefore premature.

2. The Government makes regular public statements in relation to its proposals for contracting out of services. Currently, the Government is considering contracting out the management of the Queen Elizabeth Hospital and further metropolitan bus services. In each case, internal bids on behalf of existing employees are being encouraged.

MUSIC EDUCATION

In reply to **Hon. CAROLYN PICKLES** (13 February).

The Hon. R.I. LUCAS: The proposed review is intended to give a clear strategic direction for the long term provision of Instrumental Vocal Music to students in this state. The following matters require further investigation.

1. The development of an allocative mechanism for the distribution of resources to schools to support instrumental and vocal music tuition which is clearly understood, recognises local contexts and equity issues and is consistently applied throughout the State.

2. The determination of best practice delivery models which maximise student access and participation in Instrumental and Vocal Music Programs and promote local flexibility in the delivery of quality programs.

3. The determination of best practice strategies for the provision of instrumental and vocal music tuition which support the compulsory area of learning: the Arts.

The investigation of these matters will form the basis of the Terms of Reference for the review of music which will be conducted during 1996. It is possible an external consultant might be used to assist the Department review.

The Terms of Reference have not yet been finally determined or approved.

FORESTS

In reply to **Hon. R.R. ROBERTS** (8 February).

The Hon. R.I. LUCAS: The Treasurer has provided the following response.

1. The Government prior to the last election made a commitment to maximise the efficiency of use of South Australian assets. In our financial policies released at the time it was made quite clear that the Government would forward sell wood products out of the forest.

As part of that process and in conjunction with assessment of Forward Products for sale the Asset Management Task Force was instructed to examine the returns the State was receiving from its forests in order to enhance the value of those forest assets for the benefit of the State and the South East.

Major issues were identified including a large difference in valuations between Primary Industries South Australia and the AMTF and the restrictive influence of existing supply contracts on any sale of harvesting rights.

The future of the forests (harvesting and timber processing) was considered by the Cabinet Asset Sales Sub-Committee. Cabinet, upon the recommendation of the Asset Sales Sub-Committee, approved a comprehensive review of the forests (terms of reference attached). No submission has been made to Cabinet proposing the sale of harvesting rights.

2. The Cabinet Asset Sales Sub-Committee consists of the Premier, the Deputy Premier and Treasurer, the Minister for Industry, Manufacturing, Small Business and Regional Development and the Minister for Industrial Affairs.

Terms of Reference

(1) Analyse current performance of the forests, having regard to the 'Management Review of PISA Forestry' report of July 1994;

(2) Consider the operationally, financially and economically viable options for maximising the value of the forests, noting the need to maximise processing of forest products in South Australia;

(3) Consider overseas trends in forestry and timber processing and assess likely future demand for forest products;

(4) Identify forestry and timber processing issues of relevance to maximising opportunities for sustainable economic development and jobs in the State's South-East;

(5) Commission an independent valuation of the forests under the viable options for marketing of the forest products from the forests and provide expectations of future rates of return to Government;

(6) Identify total land areas with potential for new forest plantings, taking into account the highest and best use of that land. Comment on the potential to increase substantially the size of the economically viable forest plantation;

(7) Consider the preservation of appropriate conservation uses of, and recreational and educational access to, forest reserves;

(8) Review future contractual arrangements for the supply, harvesting and delivery of timber;

(9) Identify controls which the Government should maintain to protect the long-term interests of the timber processing industry in South Australia;

(10) That the Government must retain control over the annual rate of cutting timber.

SCHOOL CLOSURES

The Hon. P. HOLLOWAY: Will the Minister for Education and Children Services clearly state the Government's criteria for closing primary and secondary schools? Is any weight given in the criteria to the Audit Commission's recommendations that average school sizes should be moved towards an optimal size of 300 students for primary schools and 600 to 800 students for secondary schools? Finally, will the Minister say exactly how the Government's criteria were applied in the case of the closure of The Parks High School, the Brentwood Rural School and the Port Victoria Primary School which were announced in the past two weeks?

The Hon. R.I. LUCAS: As I have indicated on a number of occasions, the Government's policy and, therefore, the criteria which we apply are exactly the same as the criteria applied by the previous Labor Government, because we are using exactly the same policy. As I indicated yesterday, the previous Labor Government closed or amalgamated about 70 schools in the seven years prior to 1993—an average of 10 per year. This Government is using exactly the same criteria.

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: Overwhelmingly, they are the educational opportunities that we can provide to students at the particular schools. So, we are talking about the curriculum options and the broadest possible definition of educational opportunity and quality of education that we can provide to students and young people at particular schools.

I can say unequivocally that the Government has not accepted the Audit Commission recommendation that there ought to be a magic number of students for a school. It is clearly nonsensical in some country and city communities to expect that there will be 300 students in a particular primary school. So, the Hon. Mr Holloway ought to be aware that some country communities might be lucky to muster 300 total population, let alone 300 students for a primary school. So, the Government does not accept the Audit Commission recommendation in relation to some magical figure that applies. The overwhelming guideline that I use as Minister is my judgment, based on advice from local review committees and the Department for Education and Children's Services. But, ultimately it is my decision as to quality of education and the educational opportunities, and these, of course, include curriculum opportunities and a range of other associated factors which relate to that in terms of the educational opportunities that we can offer to schools.

Also, as I have indicated, in some cases, whilst it is not the overwhelming factor, sometimes the issues of the quality of school buildings, for example, and the potential costs that there might be for a particular school compared to another might come into the calculations.

Secondly, issues of the financial cost of the school might be a subsidiary issue but not the overwhelming issue. As Minister, I have indicated on every public occasion that the overwhelming issue for us is not financial: overwhelmingly, the issue for us is educational. On occasion, it may well be that some financial considerations come into it, but not as the overwhelming consideration.

CONSOLIDATED ACCOUNT

The Hon. R.D. LAWSON: I seek leave to make a brief statement before asking the Minister for Education and Children's Services, representing the Deputy Premier and Treasurer, a question about the Consolidated Account.

Leave granted.

The Hon. R.D. LAWSON: I refer members to the quarterly statements published in the *Gazette* by the Government containing information concerning the comparative statement of payments, receipts and borrowings on the Consolidated Account. The last such statement appeared in the *Gazette* on 8 February. These statements are a useful snapshot of the Consolidated Account and they show the equivalent figures for the comparable quarter in the previous year. They show a reasonably healthy position in relation to this year's budget in this State.

However, the table of payments includes under the item 'Special Acts' payments 'authorised under various Acts (for example, parliamentary, judicial and statutory officers' salaries; parliamentary, judicial and public sector employees' superannuation and pension provisions)'. In fact, this item of payments is the largest on the quarterly statement of payments. It is fourth after education, payments by the Treasurer and payments by the Minister for Health. The sum of $131 million was paid under 'Special Acts' in the quarter under review compared with payments under the same item the previous year of $614 million.

In this Council I have previously complained to the Treasurer about the note concerning Special Acts, because it seems to me that it is rather unhelpful, as $131 million cannot be the payments for parliamentary and other salaries. My questions to the Treasurer are:

1. What explanation is there for the large disparity between payments under Special Acts this year: the $131 million as against last year of $614 million?

2. Does the Treasurer agree that the explanatory note—

The PRESIDENT: Order! The time for Question Time has expired.

The Hon. R.I. LUCAS (Minister for Education and Children's Services) : I move:

That Standing Orders be so far suspended as to enable the completion of the question and an answer to be provided.

The Hon. M.J. Elliott: Do they do that in all other cases? Do they allow the completion of questions?

Members interjecting:

Motion carried.

The Hon. R.D. LAWSON: My questions continue:

2. Is the note relating to Special Acts a fair description of the item appearing in the accounts?

3. If not, will the Treasurer ensure that a more appropriate note is fixed in future?

The Hon. R.I. LUCAS: For the sake of one and a half sentences or an extra 10 or 15 words, I should have thought that most members would accept that that should be allowed. I will refer those questions to the Minister and bring back a reply as soon as I can.

MATTERS OF INTEREST

GERMAN ASSOCIATION

The Hon. J.F. STEFANI: The South Australian German Association recently celebrated the 110th anniversary of its foundation. German-speaking people have a long and proud history in South Australia and have played an important role in the early development of our State. The first German migrants to arrive in Australia were amongst the first organised groups from a non-English speaking background to settle in this country.

As one of the earliest groups to settle in South Australia, the German community will always have a very special place in the history of our State. There have been many notable South Australians of German origin who have played an important community role and who have made significant contributions through their business activities and their commitment to public life. Some of the distinguished people who have been part of our early history I will outline as follows.

Mr Oscar Duhst, an insurance inspector, hotel keeper and an active member of the German Club. Mr Duhst was a member of the House of Assembly from 1912 to 1915.

Mr George Dankel, a butcher and sugar beet farmer, was a member of the Kensington and Norwood council and a member of the House of Assembly from 1905 to 1912 and the member for Boothby in the House of Representatives from 1913 to 1917.

Mr Martin Basedow, a school teacher, who established a Lutheran school at Tanunda in 1950, was a member of the Technical Education Board, the Adelaide Hospital Board, a trustee of the Savings Bank and an author of German grammar. Mr Basedow was a member of the House of Assembly from 1876 to 1890 and was Minister of Education in 1881.

Mr Robert Homburg (Snr), a lawyer, was German Club President in 1880 and was appointed a judge of the South Australian Supreme Court from 1905 to 1912. Mr Homburg was a member of the House of Assembly from 1884 to 1905. He was Attorney-General from 1890 to 1905, as well as Minister of Education from 1904 to 1905.

Mr Rudolph Henning, a farmer, arrived in South Australia in 1849 and was the landlord of the Globe Hotel and part owner of a large sheep station in the North of South Australia. Mr Henning was a member of the House of Assembly from 1878 to 1884.

Mr Frederick Krichauff, a land agent, became Chairman of the Central Agricultural Bureau and Chairman of the Macclesfield and Strathalbyn District Councils. He became a member of the House of Assembly from 1857 to 1858 and from 1870 to 1890.

Mr Hugo Muecke, a merchant and shipping agent, arrived in South Australia in 1849 and became the sole proprietor of H. Muecke and Co. in 1863 and was appointed Vice-Consul for Germany in 1877. He became the Imperial German Consul from 1884 to 1914. He served as a director of the Bank of Adelaide, Adelaide Steamship Company and Broken Hill Pty Ltd. Mr Muecke was also Chairman of the Yorke Peninsula Steam Company and President of the Adelaide Chamber of Commerce from 1885 to 1886. He was also the Chairman of the Rosewater and Walkerville District Council and a member of the Legislative Council from 1903 to 1910.

Mr Emil Wentzel, a timber merchant who trained as an architect, arrived in South Australia in 1847. He was a member of the House of Assembly from 1870 to 1871. Mr Johann Sudholz, a farmer and director of the wool and tweed factory and a founder of the Flinders St Lutheran Church, became a member of the House of Assembly in 1875. I must also mention the important contributions that Mr Johann Gramp, Mr Joseph Seppelt, Mr Theodor Buring and Mr Wolf Blass have made to the wine industry in South Australia.

In the pages of our history books we also find the famous names of Carl Linger, who was responsible for composing the music for *Song of Australia*; Joachim Wendt, silversmith; Sir Wilhelm Heysen, famous Australian artist; Frederick Sinnett, journalist and literary critic; August Kavel and Gotthard Fritzsche, Lutheran pastors; and Johann Menge, geologist and linguist.

As in the settlement of other colonies, German women played a very important role not only in the successful resettlement of families, but also in the life of this State. I should like to recognise the contributions of Mrs August Zadow, who came to South Australia in 1877. Mrs Zadow lobbied for legislation to regulate working conditions in factories and workplaces and was instrumental in the introduction of the Shops and Factories Act.

These are but a few of the many German settlers who came to South Australia and contributed to the development of the State. I know that many other members of the South Australian German community have also made significant contributions and established a long and distinguished record of achievement. I am confident that all members of the German-Australian community will continue to play an important role in promoting multicultural policies for the benefit of all South Australians. I extend my congratulations to the South Australian German Association on its 110th anniversary—

The PRESIDENT: Order! The honourable member's time has expired. The Hon. Michael Elliott.

EDUCATION POLICY

The Hon. M.J. ELLIOTT: I want to address the status of education in South Australia. I do not want to get into a debate about the figures, which the Minister seems to enjoy, but to look more at the impact. There is little doubt that the present Minister more than any Minister for Education in recent times—and perhaps this is true of other portfolios—knows the numbers. Whenever he is in an interview situation he can spiel out any number that he needs in support of what he is doing. Unfortunately, knowing the numbers does not mean that one knows the subject. It is like a person who has studied history and knows all the dates of various events but does not understand the significance of the events that occurred on those dates. I think that is the problem that we have with the present Minister: he can quote the numbers and make comparisons with previous years and talk about the numbers of children in various schools. He knows his portfolio well in terms of numbers and he is a very hands on Minister. He is far more hands on than any Minister in recent times, but being hands on when one does not understand is incredibly dangerous.

The basic skills test is one example. He has made certain decisions about basic skills testing and various other things, and he may have done it for the best of reasons and intentions, but at the end of the day I do not think that he understood the implications of what he was doing. I suppose it has been true of other Ministers in this position in that he has spent only one year studying within the system and his children are not inside the system, so he has no way of getting any direct understanding of what happens in a classroom in a State school or of the teaching methodologies which are applied. I do not think that he has any understanding of what happens when he changes the numbers, what those changes do to the methodology and what happens at the real level of practical teaching.

I can assure members, without getting into the argument about numbers, that he has done real damage to what is happening in the classrooms and enormous damage to the morale of the teaching force. I say that as a person who taught until 10 years ago and who still has a significant number of friends and acquaintances who are teaching today. Even 10 years ago there were signs of slipping morale because the previous Government was already starting to cut back, and the cuts continued under the previous Government. The Minister has a standard line, 'The previous Government was doing it, therefore, it justifies my position.'

In Question Time today he claimed, 'The previous Government was closing 10 schools a year and I am doing 10 schools a year. Therefore, this is all fully justified.' That is no justification at all. The previous Government was coming under significant criticism for doing that and for cutting back resources. Further cuts in resources are not justified because the other bunch was doing it. It is particularly not justified when the Liberals promised that there would be no cuts in the 1993-94 budget and that they would increase spending in 1994-95. Instead, in two years we saw a $96 million cut in the budget. What defence does the Government have? Its defence is, 'The previous lot was doing it. Therefore, that justifies us in doing it as well.'

The Minister frequently resorts to making comparisons with what is happening interstate. That is not a reasonable comparison, because Australia is very low down in terms of education spending. Australia falls between Portugal and Mexico in terms of spending per student in our education system. To compare us with other States and say that we are on a par or even better than some of them is no great comparison, because Australia is very low down among the OECD States. We are talking about a State that is trying to lead the way in technology and trying to attract overseas companies, but how will we attract people to a State which is not offering what is being offered in almost every other OECD State? Portugal is in front of us and only Mexico is behind us.

The PRESIDENT: Order! The honourable member's time has expired. The Hon. Paul Holloway.

CASINO

The Hon. P. HOLLOWAY: I want to address the topic of how this Liberal Government continues to go back into the past in order to create a diversion whenever it gets into trouble. We had the Hon. Legh Davis today ask his quite frivolous question about ASER following the Treasurer's statement yesterday. If ever there has been a beat up of old news, that was it. Why has it taken 2½ years for a Liberal Government to find out that there was—

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: That is the sort of frivolous answer that we get from the Leader of the Government—'Because you messed it up so much.' Two and a half years later this Government says that there is a problem, despite the fact that 12 months ago it bought out the Southern Cross Homes share in the Casino. Why are we hearing this all over again? Clearly, it is because this Government has a blame mentality, 'Blame anyone else when you get into trouble. It does not matter if you have to go back 2½ years. Why let the facts get in the way of a good argument?'

The profitability of the Casino has clearly been affected by poker machines. I do not think that anybody who understands gambling in this State would deny that fact. This Government has had an absolutely massive windfall increase in its gambling revenue. This year alone it is expecting to get $146 million from poker machines. Incidentally, the introduction of poker machines was opposed by some members of the Liberal Party at the time, but the legislation was brought in by the former Government. Now it is bringing $146 million into the coffers of this State, which is far greater than any losses that might be suffered by the Casino. Of course, we do not hear about that from Liberal members; they are happy to take the money and run and not take any responsibility.

On commercial radio this morning the Treasurer had the gall, when asked whether there were any further financial problems, to say that there might well be. We are 2½ years down the track but it seems that he will keep this blank cheque open so that, indefinitely into the future, if anything else goes wrong he can blame the previous Government.

Of course, this Government is entering into a number of outsourcing contracts which the Auditor-General has drawn to the attention of Parliament as being the most important issue facing Parliament at this time. The issue to which the Auditor-General refers is the lack of accountability and the lack of information provided to Parliament on all of these outsourcing deals. Some of these contracts are for 20 years or more. We have seen problems develop with similar contracts in the United Kingdom. Margaret Thatcher, when Prime Minister of Great Britain, privatised great slabs of the English economy, and 15 years down the track massive problems are arising.

All of the key figures in the privatised water companies and other companies in the United Kingdom are getting absolutely massive salaries while there have been huge cuts in the number of workers, increased charges, and so on. That is what this Government will leave for us in the future. If members of the Government are the great economic managers that they tell us they are, let them come clean and, if there are any more financial problems, let them say where they are. Let us see how good they are as financial managers.

It is high time that the Brown Government got on with the job. The Chairman of Advance Bank made some comments a few days ago about what he thought of the reform agenda of this Government and this Premier, and it did not compare very favourably with that of Mr Kennett in Victoria. His words were to the effect that the Premier here had wimped out. It is about time the Brown Government got on with the job instead of going back 2½ years and trying to dig up these issues, which have been given plenty of publicity in the past. Instead of trying to make capital out of some losses in the casino following the introduction of poker machines and instead of misusing these issues it is about time the Government got on with the job and stopped blaming others.

WOMEN, CAREERS

The Hon. CAROLINE SCHAEFER: I refer to an article entitled: 'Better to Breed Early, Blossom Later' by Marion Halligan in the *Bulletin* of 5 March. Last week I heard former Labor Minister Ros Kelly express similar sentiments at the launch on radio of Susan Mitchell's book on women in politics, *The Scent of Power*. Both women suggest that our generation got it right when we had our children young and are now free to pursue careers in our 40s. Ms Halligan said:

> . . . at 25 I still felt young. Now women are having babies way past the menopause, if they can afford the high technology to arrange it. I reckon they'll also need to afford nannies to look after kids; 50 and 60-year-old bodies don't bend and heave as well as they once did.
>
> . . . I know a lot of women in their 40s and 50s who are embarking with immense energy, organisation and fortitude on new careers, as though all their lives they have been planning and waiting for the moment to take off. I read once that middle-aged women become less conservative as men grow more so; when they are young they need to be pretty and conformist because it's handy to have a man to look after them and their infant children, but after that stage they can please themselves. While men consolidate, they branch out.

For obvious reasons I concur in these sentiments. Women currently live up to 10 years, on average, longer than their male partners and are therefore free to serve the public or their profession at a later age. We can talk all we like about increasing the numbers of women in this place; we can talk about child care facilities in this place and about quotas, but the facts are that most women want to raise their own children and they therefore do not want to take up full-time and demanding professions until their children are grown. If we are serious about encouraging women into this place we will be looking to women who have already raised their children. We will be looking to methods of training these women so that their skills are relevant when they choose to return to the work force. We will be looking to part-time, flexible contracts for the same reason. What will happen in the next generation when women will bear their children at 35 onwards, having come from the work force, is only speculative, but I suspect that they will probably not return at all and will, in fact, be lost to the work force permanently.

FEDERAL GOVERNMENT, PERFORMANCE

The Hon. T. CROTHERS: The last time I contributed to this debate I made considerable reference to the performance of the new Howard-led Federal Government. I indicated at that time that it was one thing when members opposite were espousing comments and criticisms of the then Keating-led Federal Labor Government but that it would be an entirely different matter when the reins of Government were in their hands and they found themselves not only having to be creative in their approach to the governance of Australia but that they would have to find ways and means of giving effect to raising revenue and to other matters which are painful to the citizens of the Australian nation.

It bears some relevance to quickly leaf through the pages of recent Federal political history to see just where, on the role of government, the Howard Government now stands in respect of some of the promises and oratorical gesticulations in which it was involved in the events leading up to the election when it was in Opposition and which it has to determine now that it has the reins of power in Canberra.

The first thing they did upon election was to prepare the Australian population for the bad news, namely, that the Howard Government, because of the ineptitude of the Federal Keating-led Labor Government, would have to set up a razor gang, whose main task it appears at this stage will be to slash $4 billion (that is $4 000 million) per year from Federal Government expenditure for the next two years. That represents some $8 000 million of expenditure from the cost-cutting measures out of the Federal Government's dollar expenditure in its budget. That represents about $1 in $8 of Federal Government current expenditure. That in itself will have massive impact in respect of the citizenry of this nation and their well being. So, the first thing they did was to create a razor gang.

Much comment was made, particularly leading up to the election, by Alexander Downer, a South Australian who, amongst other positions he held, was almost the nine days Queen revisited. He was Leader of the Federal Opposition, a position he held only briefly. The comments that he made were in relation to the two kidnapped Australian-born children who were taken up to Malaysia by their father, a prince of Malaysian royal blood. Of course, Alexander Downer made it very clear that he was just about ready to fix that and, of course, statements that he has espoused in the past several days reveal that, far from discharging the promises he made in respect of the fact that he personally or the Leader of the Opposition would take up the matter at the heart of the Malaysian Government, there has been an exchange of letters between Government officials, in spite of the promises that he had made.

The Deputy Prime Minister is an interesting case in point. When he heard of the mad cattle viral transmutation from the bovine species to the human species, he immediately came out, replete with his 10-galloner—although a three-gallon hat would be big enough to cover his pate—with the statement that here was the opportunity for Australia to get in and take advantage of the fact that the British beef market was in absolute chaos and disarray over the mad cow disease that has been very much in the news of recent times.

What he did not think of, though, was the impact that that would have on beef consumers right across the world. I note that a spokesperson for the United Farmers and Graziers had to come out several days later and say that one of the biggest tasks that confronts us is to try to ensure that consumers will still consume beef and not be frightened off it on a global basis. So it is obvious that the Deputy Prime Minister has much to learn, and I, of course, will follow up this contribution with a parallel contribution when next I get the opportunity.

The PRESIDENT: Order! The honourable member's time has expired.

REPUBLIC

The Hon. P. NOCELLA: The Australian Republican Movement announced a few days ago the appointment of a three person joint chairperson arrangement for the South Australian branch. The people elected to the joint chairperson arrangement are: the Hon. Chris Hurford; former Senator Baden Teague; and Senator Natasha Stott Despoja. As a member of the Australian Republican Movement, I am particularly pleased to see this development, which sends a very public signal to the community in general that Republican sentiments are attracting members from all major political Parties. This, of course, can only be applauded, because the alternative which has existed for some time has, for better or

for worse, been the identification of this particular movement with one Party rather than the whole spectrum.

The fact that this arrangement has been achieved will, I am sure, encourage many members of the community and the public in general to approach the movement to learn about its activities and perhaps to become members and, therefore, swell the ranks of those who, in increasing numbers, have a reasonable expectation that proper constitutional arrangements will be made in the not too distant future to change the structure of our Constitution and, therefore, the Head of State, and so on. The South Australian branch of the Australian Republican Movement is the first in the nation to go this way. I think it shows the maturity of the movement, its confidence and its ability to attract members from all sides of the political spectrum. The movement, which is active in providing views, comments and reports, holds a position which can be summarised as follows:

First, in terms of popular sovereignty, the movement believes that the power of the Government in South Australia (and I now come to the consequences of constitutional arrangements at State level) should be vested in the people of South Australia to be exercised by elected officials as prescribed in an accepted Constitution. Government should be based on the consent of the people of South Australia, not the will of a monarch. We believe that a monarchy and the powers exercised by an hereditary Head of State are a constraint on the popular sovereignty of the people of South Australia and are anachronistic for this modern nation.

Secondly, in terms of opposition to the hereditary principle, the democratic, secular and egalitarian ideals and values of the people of South Australia are inconsistent with a system of government that vests supreme power in an individual on the basis of birth and is discriminatory as to sex and religion.

Thirdly, with regard to national identity, we believe that Australia will not have fully come of age as an independent nation or State in our own eyes or the eyes of the world until our Head of State is an Australian citizen. Once this occurs, South Australia should also portray the same maturity and confidence. We believe it would be inconsistent, confusing and illogical for South Australia to retain monarchical symbols and constitutional structures when the nation as a whole becomes a republic. I think this is a highly desirable development. The three Party chairperson arrangements will, I think, be conducive to a better spread of information and acceptance of the views of the Australian Republic Movement.

COMMUNITY SAFETY

The Hon. R.D. LAWSON: I wish to speak on some aspects of community safety. Many people in the community feel that there is too much law and not enough order. Similarly, one often hears people say that there is too much law and not enough justice. At the last election, the South Australian Liberal Party abandoned the term 'law and order' in favour of 'public safety'. That was done because surveys consistently show, and people consistently say, that the matter of greatest concern within the community is the safety of individuals. People fear for their safety, and they crave Government action which will reduce the level of fear. In many surveys, this issue ranks ahead of unemployment, the economy, foreign affairs or anything else in the minds of a great many people.

Bearing in mind the importance of personal safety in the minds of most people, the first question that must be addressed in this debate is: are their fears for safety justified? Those fears are certainly very real—they are palpable. All the surveys show that people are fearful, and anyone who moves within our community will know that that is the case. It is especially so for older people, and I would be the last to be dismissive of these fears. I am prompted to raise the issue because the Police Commissioner has just released his report containing the statistical review of crimes reported in South Australia for the year ended 30 June 1995. Those statistics are illustrative of difficulties. For instance, I refer to the murder statistics for the year under review: 31 murders were reported in South Australia in that year as against 26 for the previous year. However, 28 to 30 is the average number of murders committed in this State over the past few years. Only four of the 31 victims were murdered by a stranger, most being murdered by so-called friends and relations: four by acquaintances; four by spouses; five by sons and daughters, relatives or family friends; and four by boyfriends and girlfriends or ex-boyfriends and ex-girlfriends.

One of the greatest fears most people have is that they will be the victim of a random murder by a stranger, yet the statistics suggest that quite the contrary is the fact. The location of murders given in the Commissioner's statistics is also interesting: 16 of the 32 (exactly half) occurred within the victim's own house, while only one occurred on the street or footpath. It is a paradox that, although most people feel safest in their own home, that is the place where they are most likely to be murdered. It is also interesting to see the age of victims: five were over the age of 60, which is the age group which expresses the greatest fear for public safety, at least in relation to murder, yet this is the group that has the least to fear.

Robbery is another offence which many elderly people fear. Stories of bag snatchers and muggers frequently appear in the media. Last year, 1 580 robberies were reported in South Australia. The age of the greatest number of those victims was under 14 years; 60 per cent of all victims were under the age of 24 years; and only about 12 per cent were over the age of 60. So, although the publicity about muggings and bashings of elderly people tends to suggest that there is an epidemic of such crimes, the figures suggest that they are the segment of the population least at risk.

Rape is a crime that is rightly feared. The gravest fear about rape is the attacker who springs from behind the bush or from some darkened alleyway, but the figures relating to the 588 rapes of females last year show that most, by far, were committed by so-called friends, spouses, former spouses, family friends, *de factos*, neighbours, and the like.

The number of rapes committed by strangers was less than 15 per cent. Fear of crime is not necessarily a rational fear. The task for Government is to devise policies that will allay people's fears, and the strategies on which the Government is working in its Crime Prevention: A Shared Responsibility for all South Australians shows the path ahead.

PARLIAMENTARY SECRETARIES

The Hon. P. HOLLOWAY: I move:

I. That the Legislative Council notes the creation of 16 parliamentary secretaries by the Premier.

II. That this Council further notes that parliamentary secretaries represent their respective Ministers at designated functions and in meetings with companies and other organisations on behalf of Ministers.

III. Consequently, that this Council resolves that Questions Without Notice be permitted to parliamentary secretaries on 'any Bill, motion, or other public matter connected with the business of the Council' in which the parliamentary secretaries may be specially concerned.

IV. That this Council also calls upon the parliamentary secretaries to resign forthwith from standing committees constituted in either House because of potential ministerial conflicts of interest.

I have pleasure in moving this motion. It is hard to know whether to take this motion seriously or as a joke. The appointment of parliamentary secretaries is, I would have thought, a serious matter. Indeed, most of the Parliaments of Australia now have parliamentary secretary positions, but 16 such appointments is really quite amazing. I seek leave to incorporate in *Hansard* a table showing the number of members of Parliament, the number of Ministers and the number of parliamentary secretaries in each State of Australia.

The PRESIDENT: Is the table purely statistical?

The Hon. P. HOLLOWAY: Yes.

Leave granted.

PARLIAMENTARY SECRETARIES

	MPs	Ministers	Parlt. Secretaries	% age of MPs as Parlt. Secretaries and Ministers
SA	69	13	16	42%
NSW	142	20	6	18%
Vic	132	21	7	21%
Qld	89	18	3	23.5%
WA	91	17	4	23%
Tas	54	10	2	22%

The Hon. P. HOLLOWAY: This table indicates that South Australia has more parliamentary secretaries than New South Wales, Victoria and Queensland put together—South Australia has more parliamentary secretaries than those three States combined. This table took quite some time to compile because every time I telephoned asking for the figures I would have to wait for the guffaws of laughter to subside when the person was told how many parliamentary secretaries South Australia has. It is pretty obvious what other States think about it all, and so they ought to.

The key question about this whole parliamentary secretary debate is: are they or are they not serious positions? Are they positions appointed by the Premier to keep an idle backbench busy so that it will not have time to plot in back rooms to get the numbers for the Minister for Infrastructure, or do they have some purpose? The Premier maintains they are serious positions, although one wonders how he can maintain that view. In his press release announcing the appointment of these secretaries, the Premier said:

> They will assist Ministers in the administration of their portfolios. This will include representations of the Minister at public functions and meeting deputations on behalf of the Minister. These appointments will enable the public and community groups to have a greater access to ministerial officers and facilitate liaison with the Government.

If these positions are to be taken seriously in this Parliament, then the Opposition believes the matter should be taken one step further and that these new parliamentary secretaries be available to answer questions in matters that come within their new areas of responsibility. As we have parliamentary secretaries in the Council who represent Ministers in another place, they might be able to keep us informed about matters and, if they do what the Premier claims they will do—that is, meet these delegations, talk to businesses, and so on—then they ought to be accountable, first, for those actions and, secondly, they should be able to explain their actions to this Parliament.

The Hon. R.D. Lawson: You do not need to be a parliamentary secretary to do that.

The Hon. P. HOLLOWAY: Then one might well ask: why do we need them? When I was a backbencher in the former Government one of our tasks was to represent Ministers at various functions. Of course, all members do that from time to time. In Opposition we represent our leaders, but what exactly is the whole purpose of this exercise?

The other point made in this motion is that, as well as being available to answer questions, surely, if these positions are serious, those Ministers should not place themselves in a conflict of interest situation, and those new parliamentary secretaries who are members of the standing committees of this Parliament should consider their position, because the whole purpose of parliamentary standing committees is to be the watchdog of Parliament.

We have these standing committees so that they will keep an eye on Executive Government. That is why backbenchers and not Ministers sit on these committees. If we are to have this halfway house of parliamentary secretaries who are to carry out some of the functions of Ministers, then we clearly have a problem. How can that watchdog function of the parliamentary committees operate correctly? How can we in the Parliament keep the Executive Government accountable if these pseudo Ministers are members of these committees? It is really a case of Caesar investigating Caesar.

A classic case, to take one example, is the member for Newland, Dorothy Kotz, the Chair of the Environment, Resources and Development Committee. Mrs Kotz is now the parliamentary secretary to the Minister for Industry, Manufacturing, Small Business and Regional Development. A member of that same committee is Mr Ivan Venning, who happens to be parliamentary secretary to the Minister for Mines and Energy. One wonders how these members can effectively perform their tasks on that committee when they are parliamentary secretaries in those areas.

The Hon. T.G. Roberts: How can they maintain confidentiality?

The Hon. P. HOLLOWAY: Exactly. If they are to do anything important—and, after all, why would we have these positions if they are not to have any importance—then they would be party to certain information that would make their position on these committees inappropriate. One would think it is either one or the other. If it is important enough to have parliamentary secretaries then they should be available to answer questions and they should not be exposed to any conflict of interest situation on parliamentary standing committees. If the positions are not important, then why have them at all? In relation to the point about the membership of committees, it is my understanding that the member for Coles, Joan Hall, has resigned from her particular committee, presumably on the basis that her position as a parliamentary secretary would—

The Hon. A.J. Redford: That's not true.

The Hon. P. HOLLOWAY: It is not true?

The Hon. A.J. Redford: That is not true. She has resigned because of her duties in regard to the Hindmarsh stadium redevelopment.

The Hon. P. HOLLOWAY: Nevertheless, that particular example shows that members of standing committees who are

parliamentary secretaries may well become involved in conflict of interest situations, and that will be incompatible with their position on standing committees. I believe that is a matter the Parliament needs to take seriously. The *Advertiser* on Friday 15 March, after these new positions were announced, showed what it thought about them. I read a large part of the editorial into *Hansard* because it was one of the more interesting editorials that has appeared in the *Advertiser* in recent times.

The Hon. A.J. Redford: Who wrote it, do you know?

The Hon. P. HOLLOWAY: Unfortunately, I do not, but on this one occasion I at least think that it does have some merit. It begins:

> Lord High Executioner, Chief Cook and Bottle Washer, Principal Swizzle Stick, Commissioner for Opening Things. We offer these titles to the Premier, Mr Brown, for conferral on any Liberal parliamentarian still without a title following his coup in appointing 14 parliamentary secretaries.
>
> This breakthrough approach to Australian politics makes the House of Assembly sufficiently uncommon that it may have become a tourist attraction in its own right since there are now more parliamentary secretaries than there are members of the Labor Party. (Perhaps the Premier might also appoint a Parliamentary Secretary for Being Rude to the ALP).

I suspect that probably the Leader of the Government in this place already has that role. The editorial continues:

> Mr Brown's lame defence of this policy of jobs for nearly all the boys and nearly all the girls—

However, I must say that the girls did pretty badly out of this one. Missing out were the Hon. Bernice Pfitzner and—

The Hon. Carolyn Pickles: The Hon. Caroline Schaefer.

The Hon. P. HOLLOWAY: Yes, the Hon. Caroline Schaefer and Julie Greig—did she get a guernsey? I do not think she did, and neither did Lorraine Rosenberg. So, it was certainly mainly jobs for the boys; the girls did particularly badly out of this one. I continue the editorial, as follows:

> . . . nearly all the boys and nearly all the girls was that Ministers could not possibly attend all the functions to which they were invited and meet all the groups wanting to see them. That is more than a trifle odd in a State of only 1.4 million. It also suggests an optimistic view of other people's good nature with the assumption that function and deputation organisers will not mind putting up with second best.

That raises the question of the point of having parliamentary secretaries meeting delegations if—

Members interjecting:

The Hon. P. HOLLOWAY: That is the whole question. If they are as good as the Minister, they should be prepared to stand up in this House and answer questions, and they should not be on select committees. If they are second best, why would anyone want to see them? Either we should have them or we should not. Either they are important or they are not. It seems that we are in a half-way world where they are half important. The editorial continues:

> The Premier's real motive is clear: he would make work for idle hands—try to give his back bench something to do. If they are prepared to put up with being fobbed off in this way, it is a case, with the one important proviso, of no harm done. The proviso is that the Premier does not renege on his pledge that these Jacks and Jills in office will not be paid. Give an Australian politician a job and you immediately raise the possibility of pay and, if not pay, some agreeable little perks such as allowances, cars, trips, research assistants. What happens the next time the troops get restless?

Then comes the most entertaining part of the whole editorial, the final paragraph, as follows:

> Meanwhile our commiserations to the 11 of the 47 SA Liberal parliamentarians not graced with an appointment. As consolation we suggest they may find themselves in greater demand than they realise. People are going to be agog to meet them and find out what it is about their appearance or opinions that has left them such a tiny group huddled together in the cold.

We have three of those members here, although I will not name them.

The Hon. A.J. Redford: Why not?

The Hon. P. HOLLOWAY: All right, I will name them. We have the Hon. Legh Davis, the Hon. Bernice Pfitzner and the Hon. Angus Redford in this Council. I am not sure whether people will come to see and hear those three. Perhaps they can tell us whether they have been invited to these functions to see what makes them so odd and so different that they have missed out on a guernsey. Nevertheless, I am sure that in future we will see whether people do come to see what makes them different.

The editorial that I have just read out raises an important question about resources. We often find with these sort of things—and it has happened in other jurisdictions where we have had parliamentary secretaries—that they begin with a chair and a desk in the Minister's office and a bit of part-time typing. Gradually it moves on to half a staff member and then a full member, and then a bit of travel gets thrown in, and so on. Eventually, the resources involved in these positions do increase. That has been the record everywhere else, and taxpayers are right to think that that may well happen here.

The Hon. T.G. Roberts interjecting:

The Hon. P. HOLLOWAY: Certainly there will not be 16 of them after the next election: that is one thing about which we can be very sure. Indeed, many members who are parliamentary secretaries will not be here, either.

Finally, in terms of asking questions, not all the parliamentary secretaries are shy. In the House of Assembly the other day a question was directed by the Deputy Leader of the Opposition to the Parliamentary Secretary for Education, the member for Unley. The member for Unley was unable to answer at the time. However, he could not contain himself and provided an answer to the question in a grievance speech after Question Time. He is therefore obviously keen to take upon himself the role of answering questions.

On reading that debate, I saw that he was much more informative than has been the Minister for Education and Children's Services here. So, a lot is to be said about letting parliamentary secretaries answer these questions because we might receive a lot more information than the Ministers have been giving us. Indeed, much is to be said for this motion.

The Hon. A.J. Redford: What about Standing Orders in another place?

The Hon. P. HOLLOWAY: In another place there needs to be a change of Standing Orders. The way I have worded the motion in part 3 calls for a resolution that questions without notice can be permitted to parliamentary secretaries on matters with which they are especially concerned. The House will have to deal with the parliamentary secretaries down there in the way that it thinks fit, but at least up here we can give a lead to the House and take this new innovation by the Premier to its logical conclusion. As we are to have these secretaries, the whole 16 of them, which is greater than the ministry (some Ministers have been lucky enough to get two or three of these parliamentary secretaries)—

Members interjecting:

The Hon. P. HOLLOWAY: I will not get into that debate but will finish by saying that the whole subject of having 16 parliamentary secretaries is a bit of a joke. It is a joke at the Premier's expense and one that will ultimately come back to haunt him. Nevertheless, we need to take seriously the

question of roles of parliamentary secretaries. Whatever the Premier's purpose in creating these positions, we have them and have to deal with it, and that is what this motion is all about. I urge members to support it.

The Hon. T.G. Cameron interjecting:

The Hon. P. HOLLOWAY: No. I understand that it has not been particularly successful in achieving the Premier's objectives and increasing this number of positions. Indeed, I believe it may even have had the reverse effect.

The Hon. A.J. Redford: That is rubbish.

The Hon. P. HOLLOWAY: I look forward to the Hon. Angus Redford telling us what is the true position when he gets a chance to speak during this debate—perhaps he can enlighten us. I wish to deal here with the substantive motion and seek members' support for this so that the whole notion of parliamentary secretaries can be taken to its logical conclusion and we can give so many of them the opportunity to answer questions, hold them accountable and ensure that the people on parliamentary standing committees do not have any conflict of interest. I commend the motion to the Council.

The Hon. J.C. IRWIN secured the adjournment of the debate.

STATUTORY AUTHORITIES REVIEW COMMITTEE: ELECTRICITY TRUST REVIEW

The Hon. L.H. DAVIS: I move:

That the interim report of the Statutory Authorities Review Committee on a review of the Electricity Trust of South Australia (ETSA's Expenditure on Energy Exploration and Research) be noted.

This is the fifth report brought down by the Statutory Authorities Review Committee in its extensive investigation of South Australia's largest commercial statutory authority, the Electricity Trust of South Australia—the largest in the sense that it is the biggest revenue raiser in South Australia.

This comprehensive report focuses on energy exploration and research and is broken up into two major segments: first, overall research and development expenditure; and, secondly, coal exploration and related expenditure.

The committee, consisting as it does of five members of the Legislative Council—three Liberal members and two Labor members—has brought down a unanimous report. We took evidence from a number of people on the matter of ETSA's research, and as a committee we noted with some concern that ETSA's overall expenditure on research and development has declined in recent years.

The background to the Electricity Trust of South Australia is worth recounting, because there have been structural changes within the past 12 months, and that has an impact on research activities of the corporation. ETSA was established in 1946 and, since that time, it has enjoyed a monopoly position in the generation, distribution and supply of electricity in South Australia. The 1946 Act which established the Electricity Trust of South Australia has recently been repealed, and the Electricity Corporations Act 1994 came into effect on 1 July 1995. That Act provides for the segmentation of ETSA. The ETSA Corporation is responsible for electricity distribution in South Australia, and has electricity generation and transmission functions.

However, four separate corporations are established under the Act which effectively operate as subsidiaries of ETSA Corporation. Those four corporations—ETSA Power Corporation, ETSA Transmission Corporation, ETSA Generation Corporation and ETSA Energy Corporation—each has research functions allocated to it under the Act. It is a fairly obvious point the committee makes, but we note this fragmentation of research and development functions to four ETSA subsidiaries, and we make the fairly common-sense recommendation that ETSA should ensure that appropriate mechanisms are put in place to minimise duplication of research and, more importantly, to coordinate research and development activities between these four newly created subsidiaries of ETSA Corporation.

The restructuring of ETSA has taken place in the face of enormous developments in the electricity market in Australia. The winds of change have been blowing strongly for the past decade. Until 1987-88, it was true to say that most States were fairly comfortable about their electricity industry with regard to the nature and efficiency of the industry. There was little public debate on the electricity industry in South Australia.

However, the matter was changed, once and for all, when the Industries Commission brought down in 1988 a watershed report which pointed out the gross inefficiencies of the electricity industry across Australia. The States reacted in a variety of ways to what was a quite damning report. The Queensland Government was the first off the mark in pursuing a major reform and restructuring of the State Electricity Commission of Queensland. Other States followed shortly after that through the late 1980s. South Australia was one of the last States off the block.

To crystallise briefly the impact of the reform in the electricity industry, we should understand that there has been a reduction of some 50 per cent in the number of people attached to the Electricity Trust of South Australia—whether we are talking about the old or the new ETSA Corporation—over the past seven or eight years. That is a dramatic reduction, which has been associated with an imperative to improve productivity and efficiency.

Coupled with this drive for improved productivity and efficiency have been the imperatives of the Hilmer reform, and over-arching all that is the ongoing development of the national electricity market. This new market will embrace South Australia, New South Wales, Victoria and the Australian Capital Territory. Curiously, Queensland, after some debate, has refused to join the national electricity market. That will mean that those States participating in the national electricity market will produce electricity, which will go into a national pool and transmission and distribution companies that control the networks and retail and wholesale buyers purchasing electricity for their own use or for resale.

The reform of the electricity industry has differed from State to State. The Victorian Government has taken by far the most draconian approach by splitting the distribution companies into five companies, which have been privatised. Some $8 billion has been raised by the sale of these companies, and that has gone to reduce significantly the Victorian Government's State debt.

The New South Wales Government is in the process of restructuring its industry, but certainly not along the dramatic lines embraced by the Victorian Government. As we speak, the South Australian Government is considering its options, given that there is a smaller market here of some 1.5 million people and that we have a different structure involved. It is important to recognise that at present the Industry Commission is examining the electricity industry in South Australia to determine what structure will best suit the needs of this State in this new environment of the national electricity market. Therefore, the committee—I think quite sensibly—

argued that, given that the South Australian electricity industry (which, of course, is effectively ETSA Corporation) is now competing in a national market, it is very important that sufficient resources are allocated to ongoing research and development activities.

As I mentioned earlier, the committee expressed concern that there has been a significant reduction in ETSA's expenditure on research and development. For example, in 1993-94 ETSA's expenditure on research and development was $4.953 million, but in 1995-96 that figure had shrunk to only 26 per cent of the 1993-94 figure. The budget for 1995-96 allocated to research is only $1.286 million.

The committee believes that one of the reasons for this reduction in ETSA's expenditure on research and development has been the pressure to focus on commercial aspects of its operation as it moves into this national electricity market. The committee was conscious that this reduction in research and development expenditure could have detrimental long-term consequences, given that part of competitiveness is to keep abreast of current developments and to maintain a healthy research program.

The committee recommended that ETSA should ensure that appropriate internal reporting mechanisms are in place to facilitate regular reviews on exploration, research and development activities, the purposes of those activities and results achieved from this expenditure, so that adequate levels of funding are allocated to research. The committee also recognised, particularly during the 1980s, that ETSA had spent a considerable sum of money on coal exploration and related research activities.

During the late 1970s and early 1980s, Governments of both political persuasions recognised that Leigh Creek had a finite life and that it was important to explore other coal options for the source of South Australia's future energy needs.

The committee took evidence on the range of coal deposits in South Australia and it is true to say that South Australia is not well off in terms of the quality of coal reserves although the quantity of coal in South Australia is considerable. One problem associated with the State's major coal deposits is that they are located at some distance from Adelaide but, more importantly, given that transport can more easily be overcome these days, most of these coals are low grade sub bituminous and lignite coals which have a variety of problems such as high sulphur, ash and chlorine content, low heat levels and they do not compare favourably with coals particularly out of New South Wales and Queensland.

It is well known to members that Leigh Creek has been the source of coal for the Port Augusta Power Station and, since 1946, it has provided coal to Port Augusta by way of the 250 kilometre rail link from Leigh Creek to Port Augusta. The quality of that coal is not great and the cost of its extraction will increase as it is mined at greater depth. In the last financial year 1994-95, about three million tonnes of coal was mined at Leigh Creek and it is expected at this stage that Leigh Creek will be the principal source of coal for the Northern Power Station for at least 10 or perhaps 15 years, but beyond that there is debate. Other deposits have been examined by ETSA, in particular, Lochiel and Bowmans. A smaller deposit at Lock on Eyre Peninsula has also been examined by the Electricity Trust and other coal deposits have been evaluated by private sector interests, including Wintinna, by Meekatharra Minerals; Lake Phillipson, also by Meekatharra Minerals; Sedan, discovered by CSR in the late 1970s; and Kingston in the South-East by Western Mining in the late 70s.

It is true to say that Kingston faced severe environmental problems because of the water levels in the South-East. Sedan was rather a small deposit, although it has a very high sulphur content and Lake Phillipson is presently being evaluated as a possible fuel source for an exciting pig iron project from adjacent iron ore deposits in the State's north. That is a joint venture between Meekatharra, the Mines and Energy Department of South Australia and Ausmelt.

Over the last 15 years the Government has examined the options for future power sources in South Australia. The Future Energy Action Committee (FEAC) in 1984 recommended that Lochiel and Sedan were the most favourable deposits. Again in 1988 the Management Review Committee supported the conclusions of FEAC. Interestingly, in this Chamber in 1986 a committee was established by the Australian Democrats to examine the State's future energy needs. The Hon. Ian Gilfillan, the Hon. Jamie Irwin and the Hon. Peter Dunn were members. The committee—

The Hon. Carolyn Pickles: There were a few more.

The Hon. L.H. DAVIS: Yes, the Hon. Carolyn Pickles—I cannot remember them all. That committee made several interim reports but never made a final report, although it met over a period of about three years. It took particular note of some of the environmental factors which perhaps had not been taken into account properly in some of the inquiries undertaken by FEAC and the MRC. With that background, the committee took evidence on ETSA's expenditure on coal exploration and related research. We noted that in the period 1975 to 1987 it spent some $26 million on exploration of coal deposits, particularly at Bowmans, Lochiel and associated testing of those coals which were very low quality and which needed special purpose burners.

Coal was transported for testing to Germany and several testing facilities were constructed. One was constructed at Osborne and boiler feasibility studies were undertaken. The sum of $11.5 million was actually spent at Lochiel on exploration trial pits and mine designs and a little less than half that sum, $5.5 million, was spent at Bowmans between 1977 and 1980 and at Lochiel between 1981 and 1987. Over $26 million was spent in the 12 year period 1975-87, but in the nine years since then less than $2.5 million has been spent by ETSA on coal related research. Most of that has related to combustion testing and exploring how to combust the low quality coals found in South Australia.

The committee did take considerable evidence on this and one thing that can be said publicly is that, when it comes to examining the affairs of a public monopoly such as ETSA, it is often difficult to get a truly independent view. We were taking evidence of what happened perhaps a decade or more ago, admittedly, but some of the evidence the committee obtained was of a highly significant nature but was given off the record because witnesses may have been reluctant to be involved in conflict or seen to be uttering something that seemed to be controversial.

To that extent the quality and information in this report in some areas of the committee's inquiry has been limited. The committee unanimously held that, with the benefit of hindsight, the ETSA investigation of the economic feasibility of coal mining at Bowmans, and particularly at Lochiel, did not take sufficient concern of environmental difficulties. In particular, we noted the difficulties associated with the operation of a power station at Lochiel. Lochiel, in the State's Mid North, was seen as a possible coal mining site, and the

proposal was to erect a power station adjacent to it. Lochiel is not that far from the Clare Valley which, of course is valued as a wine and tourism district. The committee concluded that there were unresolved questions about the environmental impact of the operation of a power station at Lochiel and, from the evidence received, it seemed that not enough weight had been given to environmental factors in the 1980s by ETSA.

I suspect that if Lochiel were examined today, environmental factors would have effectively precluded it from ever being developed as a coal mine. The committee recognised from the large expenditure that ETSA made during the period up to 1987 on coal that it is an expensive process. We believe that the most practical approach to coal exploration in South Australia would be for ETSA, wherever practical, to encourage private sector participation in these activities. I suspect that is effectively happening with the recent developments at Lake Phillipson.

The committee also examined ETSA's expenditure into new and renewable energy sources, and we did that given that the Government's policy at the 1993 State election had committed that within 10 years 20 per cent of the State's energy would be derived from renewable energy sources. With that goal it was logical to assume that ETSA would be devoting some portion of its research expenditure to new and renewable energy options. Therefore, the committee was particularly concerned to see that, although $9 million was originally allocated to the five-year plan for the period 1993 to 1998, that figure was subsequently revised downwards to $3.59 million; and in the three financial years from 1993-94 to 1995-96 ETSA has spent only $1.23 million on research projects identified in its five-year alternative energy plan. When talking about alternative energy, we are taking into account wind energy, solar energy and fuel cells as examples.

The committee was also interested to receive a recent report of the renewable energy working group which had been established by the Government to consider the feasibility of implementing the Government's policy of deriving 20 per cent of the State's energy from renewable energy sources by the year 2004. That working group concluded that the goal of meeting 20 per cent of the State's energy needs from renewable energy sources is not economically feasible in the Government's stipulated time frame. Even though it has reached that conclusion, that should not take away from the importance of ETSA allocating adequate funding for research into new and renewable energy sources.

The committee also believes that a cost-effective way for ETSA to continue to develop research programs is through cooperative programs: for instance, participation in the Cooperative Research Centre on new technologies for power generation from low grade coal and joint research and development projects with other Government agencies and the private sector, particularly projects with potential for rapid commercial development. I think that provides a fairly detailed summary of the interim report of the Statutory Authorities Review Committee into ETSA's expenditure on energy exploration and research.

The Hon. T. CROTHERS secured the adjournment of the debate.

SELECT COMMITTEE ON THE PROPOSED PRIVATISATION OF MODBURY HOSPITAL

The Hon. BERNICE PFITZNER: I move:

That the time for bringing up the committee's report be extended until Wednesday 24 July.

Motion carried.

SELECT COMMITTEE ON OUTSOURCING FUNCTIONS UNDERTAKEN BY E&WS DEPARTMENt

The Hon. L.H. DAVIS: I move:

That the time for bringing up the committee's report be extended until Wednesday 24 July.

Motion carried.

SELECT COMMITTEE ON TENDERING PROCESS AND CONTRACTUAL ARRANGEMENTS FOR THE OPERATION OF THE NEW MOUNT GAMIER PRISON

The Hon. J.C. IRWIN: I move:

That the time for bringing up the committee's report be extended until Wednesday 24 July.

Motion carried.

SELECT COMMITTEE ON CONTRACTING OUT OF STATE GOVERNMENT INFORMATION TECHNOLOGY

The Hon. J.C. IRWIN: On behalf of the Minister for Education and Children's Services, I move:

That the time for bringing up the committee's report be extended until Wednesday 24 July.

Motion carried.

PARKS HIGH SCHOOL

The Hon. CAROLYN PICKLES (Leader of the Opposition): I move:

That this Council—

1. condemns the decision by the Minister for Education and Children's Services to close The Parks High School at the end of 1996 without any prior consultation with the school community on the findings of the 1995 review into the school;
2. condemns the Minister for the way in which the school was advised of the decision and the inadequacy of the six-sentence notice given to parents and care givers, the timing of the notification on a Friday afternoon to minimise debate and the total lack of adequate counselling and support for students, staff and care givers;
3. calls on the Minister to reverse his decision and consult with the school community on how the future of the school can be secured.

Members will be aware, as I have previously raised this matter in this Chamber, that on Friday 15 March the Minister made the unexpected media announcement that The Parks High School would close at the end of the year. It is interesting to note that the Minister today, in response to a question, went into a great deal of detail about his consultation. It is a rather curious comment, because the consultation process, as I understand it, was a letter that was sent home to every parent, care giver and student on 15 March, which was the day that the Minister released his media announcement. I would like to read that somewhat terse letter into *Hansard*:

Dear Parent/Care Giver/Student,

As you may be aware, a review into the future of The Parks High School was conducted during 1995. The Minister for Education and Children's Services has carefully considered the review report and has now decided to close The Parks High School at the end of 1996.

At this point you will have a number of concerns about your future education or that of your student. A group will be formed to oversee the closure and to ensure a smooth transition of students for

their future education. It is important that you understand that all current educational programs will be maintained until the end of 1996. Information on these changes will be provided through circulars and information meetings.

If that is called consultation, I think the Minister has a new definition of the word. There was no opportunity for staff to warn parents, students and care givers that this was happening; just this terse note from the Minister's media statement and from the District Superintendent of Schools, Mr Alan Young. The Minister did not allow the school to wait until such time as the school community could consult and provide counselling where necessary.

The students were distraught and angry, the parents and care givers felt the same and the teachers were also upset and angry. One teacher wrote to me of the anger he felt, and I would like to put this on the record:

At 1 o'clock, Friday 15 March, the staff of The Parks High School were told of its impending closure. Between the time of the staff being informed and the students being told, the messenger from DECS hastily prepared a six-sentence notice to parents and care givers.

That is the notice I have just read out. It continues:

How would you like to receive this, as a parent or caregiver, as your child returned home from school one Friday afternoon?. . . no warning! Why Friday afternoon, a day after the strongly supported teacher industrial action? Why not Monday morning, when necessary services could be provided, such as counselling of students, information to parents/caregivers, support for students, staff and caregivers? Is the timing of your announcement a measure of your concern for the welfare of students, Mr Lucas, or merely calculated opportunism?'

This, of course, is the same procedure as the Minister used when he notified Port Adelaide Girls High School of its closure and, no doubt, he will do it again and again. He calls this consultation. When will he learn that this arrogant, uncaring attitude leaves many people feeling angry, frustrated, sad and with feelings of powerlessness. However, the staff, parents/caregivers and students of The Parks High School will maintain their rage. In his media release the Minister said:

Enrolments at The Parks High School have dropped significantly from almost 800 students in the early 1980s to only 300 students this year.

There seems to be some misunderstanding on the part of the Minister about how many full-time students are at The Parks High School. I attended the annual general meeting of The Parks High School following the announcement of the Minister, and I was given a breakdown of students currently at the school as follows: 169 full-time male students; 158 full-time female students; 46 part-time male students; 92 part-time female students—that is 465 or 379.6 full-time equivalents. This consists of: 35 year 8s; 46 year 9s; 44 year 10s; 88 years 11 and 12 continuing; and 304 years 11 and 12 and update adults. That amounts to 517 pupils in all which includes 12 Bowden-Brompton students, 15 Regency Park students and 30 special education students on negotiated curriculum—another 57. The large number of female part-time students is an issue that relates to child care, access to local primary schools, transport, time management, and so on. So, there seems to be a discrepancy between the numbers of students the Minister has and those that the school has. I suggest that the Minister—

The Hon. R.I. Lucas: They are part-time students.

The Hon. CAROLYN PICKLES: I have indicated that. The whole process of the announcement was reprehensible and callous, and the Minister should stand condemned. On 18 March, following the annual general meeting, The Parks High School council issued the following media statement which I seek leave to table.

Leave granted.

The Hon. CAROLYN PICKLES: With respect to that media statement, they indicated that they were very angry with the Minister for his decision. It sums up the school community attitude and community attitude very well. I now refer to the review itself. The Minister has indicated that he will table a copy of the review, but just in case he does not get around to it in a hurry, and so that members will have an opportunity to consult the review and make up their own minds, I seek leave to table a copy of The Parks Review.

Leave granted.

The Hon. CAROLYN PICKLES: I refer to the terms of reference. The terms of reference were quite wide. The review team, in consultation with the reference group, was to examine and report on the current provisions of education at The Parks High School as a partner in The Parks Community Centre with particular reference to: curriculum; school facilities; staffing; special programs; student population; cost efficiencies; The Parks High School achievements and its vision for the future; demographic trends and community factors likely to influence the future delivery of education in The Parks area; previous studies conducted on the provision of educational services relevant to The Parks area; alternative ways of providing educational services while allowing for realistic choices for parents and students; and any other matter relevant to the ongoing provision of quality education to The Parks High School and its community.

So, there were wide terms of reference indeed. The Minister has made some comments about the review team and the reference group. It is important to note that the role of the review team was to conduct the review based on the terms of reference; to ensure extensive consultation and opportunity for wide participation through a range of strategies; to establish a reference group to advise and monitor the review process; to regularly inform the Executive Director, School Operations, of the progress of the review; and to prepare and present a report of the review's findings.

The composition of the review team was: Mr Alan Young, District Superintendent of Education, who acted as chairperson; Mr Gordon Phillis, Chairperson of school council; the Principals of the school, Tony Lunniss and Catherine Alcock; and the project officer, Kerry Dollman. The reference group came from a wide variety of people, including the continuing and adult students, parent representatives, staff members, SAIT branch secretary, Principal of a local primary school, local member of Parliament, The Parks Community Centre site manager and an Enfield city council representative.

The consultations were carried out. Information was received from the following groups and individuals: the Regency Park Centre school; the Bowden-Brompton Community School; parents and students of The Parks High School; Asian background parent groups; non-English speaking background adult counsel; teaching and non-teaching staff at The Parks High School; local primary schools; other service providers at The Parks Community Centre; Dr Paul Kilvert, Principal of Unley High School and a member of the DECS futures forum; Kathy Moyle, National Project Officer, Key Competencies, Training and Development; Mark Withers, Enfield City Council Site Manager of The Parks Community Centre; and Chris Charlesworth, District Superintendent of Education, Northern District.

So, there was a very wide-ranging set of people with whom the review team consulted. It is to their credit that they

produced such an excellent document. I highlight one of the issues in the review under the title: what local issues impact on the location of the provision of secondary education in The Parks area. They mentioned these statistics which were based on 1991 census statistics. They stated that The Parks is situated in one of the most disadvantaged communities in South Australia. There is 33 per cent unemployment; 57 per cent of people live in South Australian Housing Trust homes; 60 per cent of people are low income earners; 30 per cent of households in The Parks area do not own a motor vehicle; 26 per cent of residents are from a non-English speaking birthplace; and 19 per cent are single parent households. We are not talking about an affluent community: we are talking about South Australia's real battlers.

It is to the credit of some of those people that they have chosen as adults to go back into the education system in the hope that they will manage to achieve some level of success which they previously were not able to for whatever reasons. I have met some of those parents and they are to be congratulated, because it is not easy to go back into adult re-entry, particularly if you are a sole supporting parent who has children to juggle to and from school.

That is one of the issues that was raised at the annual general meeting: how will people manage to travel to a different location? It is all very well to say, 'Well, just go to another school,' but any member in this place who has had children at school would know that they get very wedded to the idea of going to a particular school, and that you work out ways to get them there, particularly if you are a working parent. The Hon. Mr Redford has often shared with me some of his difficulties, as a member of Parliament, in getting his children to and from school. It is difficult to get out of this place, particularly when you have younger children whom you have to pick up. These people have the same sorts of problem. As we have seen, 30 per cent of households in The Parks community area do not own a motor vehicle, so they are reliant on public transport, bicycles or walking. In many cases, the people who attend the Regency Park Centre are in wheelchairs, so it would not be easy to attend another school.

The recommendations contained in the review are as follows:

> The Parks High School should continue to provide secondary education for continuing and adult students on the site of The Parks Community Centre. The school programs will be inclusive of the current programs involving Regency Park Centre students and Bowden-Brompton Community School students and other special groups.
>
> The financial arrangements for The Parks High School on The Parks Community Centre site should be renegotiated with the appropriate Government departments. These arrangements should enable the school to be on site rent free and responsible for the actual outgoings it uses. Clear documentation of school buildings, shared centre facilities and the agreements about usage, management and charges is required.
>
> The Parks High School should provide a district focus for vocational education and training and explore collaborative links with schools, training providers and industry to ensure that multiple pathways are available to students.
>
> The Parks High School should continue to develop a cooperative cluster with the local primary schools focusing on the principles of middle schooling. In doing so, schools will maintain their own identity. This collaboration will enable greater utilisation of facilities, educational programs and personnel in The Parks area.
>
> The information from this review should be released to assist current DECS reviews.

I congratulate the people who prepared this review—it is excellent. One of the other points raised in the context of the review falls under the title of 'What are the other secondary education options available to students?' That issue was addressed, and the review states:

> In theory, the closest alternatives for continuing students are Woodville and Croydon High Schools. In reality these were not the students' and parents' preferred choices originally, and these people have deliberately chosen The Parks High School because of the specific programs and support available as well as for reasons related to transport. Students have voiced concern that many will not cope with mainstream school settings, and the students will leave school early and/or end up part of the already overtaxed student behaviour management programs (for example, learning centres, possibility 14, and Bowden-Brompton). Many of the adult students would simply not access a secondary education.

That sentiment was expressed to me by many of the adult re-entry students who were at the annual general meeting that I attended. They felt that many of them would be forced to give up. There were a lot of people at the meeting, and I think almost every person present expressed their anger, frustration and sadness at the closure of this school. One young lad, who I thought was very forthright, put up his hand. He was a bit shy at first, but then he came out with this statement. He said, 'I actually run amok in this place, but I do learn. It is amazing really.' Clearly, he had a few problems, but he actually felt that for the first time he was learning something. It is all very well for the Minister to indicate that these students can go to another school—'Tough luck, your school isn't economically viable'—but I do not think that is a very good viewpoint for the Minister for Education to put forward, because many of these parents and students will have a great deal of difficulty in going to another school.

In my closing remarks, I would like to cite a few figures on the percentage changes in enrolments in this area since the western suburbs secondary education review in 1989. Woodville High School has had an 18.2 per cent decline in enrolments since 1989, and Croydon High School has had a decline of 29.7 per cent, yet The Parks High School has had an increase of 2.6 per cent. So, that gives the lie to the argument that The Parks High School has had declining enrolments: in fact, its enrolments are increasing in contrast with those of neighbouring schools which are on the decline.

Another issue was raised at the annual general meeting upon which I would like to touch. I note that the Minister is scheduled to respond to this matter today. People at the school, particularly the school council, were concerned about the cross-charging set-up, which is one of the main arguments that the Minister has used to justify the closure of the school. Contrary to his statements today, there was an economic reason. He has quoted the cost of $7 965 to educate each student, but that figure includes an $800 000 cross-charging payment which is paid by the Education Department. The land on which the school and The Parks Community Centre were built originally belonged to the Education Department where the old Angle Park school was located. Again, that was a matter of some deep concern to the parents and students at that meeting.

It has also been difficult for this school community to explain to parents from a non-English speaking background about the closure of the school. In fact, I am given to understand that there was difficulty in getting the notice translated into other languages and sent out on the same day as other students received theirs, but I believe that an effort was made and they managed to do that. It is absolutely appalling that people from a non-English speaking background should find out in this way. While I was at the meeting, many issues were raised about the problems with the closure of the school. I wonder where this Minister has been

during the past months since the review was brought down. He had this review on his desk for all those months, and finally he decided that he would let them know by way of a very terse, peremptory letter. He has now decided to have a consultation process, which involves calling in the students or agreeing to see them in his office. He may well make statements in this place that he is very sad about the closure and that he really does not want to do it, but he is doing it anyway.

Today, the students from The Parks High School visited Parliament House. Many were in the Chamber during Question Time. I would like to make one brief comment about their visit during Question Time. During the whole proceedings they sat very quietly. I must say that I was somewhat amazed by the actions of the police officer in this place who chose to sit and deliberately outstare them. I do not think I have ever seen that situation in my 10 years in this place. Very few incidents have occurred in the Legislative Council. The majority of our visitors to the gallery are very well behaved, as indeed was this group.

The Hon. R.I. Lucas: What about the lot Sandra Kanck brought in who started throwing stuff at people?

The Hon. CAROLYN PICKLES: No-one was doing that today. Minister, you must agree that they were very well behaved. I understand—

The Hon. R.I. Lucas interjecting:

The Hon. CAROLYN PICKLES: They had a very good example of interjections, didn't they? We are not always terribly well behaved in this place. Mr Acting President, I find that situation curious, and I have raised it with the President, who I am sure will discuss this matter with the officers in this place. Of course, if there is any situation where people must be warned and escorted out of this place, then that is done at the direction of the Black Rod. It is not for the police officers to say to people, 'You will be out'; it is at the discretion of the Black Rod. I do not want to make a big issue of that, but I feel that that was another unfortunate example. These people were exercising their democratic—

An honourable member interjecting:

The Hon. CAROLYN PICKLES: In fairness, I do not think the Minister had anything to do with that. It seems to me that these people were exercising their democratic right to come into this Chamber, sit very quietly and listen to the debate. It was probably a bit of a test for them to sit quietly when there was so much ruckus happening on the floor of the Chamber. I believe that the gallery was better behaved than the Parliament on this occasion. I was invited to meet with them prior to Parliament's sitting, and I have been asked to insert into the public record The Parks High School wish list, and perhaps the Minister should listen to this. The wish list states:

- Why commission a review of The Parks High School and then ignore the review's recommendations?
- Does the Minister fully understand the diversity of The Parks High School's senior curriculum choices? The Parks High School's main concentration of students is in the senior school. Year 8 enrolments are not a true measure of the school's needs.
- Student cultural diversity, disadvantaged students and the 'drop-out' rate if The Parks High School closes are not fully recognised by the Minister.
- There are over 500 students at The Parks High School. There are 379.6 full-time equivalent students. This is 30 full-time students more than all the Minister's public figures.

I know that my colleague, the member for Price, Mr Murray Delaine, in another place is moving the same motion because he is the local member. He was part of the review team, he cares very deeply about his electorate and the people in his electorate, and this is the second school to close with very little warning by this Minister for Education and Children's Services.

I urge all members to support this motion because I believe that this Minister needs to be condemned. It is all very well for him to come into this place and say that he has had consultation but, as I see it, the consultation with the school was after, and not prior to, the event.

I understand that there will be more school closures, as indicated by the Minister in this place, but I hope that, when he goes about them, he does so in a less callous way and takes into account the views of the community and the fact that he is dealing with human beings, not just economics.

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I strongly oppose the motion moved by the Hon. Carolyn Pickles. I do so for the reasons which I gave during Question Time and which I will repeat. Equally, I oppose the motion because it is fundamentally flawed—it does not deal in fact. The motion makes a series of allegations or claims, and purports to pass them off as fact. Whilst it may be that the Labor Party and the Australian Democrats combine to support this motion, it will not be on the basis of fact because, as I say, a number of the statements in this motion are simply not correct. The motion deliberately ignores factual information, and the honourable member makes a number of outrageous claims not only in the context of the framing of her motion but also in her explanation in support thereof.

I turn to paragraph 2 of the motion, which seeks to condemn the Minister for the way in which the school was advised of the decision and the inadequacy of the six sentence notice given to parents and caregivers. I indicate to the Chamber—and clearly the honourable member will know this because she has indicated that she has had discussions with the Principal of the school, as well as speaking with the staff, students and parent representatives at the school—that it was the view of the Government, the Minister and the local senior officer (the District Superintendent of Education) that a more detailed letter be sent to parents, caregivers and students.

I have a draft copy of the letter which I approved and which was discussed with the Principal of the school that was to be sent to parents, caregivers and students. I am advised that it was the recommendation of the Principal of the school that the letter not be sent because it was too detailed. It gave too much information. It was the recommendation of the Principal of the school that the detail be taken out of the letter and that an abridged version of the letter be sent to parents, caregivers and students. Knowing this, the Leader of the Opposition has the hide to come into this Chamber and criticise me, as the Minister, for the six sentence letter that was sent to the parents and caregivers.

The Leader of the Opposition knows that it was the local Principal, I am advised, who said to the department, 'Do not give too much detail in the letter. You need an abridged version of the letter so that the decision is conveyed clearly to the parents and the caregivers, without being lost in a whole range of detail.' The Leader of the Opposition knew that and chose to come in here—

The Hon. Carolyn Pickles interjecting:

The Hon. R.I. LUCAS: No, I did not know that. No, Mr Acting President, I did not know that the draft that I had approved for discussion with the Principal had been abridged

on the basis of discussion with the Principal. The difference is that the Leader of the Opposition knew that because she had discussions with the Principal, the school council, representatives of the staff and the parents. She had attended the meeting at the school. The Leader of the Opposition knew that, but she nevertheless has the hide to come into this Chamber and indicate criticism of me. The Labor Party is criticising the local Principal.

I stand in this Chamber and defend the Principal, because she knows her community very well; she is wholly supportive of her local community, her students, her parents and her staff. It was her wise advice to the District Superintendent that the best method of communication was an abridged letter—a shortened version—that provided only the major details to go to her community. Advice provided to me is that it contained too much information, so said the local Principal, that it needed to be abridged, and that only core points needed to be included in a revised letter.

I will not stand by and allow the Leader of the Opposition, supported by Labor members in this Chamber, to be indirectly critical of the local Principal in this decision in terms of the way in which this was communicated to the parents, the staff and students. I will support, as Minister for Education and Children's Services, the local Principal of The Parks school for the advice that she provided to the department and to the District Superintendent. I will support her to the hilt in terms of her knowledge of her local community and the fact that she advised the District Superintendent, who obviously agreed with that decision at the local level. I support the decision that the District Superintendent then took on the advice of the local school Principal.

I am appalled that the Leader of the Opposition, the Deputy Leader of the Opposition, the Hon. Terry Roberts and all other Labor members in this Chamber would come in here with the hide to be critical of the local Principal in terms of the way in which this information was conveyed to the local community, to the parents and to the staff. I place on record the suggested letter that was to go to the parents, rather than the abridged version of six sentences of which the Leader of the Opposition and Labor Party members have been critical in terms of the information conveyed to parents. I will quote the draft letter, as follows:

Dear parent/caregiver/student,

As you may be aware, a review into the future of The Parks High School was conducted during 1995. The Minister for Education and Children's Services acknowledges the work of the review team and its consultation with the school community. The review was most comprehensive and serves as a critical resource in determining the necessary decisions that would ensure the continuation of education, which is both educationally and economically viable for current and future students in the area. There has been significant enrolment decline at The Parks High School and the very small number of students entering at year eight over the past years has meant that curriculum options have been limited in comparison to those offered at adjacent secondary schools.

The Minister for Education and Children's Services has carefully considered the review report and has now decided to close The Parks High School at the end of 1996. At this point you will have a number of concerns about the future education of your students and the continuation of school community services. A group will be formed to oversee the closure and to ensure a smooth transition of students to adjacent high schools. The following commitments are made to assist you and your students in making decisions about the future:

All current educational programs will be maintained until the end of 1996;

Each continuing student will receive individual counselling to assist their transition to a new school, possibly Woodville, Croydon, Gepps Cross Girls' or Enfield High Schools;

Adult students will also receive individual counselling to enable them to enrol either at Thebarton Senior College or Le Fevre High School;

Negotiations will commence immediately to ensure that special interest groups, including students from Regency Park and the Bowden-Brompton School currently using The Parks High School will be appropriately placed in 1997;

Discussions with appropriate agencies will commence to retain community services on site currently provided in conjunction with the school, for example, library.

We seek your support in working with us to ensure 1996 is a successful year at The Parks High School. An information meeting will be held as soon as possible to provide further details. Please contact The Parks High School (243 5551) if you need any more information.

Yours sincerely,

There is then the name of the Principal and the local District Superintendent of Education.

The Hon. A.J. Redford interjecting:

The Hon. R.I. LUCAS: As the Hon. Mr Redford said, that contained a considerable amount of information which I am told the local Principal advised the District Superintendent was too much to be included in this letter. He suggested that it should be left to later in the process and that a short, concise letter ought to be sent to parents and caregivers.

Members interjecting:

The Hon. R.I. LUCAS: I did not see the final copy. That suggested draft was a first draft, and a similar draft was used in terms of letters that went to the local member, the President of the Vietnamese Parents Association, the School Council Chairperson, the Principal, the local city council and a range of other interest groups. I made some changes to the draft, and the draft that would have gone to the superintendent would have contained some changes to the one discussed with the local District Superintendent. Nevertheless, the quantum of information was of that order, even though it may not have been exactly those words. That was the sort of detail being recommended to be shared with the local community.

As I said, the Leader of the Opposition then has the hide to come into this Chamber knowing all that and to put into this motion a condemnation of me as Minister, when she as Leader of the Opposition is most unfairly being critical of the Principal of the local school.

The Hon. Carolyn Pickles interjecting:

The Hon. R.I. LUCAS: No, I do not sign every letter that goes out from the department and I do not sign, approve or authorise every letter that goes out from my department to any teacher.

The Hon. Carolyn Pickles interjecting:

The Hon. R.I. LUCAS: Yes, the buck stops with me, but it was taken on the advice of the Principal and I will support the Principal, which is what the Leader of the Opposition will not do. I will support the Principal and her advice, which said, 'Do not put too much detail in it.' As the local Principal she knows her students, staff, parents and caregivers. I will stand up in this Chamber and support the local Principal's advice and I will not share the criticism being proffered by the Leader of the Opposition here that we ought to be critical of the local Principal's advice in relation to it. Yes, the buck stops on my desk, and I support the decision that the local Principal took and the position the District superintendent took in terms of the nature of the advice—

The Hon. R.R. Roberts interjecting:

The Hon. R.I. LUCAS: I support the local Principal. The Hon. Ron Roberts continues to criticise the local Principal and her decisions, and I will not join with him, the Deputy Leader of the Opposition. I will support the advice that the

Principal gave in relation to this issue. I will not be diverted by the interjections from the Leader or the Deputy Leader of the Opposition, because I will continue to support the local Principal's advice on this issue—even if, by way of interjection, members opposite continue to be critical of the local Principal's decision on this issue.

I also want to take up with the Leader of the Opposition the first part of this motion, which seeks to condemn the Minister for closing the school without any prior consultation with the school community. Of course, this has been followed by a number of questions in this Council which have sought to indicate that the Minister took a decision without any consultation with the local school community. This review was established in about May last year. It is almost 12 months since the review was initiated with the local school community.

On every second week, the Leader of the Opposition comes into this Chamber and is critical that the Minister for Education has not made a decision on local school reviews in terms of potential school closures. On half a dozen occasions, the Leader of the Opposition has come into this Chamber and been critical that decisions have not been taken quickly enough in relation to other school closure reviews. At least five separate questions have been asked about the inner-city review of Gilles Street, Sturt Street and Parkside. The Leader of the Opposition said, 'Get on with it; make the decisions on these school closures'—even though I, as Minister, continue to make proper consideration of the recommendations and have indicated the time frame within which I will operate.

Therefore, it is a nonsense for the Leader of the Opposition or for anyone to suggest that there has not been proper consultation with The Parks community. The Parks community consulted widely with parents, care givers, students and staff, and indeed with anybody else who had an interest in the future of The Parks High School. As I indicated in my press statement when I released it, the local community, through the review, recommended the continued operation of The Parks school. That is nothing new. I indicated that in the press statement announcing my decision that I had disagreed with the views expressed by the local school review.

The report that has been tabled today and, indeed, the other indications of the local community view were acknowledged by me in the original announcement, namely, that I accept that the vast majority of the local school community would like to see The Parks school continue. No-one is disputing that. But what I do strongly dispute is the view that there was no consultation with the local school community. There was extensive, lengthy and appropriate consultation. All the issues were canvassed, some of which have been referred to today by the Leader of the Opposition in terms of why the local community believes its school should be kept open. They were all recorded, put on the public record in terms of the school review, are shared with the department, and they are now on the public record in terms of having been tabled.

The Hon. Carolyn Pickles interjecting:

The Hon. R.I. LUCAS: No, I disagreed. Again, this is where the Leader of the Opposition—as I indicated in Question Time yesterday—leads a confused existence. The Leader of the Opposition has spent 2½ years saying that we must accept the views of the local community—for example, in the case of the Port Victoria Primary School, where there are 11 students, if that community and that school review says that it must stay open, then the Government must keep the school open. Last year, the Leader of the Opposition had some legislation that would have required that, even if only three parents wanted to keep a school open with three students, that school must stay open—even though that was not the policy adopted by the Labor Government.

That was the position put by the Leader of the Opposition: if only three students were there, and only three parents wanted the school kept open, as long as they said they wanted it open, regardless of the effect it has on the students or on the community, that school must stay open. For 2½ years, the Leader of the Opposition has maintained that, because the local community says it must stay open, the Government must accept that. Then yesterday, under pressure in Question Time, the Leader of the Opposition's position changed 180 degrees, because the Leader of the Opposition—

The Hon. CAROLYN PICKLES: I rise on a point of order, Mr President. The Minister is clearly citing an untruth, and I ask him to withdraw that remark.

The Hon. R.I. LUCAS: I haven't said anything.

The Hon. Carolyn Pickles: You lied!

The PRESIDENT: Order! The honourable member cannot use those words; they are quite unparliamentary. I cannot determine the point of order as to whether the honourable member did or did not tell the truth, so there is no point of order.

The Hon. R.I. Lucas interjecting:

The Hon. Carolyn Pickles: The community will judge you.

The PRESIDENT: Order! I ask that the honourable member not use that terminology.

The Hon. R.I. LUCAS: I ask the Leader of the Opposition, who said that I had lied, to withdraw and apologise.

The Hon. CAROLYN PICKLES: I withdraw the remark that the Minister is incapable of telling the truth.

The Hon. R.I. LUCAS: That's not what you said; you said that I lied.

The PRESIDENT: Order! Does the Leader of the Opposition apologise?

The Hon. Carolyn Pickles: I withdraw the remark.

The Hon. R.I. LUCAS: So, you are not going to apologise?

The Hon. Carolyn Pickles: I've withdrawn the remark.

The Hon. R.I. LUCAS: I will not be petty; I thank the Leader of the Opposition for withdrawing her remark. I said that—and I will repeat it again—in Question Time yesterday the Leader of the Opposition changed her position by 180 degrees. That is all I said. I say it again, and the Leader of the Opposition knows that that is true. What was said yesterday is on the *Hansard* record. The Leader of the Opposition changed her position on this issue yesterday by 180 degrees. Suddenly, what the Leader of the Opposition has been saying for 2½ years went out the window and her position was changed.

As I said, I reject absolutely the first part of this motion that there has not been prior consultation with the school. The process this Government has followed in relation to the closure is exactly the same as the process that has been followed for years and years in the Department for Education and Children's Services. It was the policy and the process followed by the Labor Government when it undertook school closures. It is exactly the same process. In terms of advice, there is no change at all to the process. In announcing the decision, we ensured that the students, the staff, the Principal, the local member of Parliament and others who were actively

or intimately involved in the closure were advised prior to the media advice being released that afternoon.

The silliness of the proposition that the Leader of the Opposition is putting is the suggestion that it could be done in a different way. As I said, we are following a process adopted by the Labor Government over many years. Is it the proposition that the Government should advise the whole community—the parents, the caregivers, everyone—a week, three days, four days, or whatever prior to announcing the decision publicly? Anyone with an ounce of commonsense who thought that process through would realise that, as soon as the decision was announced, those people who had been advised would go straight to the media and inform the media and everyone else that the decision to close the school had been made. It would be silly to think otherwise, that is, that one could advise in a confidential way, 200, 300, 400 families, or whatever the number might be, that the announcement of a school closure is to be next week, in two days, in three days, or in four days.

I challenge any member in this Chamber who thinks that process through to come up with an example of how the provision of advice to parents and caregivers was done differently under the Labor Government and to think through how it might be done—even if it had not been done under the Labor Government, and that is certainly the case—differently and in a way that would prevent the media from becoming aware of the decision to close the school. No member of this Chamber, including the Leader of the Opposition, would be able to take up that challenge and put down a process that would be significantly different from the process that this Government follows.

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: There are rumours about Brighton and Mawson. That was announced publicly. The Hon. Mr Holloway should go back and check the details. It was announced publicly.

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: What we have here is the use—

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: We had a year of consultation in relation to The Parks. It started in May 1995: we are now in March 1996. It is the Labor Party that has been critical of extended periods of consultation. It has been the Leader of the Opposition who has been critical, because it has taken longer than a year in relation to Gilles Street, Sturt Street and Parkside, and comes into this Chamber every second week criticising that a decision has not been announced about the future of those three schools. The Hon. Mr Holloway cannot have his cake and eat it, too. He cannot come in and say, 'You should have years and years of consultation,' when his own Leader comes into the Council and is critical about the Parkside, Gilles Street and Sturt Street reviews because it has taken longer than 12 or 18 months to make a decision. The Hon. Mr Holloway might want to have his cake and eat it, too, but he cannot do it credibly. He cannot do it credibly in terms of being critical of periods of consultation and then have his own Leader being critical of the Government because we have not gone through a particular process.

The Hon. Mr Holloway does not understand and the Hon. Ms Pickles chooses deliberately not to understand that there are a number of different sorts of closures. There are closures or amalgamations which are generally supported by the local school reviews or communities and those reviews, closures or amalgamations can be handled in a different way from a closure where the Government disagrees with the decision of the local school review. That is just a statement of commonsense. The Hon. Mr Holloway can choose to disagree with that statement of fact, but of course the process will be different in those circumstances.

For example, in relation to the Marion corridor project, which was raised today, the local Principals, school council chairpersons and departmental people on the local school review asked the Government, 'Will you agree to a process which closes up the three schools?' In that circumstance the handling of that sort of announcement might differ from the situation where the local school community review is steadfastly opposed to a closure. In the case of The Parks High School the local school community recommendation was different from the decision the Government was taking.

The Marion corridor project is probably not a good example because the recommendations are not site specific: they have not recommended specific sites and have recommended broadly, but there have been other amalgamations. Perhaps Brighton/Mawson is one of them and Holden Hill Primary or Holden Hill North (I cannot remember which one) involved a school community deciding that it wanted to close. The school council chairperson rang me and said, 'We recommended our own closure. Why will you not hurry up and get on with it and announce it?' We had telephone calls from the school community saying, 'We decided we want to close. We have agreed to close. Get on with and make the decision to support the school's closure.'

In those circumstances you can handle the process of announcing the closure differently from something like The Parks where it has been strongly opposed by the local community or like the Port Adelaide Girls High School closure which was strongly opposed by the local community. As I said, the Hon. Mr Holloway can choose to ignore, in my judgment, that very sensible distinction between types of closures if he wishes, but he does so at his own peril. It is a statement of fact and one has to look at school closures in the context of who is supporting them, who is opposing them and where the various groupings are in terms of the closure. You then have to make your judgments about how best you go about it. We did that and consulted with the Principal, who gave good advice which I support, too, of just including the core points in the letter that went to the school community.

For those who might read the *Hansard* report about my justifying this decision as Minister, I responded to questions yesterday and last week in this Chamber indicating the reasons for the closure. I do not intend to go over all those reasons but I will highlight one or two of them and respond to one or two of the other claims that were made by the Leader of the Opposition when speaking to this motion.

The Leader of the Opposition referred to the issue of cross-charging, but it does not matter what it is called. The simple fact of life is that the budget of the Department for Education and Children's Services—or the money that I, as Minister, have in order to run our schools in South Australia—incurs a cost of about $800 000 a year for the use of the facilities at The Parks. The second fact is that, in terms of the discussions the Government is having with local government about a possible transfer of ownership, the Department for Education and Children's Services was not looking at a possible reduction of that $800 000 but a potential increase in the cost to the department of the leasing arrangements. If that had been increased by $200 000, $400 000 or whatever, that money would have had to come from other schools, child-care centres and preschools, and from other facilities and services that I run as Minister for

Education and Children's Services. I do not have a magic money tree. If I had to spend another $200 000 or $400 000 in leasing arrangements at The Parks, that money would have to come from other school communities and they would have to do with less if we were to continue with that facility.

The simple fact is that the Government's subsidy—I do not refer to the Department for Education and Children's Services—for the running of The Parks Community Centre is about $2.5 million. If a new owner chose not to continue that level of subsidy, as local government might choose not to, that new owner might well increase charges to offset that level of subsidy. From the advice provided to me, I understand that the department was looking potentially at a significant increase in the level of the cost of running the school at The Parks.

I have heard criticism from some, as I did with the closure of Port Adelaide Girls High School, that if the Government had not ignored The Parks community, if it was not cutting back education spending generally, the school would not have suffered a decline in enrolments and, therefore, it is a fault of the Government, by way of withdrawal or reduction of resources available to the school. I place on the public record that, for the 360 full-time equivalent students at The Parks, which figure was provided by the District Superintendent from the school Principal and the staff—it is not a figure that the department provided—we have 37.6 full-time equivalent teachers there. In other words, we have about one teacher for every 9½ students at that school. Most schools would give their eye teeth to have one teacher for every 9½ students in their school. In the last week, I visited a school which a relative of yours, Mr Acting President, attends and that school, in a similarly disadvantaged area, would give its eye teeth for a student-staff ratio of one teacher for every 9½ students.

I do reject the proposition put to me that in some way the reduction of Government resources has been responsible for the decline in enrolments in that community. The simple fact of life is that local families, for whatever reason, have chosen not to send their young children as students to The Parks school. The numbers of families sending students to year 8 at The Parks last year and this year has resulted in a number of just over 30 year 8 students in each of those two years.

Local families have decided that they will send their children by bus, by car, walking or whatever, not to their local school but to the other school options which are available to them, Whether it be Woodville or Croydon or Gepps Cross Girls High School or the other options that are available to that community, the local families have been sending their children to those other options. That is not the decision of the Minister for Education and Children's Services; that is not the Government's decision: it is what the local families have been deciding for the past few years.

When the Leader of the Opposition or others ask me, 'How will the students from the local community get to Croydon or to Woodville or to the other school options?' part of the response will be—and has been—'We will obviously do what we can, together with TransAdelaide and other options, to achieve that.' But the local community has already been sending its children to those other school options. They have decided—not the Government—to send their children to other options. Clearly, the residents in that community have decided that they will choose other schooling options for their family members. I cannot stress that too strongly. That is not a decision that I have taken: it is a decision that local families have taken and will continue to take.

The Leader of the Opposition and other members of the Labor Party would do well during discussions with local community members to ask, 'Why is it that you refuse to send your children to The Parks? Why are they attending other high school options in the near area.' The Leader of the Opposition and other members would do well to seek that information from community members.

The last issue I want to raise is something that was raised with me by the students on Monday morning. The students have apparently been told by students at neighbouring schools that they will not be accepted in those neighbouring schools. I heard a very similar story during the Elizabeth City and Fremont High School amalgamation. What I can say, and what I said to the students and to the staff, is that this department is 100 per cent behind a harassment-free school environment for all our school students. Our department and our officers will bend over backwards to ensure that students make a safe transition to other school communities. As has occurred in other school communities, I believe that most of these concerns will not eventuate. There might be isolated examples, but we have isolated examples in our schools at the moment.

The Parks community people to whom I have spoken have acknowledged that, as with every other high school in South Australia, there are issues of conflict between individuals, sometimes groups, within a high school community. The Parks in that respect is no different from many other high schools. There are always examples of potential conflict and differences of opinion. We will work to ensure as smooth a transition as possible for students as they move to other options.

We have given a commitment to individual counselling, to speaking to the students individually, to look at other options which are available for the students in neighbouring schools and to try to manage the transition to new schooling options as smoothly as possible.

I also gave a commitment to students with significant disabilities and an association with Regency Park. I gave the commitment that the Government will do as much as is humanly possible to provide suitable and appropriate facilities in new school options for them, which will involve the expenditure of some money in terms of possible upgrading of facilities at a new school site or location.

I also gave an assurance to adult re-entry students about the recently upgraded Thebarton Secondary College. There is also a significant upgrade going on at Le Fevre. Adult re-entry students will be assisted, if they wish, with a smooth transition to adult re-entry options at either Le Fevre or Thebarton. On behalf of the Government and the department, I have given a number of assurances. The final assurance I give is that, whilst it has always been a difficult and painful decision for the Government and for me as Minister to take, having been taken it will not be changed. However, we will give an undertaking, as we have already, to work as best we can with the students and the staff to ensure as smooth a transition as possible to those other school options.

The Hon. T.G. ROBERTS: I support the motion. Many of the points made by the Leader are possibly correct in relation to the various types of schools, the stages to which they get in terms of demographics, the numbers, the course curriculum development options, and many other reasons why the potential for education standards to be lowered is possible. When we were in Government there were school closures, but in the main they were carried out with the

broadest possible consultation. There were options for permutations for transitional periods and there was no deliberate rundown by rumour and innuendo or review processes that placed parents in difficult positions in which to make decisions for the long term future and best interests of their children. One of the ways in which the consultation process can weaken the resolve of Governments to keep their promises to communities to keep schools open is to make sure that the rumour mill runs before the review process is set in motion so that it undermines the confidence of parents about the continuity that they require for their children's education, particularly through the primary years to year 8 and on from year 8 to years 11 or 12.

What most parents, particularly in disadvantaged areas, require is a feeling of solidarity and community support. They certainly do not like the feeling that continuity will be broken by their children having to move half way through their formative years in education to year 8 because their friends disperse, they go to different schools, their peer groups break up and all their mates go their separate ways. That is something that both parents and children try to avoid as best they can.

Unfortunately, Governments tend not to take those considerations into account when reviews are put together. The review process, as stated by the Minister towards the end of his speech, gets back to the economic rationalist argument whether it is affordable or not. With regard to the Parks High School, I think one could accurately predict that many of the children who were removed from the junior primary years were removed on the basis that they had no potential security of tenure in those years and were looking for other schools which had not been undermined by the rumour process that runs through closed communities.

There is a stage before the review process is put in train. Governments and/or the department can either weaken that confidence or strengthen it. Most members would agree that 370 or 400 students does not represent a small school. It is a reasonably significant school in terms of size, and the special needs being met in The Parks area are ones which all members on both sides of the Council should support and protect. We should ensure that the community feeling in The Parks area is sustained by maintaining that school in its current form.

As most parents would know and understand, the consultation process can be undermined by the lack of will if a decision has already been made for closure or for a change to the status of that school, and it can undermine the confidence of those people to take their position around tables to negotiate or discuss those issues. In relation to The Parks community, there was an expectation that the review would be honest and open and that there would be a genuine consultation process where their voices would be heard. I have not spoken to the people in The Parks community. I have listened to the debate. I have joined in at this late hour because it appears that the consultation processes may have been a facade and that the decision may have been made early and that the ability of parents to influence outcomes in relation to The Parks High School was probably minimal, because the economic rationalists had grabbed hold of the argument. The accountants made the decision rather than the educationists, and the Minister has probably been locked into a position where the accountants have determined that The Parks school will close.

I would not mind if the Minister was honest with those people and perhaps put very early in the piece that it did not matter what the review process came up with or what recommendations were made because the bean counters had determined the final outcome. I find it very difficult, if what the Minister says is correct—and I am not questioning the accuracy of his understanding of the events—to see why The Parks community has asked the Minister to get on to the last stage and get out of town. I cannot understand why the posse has followed him from The Parks to here to make sure that their concerns are passed on to the Opposition, because that appears to be the case. It does not appear as though there has been any consensus of opinion reached in relation to the decision made, and there are many ways in which people can be notified or consulted if a decision that will go against what would be regarded as good educative sense—

The Hon. Carolyn Pickles interjecting:

The Hon. T.G. ROBERTS: I think that is probably right. There are ways in which people can be notified if the decision will not be favourable. If we consider the letter and all the debate about whether or not the Minister supported the Principal's decision, I do not think that is a major issue. The question should be: why is the school closing? How that happens becomes a separate argument and, in the case of the Minister's contribution, it creates further divisions in the community and attempts to blame people who really do not need to be blamed for the decision.

The decision is purely an economic one: it has nothing to do with educational facilities and services, and it certainly has nothing to do with holding that community together. So, the red herrings that have been introduced into this debate need to be put to rest. The only way that the Government can get out of the position that it is in now is to try to make use of some of its negotiating skills to alleviate the concerns that that community still has. The Minister says that extra moneys will be apportioned and that some attention will be paid to Thebarton and Le Fevre. I understand that that is probably a negotiated outcome that was determined well before the decision to close The Parks school was made, that the bean counters had already worked out that they would apportion a certain amount of funds for the development of Thebarton and Le Fevre and that they wanted to close The Parks school.

The Parliament has had to debate a motion based on a false premise. The people who live in The Parks community have been put to a lot of unnecessary concern regarding their contributions. I think they have been taken for a ride in relation to what they feel may have been negotiated outcomes which could quite possibly have been determined, because the goodwill was not there in the first place to maintain that school in its current position with its current curriculum development. As far as the ratio of the number of teachers per child is concerned, each school has different problems. There are different mixes of categories of children—some need far more assistance than others—and The Parks community was one of those that had caregivers and a heart and a soul, but unfortunately that has been removed.

The Hon. L.H. Davis: Have you looked at the number of schools that were closed during your time in government?

The Hon. T.G. ROBERTS: If you were in the Council, you would know, because I explained that. I have admitted that some schools reach the stage of having a critical mass where the education determinations on behalf of children will be compromised. The Parks school has not reached that level. The ratio of the number of teachers to the number of children cannot be matched against those in, say, the Unley and Norwood areas where there are little or no school learning

difficulties and different sets of problems. You look at those numbers and match them with other schools in other areas.

The Hon. R.I. Lucas interjecting:

The Hon. T.G. ROBERTS: You made a comparison with Elizabeth. I am taking The Parks as a separate, special case, just as we did with the Port Adelaide Girls' High School. It is one of those schools where the Government has a responsibility to maintain funding to make sure that those people are given the opportunity to extend themselves into secondary education and then, hopefully, to go on to tertiary education with the difficulties that they have in being able to carry that out. If you want to do comparisons with the northern suburbs, just look at how many students go from secondary school to tertiary institutions in this city. It is a disgrace! Very few students from the northern suburbs make it into our tertiary institutions. I am sure that the students of The Parks school would suffer under the same disabilities as many people from the northern suburbs. But they were making the effort, and I think the parents who turned up today were making well known the commitment they had to overcome, with support, all the disadvantages that they had suffered in comparison with people from other parts of the city. What we have done has let them down.

[Sitting suspended from 6 to 7.45 p.m.]

The Hon. T.G. ROBERTS: I would like to make a few final points, including the fact that all teenagers at the moment are in a very competitive work arena, and no more so than those who live in The Parks area. The challenges that those students face are immeasurable. They have to overcome the difficulties of their background in terms of their lack of contacts when it comes to establishing business opportunities. It is not like children coming from a professional background where opportunities open up through personal contacts. In most cases the children of people who live in The Parks area have no doors for them to open through having any family connections with work partners, particularly in the western suburban area.

Therefore, the responsibility of Government to make sure that resources are put into education and training and, in this case, adult matriculation, is far more onerous than if you have the same students in another part of the metropolitan area. I know that, even if the motion is carried, it will not change the Government's position. The Government has made a determination. It has made it quite clear that the decision will not be rescinded, but the Opposition is frustrated by having to accept that the motion has been drafted and put on the Notice Paper in the Legislative Council. However, it allows the Opposition to put on record its dissatisfaction with the final decision.

Although the Minister may think that some political point-scoring is being done, the debate is being conducted in a way that we think would be constructive to the point of at least giving the Minister an opportunity to reconsider the position and perhaps to look at some of the new arguments that have been raised in the discussion. The decision by those who have left school at either year 10 or 11 to do adult matriculation takes a lot of courage. They have perhaps been receiving the dole or have shared the resources of a working class family, which are certainly very scarce, and have then decided to return to the school environment to complete matriculation and open up opportunities that may get them into either training programs and/or tertiary education, thus allowing them at least to join in what is quickly becoming a diminishing area of participation for many people.

We are now developing a two-tiered economy: those who can participate and those who cannot. The only opportunity that people in the western suburbs in particular have of competing is to grab the opportunities that education bring. If one cannot be extended those opportunities via Government services—and Governments certainly have to put in those resources so they can avail themselves of them—I am afraid that many people will not make that extra yard to take up those opportunities and fight to compete to get into a position to take advantage of opportunities that may arise.

I urge the Government, if there is no room for a conciliatory approach to changing its position on this school, in the future when other schools come up in disadvantaged areas or areas that lack workplace opportunities—and that could include country or regional areas—at least to take into consideration the extra points that the Opposition has made.

I acknowledge that I am not close enough to the negotiations to get a feel for the situation, but if there are transport difficulties or logistical problems associated with the transfer of those children and senior students or adults from their home environment to LeFevre, Thebarton or any other institution that they choose to attend, I would certainly implore the Government either to make concessions available for them to be able to afford the ability to travel or to ensure that assistance is provided to those people to enable them to find other opportunities that allow them to enter the work force via education and training.

The Hon. R.R. ROBERTS: I support the motion. Having sat through the contribution today by the Minister for Education and Children's Services, and observed first-hand the attitude of this Minister towards the public school education system in South Australia, I think that, if members are not convinced by the cogent arguments of my colleagues, they only had to watch his performance today. This is the Minister who, as a shadow Minister, harped loud and long about the operations of the education system. When he was in Opposition, nothing was too good for the public school system, and everything the Labor Party did was wrong. Every time we closed a school, he was up harping and carping. This is the former shadow Minister who at the last election went out and said that, if public schools, both primary and high schools, did not meet certain numerical criteria, he would close them.

When he was shadow Minister I pointed out to the Hon. Mr Lucas that there were 32 schools in the electorate of Frome which did not meet his criteria, and I asked him to name the schools that would not close—not the ones that were under review under his formula. He did what he normally does: he went into a very select routine that he has of trying to divert the blame and trying to change the words. He has this private school prefect, smart attitude and tries to be the clever person with the use of the rules. He hides between the rules of debate—the natural home of the coward. Today, out of frustration, he was challenged by the Hon. Carolyn Pickles that he had no regard for the truth. The Hon. Carolyn Pickles knows that in her contribution yesterday she he made no such assertions, as claimed by the Minister.

This Minister, when harassed during debate, puts on the record that the member opposite said something entirely different. Because members on this side are not sufficiently petty to get involved in a slanging match about that, it appears in *Hansard*, and then this clever private prefect, this product of the private school system, wants to jump up and down, show how clever he is and scream to the umpire—the

President—that we called him 'an L-I-A-R'. He hides behind the rules of the House.

This shows the sort of contempt that this Minister has for the public school system and for fairness and equity. Everything in this motion is absolutely correct. This Minister complained about the closure of schools under a Labor Government and said that he was only doing what the Labor Government did. Let us look at what the Labor Government did. After seven years we had a net loss of three schools. This Minister is already in the process of closing three schools, but we are not seeing amalgamations or new schools being built. The only new school we are seeing built is one in the Premier's electorate at Victor Harbor. That is the only construction that is occurring in the education system. We know what this is all about: largesse for the mates. It happens that this school being closed, The Parks, is right slap bang in the middle of a Labor electorate.

I may be crass, but I have no doubt that that plays a part in the way that this Government thinks, because Government members are absolutely vindictive. They work on the divide and rule principle. Today, the Minister got up and, when challenged about the brevity of the notice that was given to people who have students going to The Parks school, he said immediately, 'Not me, it is the Principal down there.'

I have some news for this Minister: there is such a thing as ministerial responsibility. It is not the responsibility of the Principal. That is what the Westminster system is all about—something that this Government does not know too much about. It has to take the brunt of what happens in those schools. Quite clearly what the Minister is about has nothing to do this motion. He wants to divide the parents and teachers at The Parks school so that they start fighting amongst themselves and divert the attention away from the harsh and heartless actions of this Government with its lack of consultation between the department and the school community until after the decision is made.

The Minister then arrogantly stands up in this place and says that he will go down and talk to these people and tell them why he has made the decision. That is a different brand of consultation than I have ever been a part of, and the Minister stands condemned.

This Minister completely dismisses the Audit Commission's recommendations in respect of schools and school closures. He does not want to know that but, when he trots in with a proposal to do some other dastardly deed to take away the rights of South Australians, he treats it as though it is some holy grail and says that we ought to abide by it because the Audit Commission said it. The hypocrisy is mind bending.

In his contribution the Minister dismisses the submission by the Hon. Carolyn Pickles that he ought to take into account what the school committees are about. The Minister says that he does not have to do that as he takes advice from the review committee—from a few officers—and it does not matter what the people at The Parks want. He has made up his mind.

The only concession he is prepared to make is to tell them that he will not change his mind. This is a person who is not committed to public education in South Australia. He is a disgrace. He was brought up in a public school; he does not even subscribe to the public school system with his own family and children. It is all right for this Minister to say that people at The Parks ought to transfer to another school. The people in The Parks are, by and large, working class people. They are not all on $140 000. They are not given transport. It is very easy for the Minister to get his children to a new school, but when you are on minimum rates of pay it is totally demoralising when you cannot give your children the same as other children.

Members opposite have no commitment to the public education system. If you went through them, you would probably find that not one of them has children in the public school system—unless they are little children, who will be shipped off to private schools as soon as they are old enough. Members opposite and the Minister ought to be condemned for their arrogance. In the end, in his contribution today the Minister told people that he would have an harassment-free environment for school children at Elizabeth. That is fine as far as having an harassment-free environment for the children in the school is concerned; but what people are worried about in South Australia is an harassment-free environment from this Minister and this Government. I have great pleasure in supporting this motion.

The Hon. T. CROTHERS secured the adjournment of the debate.

The Hon. J.F. STEFANI: Mr President, I draw your attention to the state of the Council.

A quorum having been formed:

SELECT COMMITTEE ON ALTERING THE TIME ZONE FOR SOUTH AUSTRALIA

Adjourned debate on motion of Hon. Caroline Schaefer:

That the committee's report be noted.

(Continued from 29 November. Page 677.)

The Hon. A.J. REDFORD: I commend the motion to note this report. This is the first time I have had the opportunity of being a member of a select committee that has delivered a report to this Chamber. That is perhaps a comment on how slow the select committee process can be.

The Hon. M.J. Elliott interjecting:

The Hon. A.J. REDFORD: The Hon. Michael Elliott interjects. The only debate I have sat here and listened to in relation to a select committee report was something that was started about 10 years ago in relation to Marineland. In any event, I commend this report to this place. Indeed, I commend my colleagues, the Hons Caroline Schaefer, Sandra Kanck, Ron Roberts and George Weatherill for their contributions to the work of the committee. The issue that was before the committee in relation to the time zone could easily have become a political football and could easily have involved us in a process of point scoring. In fact, that did not occur.

The Hon. Sandra Kanck, in her contribution, commented on how each of the members of the committee approached the issue with an open mind, listened to the evidence and came to the ultimate conclusion. I must say, if that is the way in which all select committees operate, then the process of the select committee and the way in which they can be used can only be positive.

The Hon. M.J. Elliott interjecting:

The Hon. A.J. REDFORD: The honourable member interjects and says, 'About half of them do.' I have only had one, and so far it is one-nil. At the commencement I came to the committee with a mixed view. I was inclined perhaps to favour the *status quo,* in other words, keeping the existing time zone or, if we had to have a shift, moving to Eastern Standard Time. However, having listened to the evidence of a substantial number of people, I came inexorably to the view that is contained in the recommendation at page 3. For the

benefit of members, the committee recommended that the South Australian Government approach the Northern Territory Government to enter into arrangements, first, to adopt a standard meridian of 135° east; and secondly, to adopt daylight saving for the same period as normally prevails in South Australia, for a trial period of not less than two years commencing at the beginning of a daylight saving period. The effect of the recommendation would be to shift the clocks back half an hour so that the people on the West Coast would not be going to school or to work during periods of darkness.

The Hon. M.J. Elliott: We are doing that now in Adelaide.

The Hon. A.J. REDFORD: Yes, and I must say I do not like it, and I am sure if members wandered around and talked to people they would find that other people do not like it, either. I can understand with issues such as the Festival of Arts and the like that activities are conducted in association with it and there is a strong argument to continue daylight saving until now. We would have effectively, if we followed this recommendation, only half an hour of daylight saving instead of the full hour of daylight saving in terms of nature's clock. It seems that that is a reasonable compromise. I have to say about business groups, who have been quite outspoken on this topic and who from time to time constantly demand that we shift to Eastern Standard Time, that they were singularly absent when it came to making submissions on this topic. Indeed, some of the submissions, in regard to which one might have thought that we should go to Eastern Standard Time, were quite the opposite, and I will come back to that later. I draw members' attention to page 2 of the report where the committee states:

> In contrast, there was a considerable volume of evidence to indicate that there is a number of social disadvantages to South Australia being on the existing time meridian and that this would worsen should there be a shift to the east of a further half hour. It was also acknowledged that there are disadvantages for the State in not adopting a time zone based upon a full hour time meridian. Despite persistent attempts to obtain evidence from businesses and business organisations little was received by the committee.

The Hon. M.J. Elliott: Most of them do not care one way or the other.

The Hon. A.J. REDFORD: That is absolutely correct.

The Hon. M.J. Elliott: They do not care about the half hour either way—

The Hon. A.J. REDFORD: I agree with that interjection as well. A number of furphies were put up by various groups. At page 9 of the report, we refer to the submissions by Qantas, and the report states:

> Qantas submitted that '. . . the interests of users and providers of air services. . . and communities in the vicinity of Adelaide Airport would be best served by adopting. . . 150 degrees east. . . ' They pointed out that there were distinct advantages to shifting to Eastern Standard Time, as it provided for the better 'one hour' time zone and allowed for better scheduling in that an extra 30 minutes would be gained in the mornings to deal with curfews and the ends of international flights. However, there would be a similar loss of 30 minutes in the evenings. The committee did not receive any submission from Qantas regarding this. The benefits and disadvantages were seen to accrue to all airlines.

When we did receive submissions from business along those lines, we seemed to get only half the story. Quite rightly, they would gain half an hour in the morning, but they did not address the problems that would be caused by the loss of half an hour in the evening. It is almost six of one and half a dozen of the other.

It is my view that, if we shifted to Eastern Standard Time, South Australians would continue to lose their identity as a separate State and we would perhaps progress the argument for greater centralisation of our businesses, resources and management in this country. Indeed, it was interesting to see the submission from Mount Gambier business people and particularly the Mount Gambier Chamber of Commerce, whose submission was that they currently benefit from the half an hour extra shopping that they have over their near Victorian neighbours. They gave evidence to the effect that people came from Victoria to shop in Mount Gambier because they had that extra half hour for shopping. It was the chamber's view that, if we went back that half an hour, Mount Gambier would get that extra hour shopping over and above its Victorian competitors.

It is interesting to note that people who are closest to the border and who would be least affected in terms of lifestyle by a shift to Eastern Standard Time made submissions to the committee that we ought to go back a further half hour, purely and simply for business reasons. Whilst it is not something that the media is likely to highlight, to my mind it was pretty compelling evidence.

The other significant issue is the question of social justice. The previous Federal Government, indeed many people on the Labor side of politics, raised issues of social justice *ad nauseam* over the past 10 to 15 years and, if there is social justice or social deprivation in our communities, it is the rural communities that suffer the greatest deprivation and the most social injustice. At page 13 of the report, the committee states:

> Parents, school staff and children, particularly when they were located in the west of the State, protested against any thought of shifting the time zone to the east and instead strongly supported the 135° zone [in other words, true Central Standard Time]. They referred to matters such as:
>
> · The need to ensure that rural children are not unnecessarily and further disadvantaged.
> · Children having to get up in the dark during daylight saving periods in order to catch school buses, but at the other end of the day going to bed during daylight.
> · Difficulty in getting children to sleep when daylight continues further into the evening or when temperatures remain high during the heat of the day.
> · Disruption to sleeping patterns and the flow-on to learning ability and behaviour problems.
> · Families being more separated when daylight continues further into the evening as a consequence of individual members spending more time away from home and the family.
> · Significant problems already being experienced during daylight saving times being exacerbated with a possible shift to Eastern Standard Time.

Although the west of the State, with which you are very familiar, Mr President, may not have a huge population, it is a valuable population, and their social needs and desires are just as important and just as significant as those of the rest of us. Whilst we in Adelaide and in the larger community centres think that daylight saving provides us with certain social advantages, it is important to keep in mind the enormous dislocation and social consequences that are suffered by those people in the west of this State.

It is my view that the recommendations contained within this report provide a very reasonable compromise between the social activities and the benefits that we all enjoy here in Adelaide as a consequence of daylight saving. That is balanced quite carefully with the needs of and the awful problems that are suffered by families on the West Coast. I have not heard the Government's response to this: it has been

singularly quiet. We received front page coverage in the *Advertiser* a day or two prior to the release of the report—

The Hon. M.J. Elliott: Bring in a private member's Bill.

The Hon. A.J. REDFORD: I am sure that the Hon. Caroline Schaefer would like to take the glory of that, but I go on record as saying that I would support such a private member's Bill. I think that the recommendations do provide that balance. I also draw members' attention to page 17 of the report and, in particular, the chapter on the Northern Territory. As a committee, we attempted to seek comments from representatives of the Northern Territory Government regarding a change. I must say that they were not enthusiastic about the topic one way or the other. However, if the Government decides to adopt this report, then the ball is very much in the court of the Northern Territory Government. The Northern Territory has always enjoyed a very close political and economic relationship with this State. I am sure that, if this recommendation is adopted, both the Northern Territory and South Australia would gain as a consequence.

The factors that the committee considered in relation to the Northern Territory were: the increasing possibility of a rail link between South Australia and the Northern Territory; the Northern Territory's successful development of trade links with Asia, in particular Indonesia; its strong trade and social links with Asia; and the fact that it enjoys a closer link with Western Australia in social terms than we in South Australia do. The time difference between South Australia and Western Australia is 1½ hours; during daylight saving, the time difference is 2½ hours. If we adopt this recommendation, the time difference between South Australia and Western Australia, and the time difference between the Northern Territory and Western Australia, would be diminished and as a result there would be enhanced trade opportunities with those jurisdictions.

It is interesting to note some of the comments made by the Minister for Industry and Infrastructure, John Olsen, who has said on a number of occasions that the future trading potential of South Australia, whilst it does lie to some extent with the Eastern States, mainly exists with our Asian neighbours. It is interesting to note that South East Asian countries are behind us in time, particularly Indonesia, Malaysia and Vietnam. If we turn the clocks back half an hour, it may improve those trade opportunities, although I would not like to overstate the position.

In conclusion, I commend this report to the Council. I thank all my parliamentary colleagues for their constructive contributions during the hearings of the committee, and I congratulate and thank the Hon. Caroline Schaefer for the efficient manner in which she chaired the committee. I think that she chaired the meetings well, and provided a good example to those of us who will have the opportunity of chairing future select committees. I commend the motion.

The Hon. R.R. ROBERTS: I support the motion to have the findings of the select committee noted. We went into this exercise following a sequence of events and we were looking to make recommendations about daylight saving. The Labor Party's suggestions in respect of daylight saving were not supported, but we did support the establishment of a select committee to review the current public feeling. This was despite the fact that the Premier had made it very clear early in his term of office that he was not in favour of too much change and, if it was changed, it would be to Eastern Standard Time.

I expected a strong contribution from the business community of South Australia. Every time this matter has been raised, the business community has said, 'We must have Eastern Standard Time because we are more in touch with the Eastern States and if we went to Central Time our trade position would be worse.' I was disappointed that some of the people whom I thought would be presenting evidence did not do so. However, I was impressed by those who obviously feel that they suffer more by the effects of daylight saving and who took the opportunity to give evidence. People from the West Coast are to be commended for their enthusiasm and energy. They took the opportunity that was presented by the select committee to present submissions and put their views, in some cases long-suffering views.

At the end of the day my colleague the Hon. George Weatherill and I, together with the Hon. Caroline Schaefer, the Hon. Mr Redford and the Hon. Sandra Kanck were faced with a pile of submissions which could only lead to the conclusion that we had to recommend some change. It is not a change that I honestly believed, when I went into the committee, was possible or desirable. I take the view that members of a select committee should go by the evidence that is presented, and that evidence supported the suggestion that was finally proposed. I do not think that the Government will have the will or the wherewithal to implement this proposal.

When questioned by colleagues from time to time as to how the select committee was going, I commented that the overwhelming bulk of the evidence was suggesting one thing. Then at the eleventh hour someone in Government woke up. I recall that, when we were putting the final touches to the report, we had a telephone call from the Chamber of Commerce and Industry with respect to making a submission, but obviously it was then too late. Given the attitude expressed by the Premier early in his parliamentary life as Premier, I do not believe that anything will be done about this report. However, it is a summary of the evidence that was given and it makes a fair recommendation. I support the motion.

The Hon. M.J. ELLIOTT: This issue has been before the Parliament previously.

An honourable member interjecting:

The Hon. M.J. ELLIOTT: That is correct, but this is the first time that a select committee has looked at the issue. The select committee has reached the conclusion that I reached after talking to many members of the public last time. When we talk to the business community, we do not get the same message as we get via the *Advertiser*. One would swear from the *Advertiser* and from the Chamber of Commerce and Industry (now the Employers' Chamber) that there was an overwhelming tide of businesses demanding a change to Eastern Standard Time. The reality is that most businesses could not give a damn. Many of those who do give a damn will say, 'We don't care whether we go half an hour forward or back; we just don't like this half-hour difference, which is unusual around the world.' I think that only three other countries use half-hour time zones. Frankly, it has not caused me too many problems. I know how to turn my watch half an hour, and probably most international travellers do as well.

In terms of lifestyle, there is no doubt that during the summer months when the weather is nice we enjoy daylight saving. Even now, with daylight saving, I find that there is not enough light in the morning for the things that I like doing. Many people indulge in a great deal of recreation, whether gardening, jogging, cycling or various other pursuits, and they like to do those things with rather than without light

before going to work. Part of the argument relates to when daylight saving finishes and part to whether we go to Eastern Standard Time or go half an hour the other way.

I suppose the point I am making in all this is that, while certainly some people would say they gain recreationally from going to Eastern Standard Time and having the extra daylight at the end of the day, for each one I could wheel out at least one person who says they appreciate the light at the other end of the day and the recreational opportunities it gives them. I do not think that is much of an argument one way or another; at least it counterbalances. It is a case of the emperor's new clothes. At one stage everybody was running around saying we must go to Eastern Standard Time because to say anything different was not the thing to do. It is a bit like the arguments we had about Sunday trading at one stage. If you talked to all the main stores, with the exception of Coles Myer in Adelaide, they said they saw no particular benefit in Sunday trading. One store ran the whole campaign; then it got the peak body, the RTA, to run for it, just as the Chamber of Commerce ran on this Eastern Standard Time issue.

When you think about it, it is quite bizarre that, if we adopted Eastern Standard Time and combined it with daylight saving, the meridian we would be using to set our time would be running somewhere to the east of Lord Howe Island out in the Pacific. It is quite bizarre logic. If you suggest that we have some business advantages in going to the same time as Eastern Standard Time you would have to wonder how Perth ever survived being three or four hours behind. You would have to wonder how the US ever survives with at least three, if not four, time zones across the continent, which is about the same width as Australia. You do not see all the middle States saying they should go to the same time zone as New York. If we are talking about trade, particularly Asian trade, I would have thought that going half an hour to the west would enable us to trade more readily with Japan, Korea, Indonesia and a range of other South-East Asian countries. If we are angling towards Asia, that extra half hour would give us enormous advantages there.

Whatever advantage that people perceive they would pick up with the Eastern States would clearly be lost in terms of overseas trade, which is where a lot of people see growth occurring. Frankly, I think going to Eastern Standard Time would make it that much easier to make Adelaide a branch office. There would be swings and roundabouts: we would gain some advantages and lose some. On balance, my personal view is that if I had to choose between going half an hour east or half an hour west I would support going half an hour west. As I commented before, I have no problems with the way things are, except that I feel that around this time of the year I want a bit more light in the mornings. That could be achieved either by finishing daylight saving earlier, which messes up events such as the Festival of Arts or perhaps adopting—

The Hon. Anne Levy: It's been over for more than a week.

The Hon. M.J. ELLIOTT: It is a question of when other States change, as well. If we adopted a time zone half an hour to the west, another possibility is that the Northern Territory, which until now has not been prepared to adopt daylight saving, might join us in that and pick up daylight saving at the same time so that all the States, with the exception of Western Australia, will all be doing the same thing at about the same time.

The Hon. Anne Levy: Queensland does not have daylight saving.

The Hon. M.J. ELLIOTT: We might bring them on board, too, but it would be very sensible if all the States were doing the same thing rather than having timetables and schedules constantly going all over the place. That might be one small side benefit. On balance, I am happy with the way things are, but I would support going to a time zone to the west rather than a time zone to the east.

The Hon. CAROLINE SCHAEFER: I will sum up briefly and thank members for their contribution. It was indeed a harmonious select committee which reached a unanimous decision. I agree with the comments made tonight. Clearly, the people where I live are anti-daylight saving but particularly as members of the Upper House we must take into account the views of the whole State, including those who are in favour of daylight saving.

However, there are a number of common sense and logical reasons for changing our time zone so that we have three equal one hour times across Australia while retaining daylight saving for those who enjoy it. This is a common sense compromise that would work. Our recommendation also suggests taking on board the Northern Territory and entering into talks with its representatives to see whether they would embrace daylight saving which would give us a central time zone that would line up exactly with Tokyo and Korea. There would also be a number of advantages simply by being on the same time zone all the year around with the Northern Territory.

My somewhat brief dealings with people from the Northern Territory have already shown me that there is a large number of companies in Darwin and throughout the Northern Territory which have their parent base in South Australia. The ties between the Northern Territory and South Australia are traditional but still very strong. We have a Mediterranean climate, we grow Mediterranean type products and we produce Mediterranean based meats. The Northern Territory grows tropical produce and produces range land beef, etc. We could use the two climates to trade together as a central zone, particularly in Asia. While at times only a small ingredient, it is a valuable and practical compromise. I also do not wish to see South Australia and Adelaide become an adjunct or a satellite to the more populous Eastern States. To shift to Eastern Standard Time in my opinion will do that.

It is interesting that this select committee has caused interest throughout Australia. Since the report was brought down I have been contacted by many businesses throughout Australia, but I have not been contacted by one business of any description that is against our suggestion. This begs the question as to how many members of the Employers' Chamber are so much in favour of reverting to Eastern Standard Time.

The Hon. M.J. Elliott: Who's writing the agenda?

The Hon. CAROLINE SCHAEFER: No idea. I recognise that the recommendations of this select committee go against the Party line both of the Labor Party and the Liberal Party. I hope that in both cases the people involved will be broad minded enough to look at this report on its merits and to take some action. I sincerely hope that the motion that this report be noted does not mean that it is left mouldering on the shelves in the parliamentary library. I am here for a long time and it is not my intention to see that happen. I thank members for their contributions.

Motion carried.

GREAT AUSTRALIAN BIGHT MARINE SANCTUARY BILL

Adjourned debate on second reading.
(Continued from 30 November. Page 746.)

The Hon. K.T. GRIFFIN (Attorney-General): The Government opposes the second reading of this Bill. The Fisheries Act was specifically amended in 1991 to provide a legislative base for the proclamation of marine parks. The decision to amend the Act was made after extensive consultation between the National Parks and Wildlife Service and the Department of Fisheries. It was agreed that management of the aquatic resources of the State would be the responsibility of the Department of Fisheries (now the Department of Primary Industries).

This Bill proposes to undo the agreement and create another piece of legislation which will mirror provisions of the Fisheries Act and the National Parks and Wildlife Act. It is curious that the previous Labor Government should make that decision and now members of that same Party in Opposition seek to detract from it. The Bill would create a Great Australian Bight Marine Sanctuary under new stand-alone legislation separate from both the Fisheries Act and the National Parks and Wildlife Act. Under both these Acts, it is possible to establish marine reserves with adequate protection for the aquatic environment and its inhabitants. The Bill proposes to establish a sanctuary in the Great Australian Bight to protect the critical breeding and calving areas of the southern right whale and the Australian sea lion.

The Bill proposes to abolish the existing park. I think that needs to be recognised significantly. The Bill proposes to override the jurisdiction of the Fisheries Act. It makes no reference to commercial fishing activities but provides for the Chief Executive of the Department of Environment and Natural Resources to control activities by issue of a permit. The Department of Environment and Natural Resources thus would become the *de facto* manager of any commercial fishing activities in the area. The Bill proposes that all mineral exploration activities will be prohibited. The Bill proposes to incorporate the air overlying the waters to a height of 1 000 metres. This may have implications with the Commonwealth regarding control of air space and would also carry the implication that the Chief Executive Officer of the Department of Environment and Natural Resources may control air traffic in the vicinity of the proposed park.

The schedule attached to the Bill includes only portion of the Great Australian Bight area currently under consideration by this Government and identified as a proposed marine park in the draft management plan for the Great Australian Bight Marine Park prepared in 1995 by K.S. Edyvane and G. Andrews. The Bill does not propose to expand the marine park to include the conservation zone or the general use zone as proposed in the SARDI report. The areas of State waters to the east of the current whale sanctuary reserve and the area between one and three nautical miles from the coast west of the current sanctuary reserve to the Western Australian border are not identified as part of any marine park constituted under this Bill. This discrepancy is not explained.

The Bill adopts the draft management plan prepared by Edyvane and Andrews without any amendment. The benefits that might be gained by public exhibition of this or a subsequent management plan that incorporates the outcomes of the original plan and the results of the current investigations being carried out by this Government are overlooked. While amendment to the management plan is mentioned, there is no detail included as to the process of such plan amendment apart from a requirement that the process should include public consultation. All other details are to be prescribed by regulation. There is thus insufficient detail to comment on the intended planning process, and it is a concern that the process is not incorporated in the Bill as is the case with the National Parks and Wildlife Act and the Fisheries Act.

The Bill does not afford any more protection for the whales than the present marine park does. The continuing evaluation of details of the draft management plan and a decision of Government on the dimensions and zoning of the proposed marine park will be finalised in the near future. The Bill clearly departs from the marine park concept that is universally accepted as a means to protect the marine environment but at the same time permits managed and environmentally sustainable multiple use.

The Great Barrier Reef Marine Park is a good example of a protected, multiple use environment of world standing. The action taken by the Government will do more to afford protection for the whales as it will prepare a detailed management plan which will give consideration to the need for a broader park incorporating zones other than the sanctuary, address the need to include Commonwealth waters, include an economic impact assessment, and recommend schemes of management such as permanent or seasonal closures.

Members should recognise that the main proponent of this Bill is the Leader of the Opposition in another place, yet he, of course, was part of a Government which put in place the decisions of 1991 in relation to the Fisheries Act, in particular. He was a member of a Government that sat on its hands for something like four years in relation to this matter after promising, just before the 1989 State election, to establish this marine park. By contrast, this Government's record is clear. It has done more in two years, than the former Government did in four years, to resolve all the issues associated with the protection of southern right whales. I suggest that the Opposition needs to be patient for a little longer to find out how the Government proposes to provide a permanent solution involving the creation of this marine park. As I said at the commencement of this contribution, the Government opposes the Bill.

The Hon. CAROLINE SCHAEFER: The Bill has the following aims: to assist the long-term viability of the southern right whale; to assist the long-term viability of the Australian sea lion; and to protect the habitats and ecosystems as representative samples in the region. I am sure that no reasonable person would object to these aims, and I certainly support them. My question, however, is whether any of these aims is more likely to be achieved by the implementation of a sanctuary with an exclusion zone than is likely to occur under present management practices. I understand that a proposal has been put forward for three management zones within the bight: a sanctuary, which is the subject of this Bill; a conservation zone; and a general use zone.

I contend, however, that the only suitable gazetting of the bight is as a multiple-use park, including a whale sanctuary at certain times of the year. Three main fisheries would be affected by a 12 month closure: the northern zone rock lobster, the southern bluefin tuna and the shark fisheries. The abalone industry also has the potential to be affected. This area contains considerable stocks of *roei* abalone, which are not currently fished in South Australia because they are a

smaller species and could be confused with juveniles of other commercial species—green lip and black lip abalone. However, better methods of identification are being explored. This species is now legally exploited in Western Australia, so we can expect this valuable adjunct to the industry to be soon taken up.

However, far more dramatically affected at this time would be rock lobster and bluefin tuna. Approximately 5 per cent of the commercial catch of the northern rock lobster zone, worth between $1.5 million and $1.6 million *per annum*, would be lost by a permanent exclusion from the head of the bight, with a corresponding loss of jobs. The real concern is not only the potential loss of 5 per cent of export income but, more importantly, the pressure that could be put on the remaining catchment areas in the zone. How sustainable would this increased effort make areas outside the exclusion zone, or would those who drafted the Bill simply let 5 per cent of our rock lobster fishermen go bankrupt?

Contrary to some beliefs, tuna is one of the most heavily fished species in the area. In fact, I have been told that 90 per cent of the 1996 national tuna quota will come from the Great Australian Bight. Anecdotally, I believe the value of that catch to be well in excess of $40 million, and the aquaculture strategic plan estimates that tuna will be worth $168 million to this State by the year 2005. No doubt members will be aware that tuna migrate from South Africa to New Zealand and, as they do, there are large in-shore concentrations in the Great Australian Bight. The profitability of the bluefin tuna industry is dependent on catching maximum tonnage between December and February for fattening during the summer.

To wait for the fish to migrate through the sanctuary area exposes the fish to increasing bad weather and reduces dramatically the chances of a safe, profitable catch, and for what? The whales calve and are predominantly in the bight between May and November. This Bill would jeopardise a $40 million plus industry for no appreciable benefit to the whales. I stress that rock lobster fishing is permitted only between 1 November and 31 May. Tuna is available in commercial numbers only between December and February. The whales too are migratory—they are in the Great Australian Bight between May and November. So what will be achieved from a permanent sanctuary?

Never has an incident between whales and fishing vessels been recorded in the area. No-one would deny the need to do all we can to support the protection and the increase in numbers of this endangered species, but we also know that the population of southern right whales has increased every year since we stopped hunting them. Sea lions, too, have continued to increase in number since we stopped hunting them. Both species are increasing in number under present management practices, yet we would jeopardise two valuable primary industries for absolutely no real reason.

The Hon. Terry Roberts in his second reading speech cites increased tourism as a justification for creating a sanctuary area, yet tourism is growing during the whale season, anyway. He quotes Hervey Bay as a Mecca for whale watching, in that case the humpback whale. But I understand that Hervey Bay is a multiple use park with exclusion only at some times of the year, a practice that I support.

Mr Roberts also stated that whales can be affected by acoustic disturbance from boats at distances of up to two to seven kilometres away, and this disturbance can cause mothers to desert their calves. This may be the case, but I repeat that there is no recorded incidence and the fishing boats are not there at calving time. They have no need to be there and they do not want to be there, yet Mr Roberts went on to talk about the tourism potential from boat based whale watching—surely a more dangerous operation for mothers, I would have thought.

There is also a push for the establishment of a sanctuary on the grounds of the protection of biodiversity but, for that to be fully effective, one would have to exclude all fishing, even shore based fishing and, in fact, all tourism. I doubt whether anyone would agree with that, and I wonder why there is such a widely held assumption that the marine ecosystem is threatened when fish stocks are being harvested at sustainable levels now and when the whales, the sea lions and the fisheries have co-existed for at least 20 years, with whale and sea lion numbers increasing every year.

I will also comment briefly on the quite correct assumption that tourism will boom in the area but, believe me, tourists will come mostly when the whales are there. They will not enjoy whale watching in the Great Australian Bight during the months when the whales are in Antarctica.

The Hon. Mr Roberts also alleges that the Yalata Aboriginal community supports the establishment of a marine park, but I am not so sure that it supports an area of total exclusion. There are some economic consequences to this Bill, too, for instance, the cost of compliance. Who enforces this Act and at what cost? Another issue is compensation. Who would compensate those fishers who lose their livelihood for no apparent economic or ecological gain?

Finally, I support the formation of a marine park, but it must be a multiple use park, which takes into account the needs of all who use and pass through the Great Australian Bight. With sensitive management, this is an ideal opportunity to allow commercial interests to work alongside conservation interests and for all interests to be well served. I hope that this Parliament at some stage will support a multi-use marine park in the Great Australian Bight, but I also hope that I have managed to convince this Council that there is no conservation gain; there is an economic loss; and there is no earthly practical reason for supporting a total exclusion zone. On those grounds, I do not support this Bill.

The Hon. T.G. ROBERTS: I thank members for their contributions. Perhaps I will clarify one aspect of the Bill that may overcome some of the difficulties experienced by the Hon. Caroline Schaefer. Clause 11, which relates to permits, provides:

> The Chief Executive may, if satisfied that a proposed act or activity is consistent with this Act and the plan, issue a permit to a person authorising that person to engage in that act or activity in, or in relation to, the sanctuary during such periods and subject to such conditions as may be specified in the permit.

The honourable member did not mention it, but one of the concerns that people have expressed is perhaps not the competition between conservation and fishing interests but more that between conservation and prospecting and mining rights. That is a prohibition under this Bill. Clause 12 provides:

> Rights of entry, prospecting, exploration or mining cannot be acquired or exercised pursuant to the Mining Act 1971, the Petroleum Act 1940 or the Petroleum (Submerged Lands) Act 1982 in respect of land forming part of the sanctuary.

So, there are some aspects of fishing that can take place if the activity falls within the guidelines and a management plan is put forward so that it can be examined and it is an appropriate process at a particular time. I point out that to have a total exclusion zone for the whole year would be the preferred

position, but obviously there are commercial pressures that would argue against that.

Recently in Western Australia some lobster pot lines have been caught around birthing calves and mature whales. It is an isolated incident, but it can occur. I guess it is those concerns that conservationists and members on this side of the Chamber have that lead us to believe that the area that has been considered by the Government is too small and needs to be extended and that a more realistic approach needs to be taken to protect a very unique area of the international waters and those waters just off our coast.

The opportunities that present themselves in relation to tourism are many. It is an isolated area of the State, and quite a number of operators are already vying for a share of some of the activities that are now taking place. The honourable member is quite correct in her assessment that it is growing at a great rate under the current management plan, but we believe that if this can be advertised as a unique area with a sanctuary and an exclusion zone, it would attract greater status and stand out, particularly to international tourists who understand the difference between sanctuaries, reserves and conservation zones, because of the importance that international tourism now is placing on environmental tourism. So, a number of factors are involved.

Perhaps there are some furphies in relation to the honourable member's explanation concerning tuna. I do not think the weather is consistently rough or that rugged through the area, although this area and the Bay of Biscay have reputations as the most notorious areas for shipping in the world. If people show some patience to allow the blue fin tuna to swim through that area—

The Hon. Caroline Schaefer interjecting:

The Hon. T.G. ROBERTS: The evolutionary processes have to take place, too. The strong survive. They have ways of getting through the rough weather, and I do not think the loss would be so great. There are other commercial and conservation considerations that need to be looked at in relation to lassoing large areas of tuna. I am not in a position to influence outcomes, but I am sure that significant losses occur as well through lassoing and tying wild tuna into packs using nets. Whatever way we go in relation to the blue fin tuna, I suspect we will lose some of that volume.

Also, in relation to the abalone and the rock lobster, the other benefits are that the breeding lobsters and the roe will benefit if there is less activity in the area. Sanctuaries have been set up in the southern rock lobster zone to totally exclude any fishing. Fishermen in the southern region accept that total exclusion zones are a part of conservation and the breeding cycle and respect it, as do amateurs. I am not sure of the lost value of the forgone fishing in the South-East region, but it would be considerable. The fishermen in the region realise that you need to have total exclusion zones so that the breeding cycle can be complete and you can have the maximum opportunities for fishing the adults once they mature. I accept the contributions of other members.

As far as the politics raised by the Attorney-General in relation to the personalisation of the debate and the absence of any commitment over the previous four years of a Labor Government, I guess we must accept some responsibility for it not being designated during our period in Government. As for the Leader of the Opposition's role and responsibility in relation to matters conservation, members on this side recognise that the Leader has a long history of protecting conservation and supporting conservation issues and it could be argued that it has been a cynical exercise in publicity seeking, but there was a genuine attempt to raise the level of the stakes in another place. We now have the Bill before us in the Legislative Council and I commend it to members.

Bill read a second time and taken through its remaining stages.

EDUCATION (BASIC SKILLS TESTING) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 20 March. Page 1015.)

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I rise to oppose the Bill. In doing so, I want to make some general comments about basic skills testing, and about the provisions of the Bill and what it seeks to do. In particular, I want to highlight some of my concerns, should the legislation be successful. At the outset, I want to say that, given the indication from the Labor Party and the Democrats, who have been steadfast in their opposition to the whole concept of basic skills testing of our students, the Bill is likely to pass the Legislative Council. However, I can indicate unequivocally that the Bill will not proceed in the House of Assembly and, therefore, will not become law. The people of South Australia, and in particular the parents, can rest easy that the legislation will not become law. I am continually surprised at the attitude of the Australian Democrats and the Australian Labor Party who continue to oppose the whole concept of basic skills testing of our students.

The Hon. M.J. Elliott: That's not what this Bill is about.

The Hon. R.I. LUCAS: It's part of what it's about. The Hon. Mr Elliott and the Labor Party have steadfastly opposed basic skills testing. Every time the issue is raised, together with the teachers' union activists they oppose the whole notion of basic skills testing. Some 70 or 80 per cent of parents are saying to the Government, 'Good on you! For the first time a Government has been prepared to introduce basic skills testing for literacy and numeracy of all our year three and year five students.' For decades the previous Government, dictated to by the likes of the Hon. Mr Elliott and the SAIT union activists, has refused to allow the notion of basic skills testing—an independent assessment of literacy and numeracy of all our year three and year five students. I just cannot understand why the Australian Democrats, led by the Hon. Mr Elliott, and the Australian Labor Party, led by Mr Rann, continue to oppose such a fundamental and basic reform of our education system. On every occasion, on every opportunity, they have—

The Hon. M.J. ELLIOTT: I rise on a point of order, Mr President. I do not believe that the honourable member is addressing this Bill; he is addressing matters that are not covered at all by this Bill. This Bill is entirely about the publication of results of basic skills testing and not about whether basic skills testing occurs.

The Hon. R.I. Lucas: You're very sensitive.

The Hon. M.J. ELLIOTT: I am telling you that you are not addressing the Bill at all. Mr President, the honourable member is not addressing the Bill.

The PRESIDENT: Order! The Notice Paper has on it the Education (Basic Skills Testing) Amendment Bill, and from that I can only assume that that is what it is about. Therefore, I rule that there is no point of order.

The Hon. R.I. LUCAS: Thank you, Mr President. It is quite clear: the short title (in clause 1) refers to the Education

(Basic Skills Testing) Amendment Act. Proposed section 103A (in clause 2) provides:

> 'Basic skills testing' means testing on a uniform basis in different schools, as required or authorised by or on behalf of the Minister, of basic skills of children (such as literacy and numeracy) at a particular stage during their primary education.

An honourable member interjecting:

The Hon. R.I. LUCAS: It's the definition; it's a clause. In essence, it is what this whole Bill is about. There is a definition of 'basic skills testing'. It is there, and I have read it. I will not be muzzled by the Leader of the Australian Democrats or, indeed, by the Labor Party. Just because the Leader of the Democrats is a bit sensitive, because he is against basic skills testing and has opposed it forever, I will not be prevented from discussing clause 2 of the Bill, which provides in new section 103A a basic definition of 'basic skills testing'.

As I said, I will not be muzzled by the attempt of the Hon. Mr Elliott who, when he does not like the medicine being dished out to him, seeks to prevent me from discussing the Bill. The Hon. Mr Elliott is trying to prevent me from discussing the Bill so I cannot highlight some of the inadequacies in his own legislation and in his whole approach to basic skills testing. I would like to talk about the honourable member's whole approach to education as well, but that is not part of the Bill. All we can discuss at the moment is his inadequate understanding and his lack of aptitude and confidence in terms of an understanding of what is happening in relation to basic skills testing and what needs to be done in our schools. I can address the Hon. Mr Elliott's inadequacies in other areas of the education portfolio on another occasion.

As I said, my concern is that such a fundamental reform of our education system in relation to the basic skills test is being attempted: again, the Australian Democrats and the Australian Labor Party are attempting to create great problems, or indeed to undermine the effectiveness of the basic skills testing program within our schools. One of the very many aspects of the basic skills testing program that was highlighted by the testing last year was a comparison of the levels of literacy and numeracy of a class of students (Aboriginal Torres Strait Islander students) compared with overall State averages. The program highlighted the extent of the difference between the performance of those students compared with the State average.

The Hon. M.J. Elliott interjecting:

The Hon. R.I. LUCAS: It does exactly that. The Hon. Mr Elliott is trying to prevent the Government and the department from using that information to highlight that fact to the community, that is, that maybe some of the Aboriginal education programs that have been used for the past 10 or 20 years by Labor Governments—by Governments dictated to by SAIT union activists with similar views to the Hon. Mr Elliott for the past 20 years—have not been effective.

The Hon. T.G. Cameron: What a load of rubbish!

The Hon. R.I. LUCAS: Maybe money has been poured into this area that should have been spent in a more effective way. The Hon. Mr Cameron talking about rubbish would be an expert. Certainly, I am delighted to see the Hon. Mr Cameron return to the Chamber if that is the sort of approach he wants to adopt. This Government is trying to identify where the weaknesses might exist within our overall education programs. We are looking at the effectiveness of all our programs and, where they have been effective, we ought to continue to support them, together with the Commonwealth Government of the day, and advocate the effectiveness of those programs. Equally, where we can demonstrate that millions of dollars are being poured into programs for little effect, we ought to say to the Commonwealth Government, the parents of South Australian children and the whole community, 'The programs have not been effective. Let us reassess them, together with the Commonwealth Government and other Governments, and redirect the money into areas where it can be effective.'

The Australian Democrats and the Australian Labor Party want to have this information that might be available to be closeted or locked away forever so that not even the Minister for Education and Children's Services will be able publicly to discuss this issue, to highlight it publicly with the Commonwealth Government, and to raise it with parents' associations, ATSIC or any of the other agencies that work in Aboriginal education and say, 'Let's reassess some of these programs that have not been effective.' That is the sort of garbage being delivered by the Leader of the Australian Democrats in this Chamber and the other SAIT union activists who have dominated education thinking for the past 10 or 20 years. It is time for a change. The people of South Australia elected a new Government two years ago and they elected a new Government a month ago in the Commonwealth arena.

Members interjecting:

The ACTING PRESIDENT (Hon. T. Crothers): Order! I draw members' attention to the speaker on the floor. Some interjections are to be tolerated in view of the way the Council normally proceeds but repeated interjections will not be tolerated. I ask the Council to give the speaker the opportunity to present his views without such heated interjections.

The Hon. R.I. LUCAS: Thank you, Mr Acting President. The Hon. Mr Elliott cannot take his medicine when it is being dished out.

The ACTING PRESIDENT: Order! I draw the Minister's attention to the fact that he must not make comments that elicit interjections.

The Hon. R.I. LUCAS: That is difficult to do with this Opposition, Mr Acting President, but I take your wise counsel and I will not elicit interjections from the Opposition. Before I was rudely interrupted by the Opposition, I was saying that two years ago the people of South Australia overwhelmingly elected a new Government to implement change and the new Government, when in Opposition, indicated clearly that there needed to be a new direction in terms of education and education reform in South Australia after 20 years of Labor maladministration. One of the absolutely fundamental policy planks was the issue of basic skills testing for year 3 and 5 students so that we could, first, identify in a diagnostic way the individual problems that some students have and, secondly, make some judgments about the effectiveness of multi-million dollar education programs which, for decades, have attracted both Commonwealth and State funding and have continued to do so because everyone thinks that they may well have been effective.

Yet the ALP, the Australian Democrats and SAIT union activists continue to insist and to oppose a fundamental reform such as basic skills testing, which will give us in South Australia for the first time ever hard and objective information about the performance of our students in literacy and numeracy. It is the first time we will have objective information and over a period we can measure the performance of our students across the State. We will be able to

measure the performance of groups of students such as Aboriginal and Torres Strait Islander students, students from non-English speaking backgrounds, students from school card backgrounds in terms of social disadvantage and girls versus boys.

The Hon. Mr Elliott is saying that the Minister for Education and Children's Services will not be able to talk publicly about the relative performance of boys versus girls. Neither I nor anyone will be able to use basic skills testing results to highlight the fact that girls are outperforming boys at a significant level—even at year 3 and 5—in terms of literacy. He suggests that that sort of information should remain hidden from South Australian parents, the Commonwealth Government—

Members interjecting:

The Hon. R.I. LUCAS: You do not support any tests: the Labor Party will not support any form of testing.

Members interjecting:

The Hon. R.I. LUCAS: That is exactly true. For 20 years the Australian Labor Party was in control of our education system and for 20 years it refused to implement any form of objective, independent, statewide testing. Now the Hon. Mr Cameron says that is not true. The Hon. Mr Cameron was, in effect, a leader of the organisational wing of the Labor Party and, to varying degrees, the others have been members of the Labor Caucus in making the decision.

Members interjecting:

The Hon. R.I. LUCAS: The Hon. Terry Roberts has been there for much longer than many others. On every occasion, they have put up their hands to oppose basic skills testing, to oppose any notion of statewide testing of an independent, objective nature.

Members interjecting:

The Hon. R.I. LUCAS: It has been the left, in particular, and even though four or five members of the current shadow Cabinet personally support basic skills testing they have not had the courage to stand up and indicate their support for basic skills testing. Basic skills testing and the information from that testing is absolutely fundamental to the reform of our education system. We need to be in a position—

The Hon. T.G. Roberts: Name the five.

The Hon. R.I. LUCAS: You are not one of them. I can unequivocally say that the Hon. Terry Roberts is not one of them. That narrows it down. We need to be able to use this information on occasions in the public arena to highlight the effectiveness of our education programs. I understand—

The Hon. T.G. Cameron: He is back now.

The Hon. R.I. LUCAS: Obviously he had to take a deep breath outside. The Government has indicated that it understands the sensitivity of the teachers in terms of the proper use of information from the basic skills test. We have indicated that we will not publish league tables of basic skills test results after we receive the results on an annual basis. Through me, the Government has indicated on a number of occasions that it accepts that in some areas of South Australia the particular disadvantage of the client group or the student group, in the early years of their education, may be reflected in the sort of results that they achieve at school. Therefore, we ought not be critical of the teachers in some of those schools because of the relative performance of their students when compared with another school in a higher socioeconomic area, perhaps with a couple of teachers as parents who may well be in a position to provide much greater assistance for their child in the home environment. The Government has indicated that unequivocally and clearly on many occasions, and that remains absolutely the Government's position.

Secondly, we will not produce league tables of students' results with the relative performance of an individual student's results being recorded in a public way. Thirdly, we have indicated that we will not use the results of basic skills testing as a statewide measure or a relative performance measure of teacher performance.

Based on questioning in this Chamber, I have indicated that it may well be that, whilst we do not do that statewide, a principal in a school may measure teacher performance. The school may have, for example, three year 3 classes and all the students in those classes may come from the one socioeconomic area (so one cannot argue that all the students in one class came from Burnside and the others from Hackham or Elizabeth); there are three year 3 teachers and, in addition, the principal has ensured that there is an even distribution of students spread throughout those three classes, because schools say they are broadly aware of the students who have learning problems: if two of the year 3 classes were performing at skill band level 3 or skill band level 4—the highest levels in the literacy performance—and the other class was performing at skill band level 1, then I have conceded that, whilst at a statewide level we may not be implementing teacher competency measures from the results of the basic skills test, a principal would be looking at those results in his or her local school and saying, 'All right, why is it that out of three year 3 classes this class has performed in literacy or numeracy at a much lower level than the other two year 3 classes?'

The principal would have to assure himself or herself that the numbers of children with problems or learning difficulties within these three classes were evenly spread but, having done that, the principal may be asking some questions: Is it something to do with teaching methodology? Is it something to do with the way the classrooms are structured? Is it something to do with the teacher himself or herself? In terms of being an educational leader or manager at a school, that would be an appropriate response in certain circumstances within the context that I have defined. I do not accept the view, which is the cop-out view of the Hon. Mr Elliott—the SAIT activist's view—that we cannot have this sort of information because it is always misleading and does not provide information in terms of those sorts of issues I have highlighted.

As an Education Department, we have produced material which provides information to all our teachers on how they can interpret the test results, how they can assist the students within their classroom, and the areas which may have to be concentrated upon by teachers working with groups of students if results are in a certain category or certain skill band level. The department and the Government are working with teachers and providing information to ensure that we can use the results obtained from the basic skills test. As I said, as a Government we will not be diverted by the opposition from the Labor Party or the Australian Democrats.

The Hon. T.G. Cameron interjecting:

The Hon. R.I. LUCAS: I am glad that the Hon. Mr Cameron concedes that we will not be diverted from these reforms. We will not be diverted by the continued opposition of the South Australian Institute of Teachers. Fundamentally, we know that what we are doing is right educationally, that it is right for the children, and that parents in the community within the schools and within the broader community—70 to 80 per cent of them—are saying to us as a Government,

saying to me as a Minister, 'Do not be diverted by the likes of the Australian Democrats, the Australian Labor Party or the Institute of Teachers.'

This is an essential reform. It must continue to be implemented and it will continue to be implemented irrespective of the outdated attitudes reflected in this Chamber this evening and on previous occasions by the Hon. Mr Elliott, the Australian Labor Party and, as I said, their masters or mistresses—the SAIT union activists—in relation to basic skills testing.

The Hon. Mr Elliott, in his contribution earlier today on basic skills testing, was critical of me and dragged my children into this debate. There are not too many things I am surprised or disappointed about, but I have never dragged the Hon. Mr Elliott's children into a debate or disagreement. However, the Hon. Mr Elliott chose to be critical of me and my wife because we chose a Catholic-based education for our children. That is the most blatant example of religious discrimination that I have heard from the Hon. Mr Elliott during my time in this Chamber.

In terms of disagreements with the Hon. Mr Elliott—and there have been many—I have never introduced his children into a debate or disagreement in this Chamber. I am disappointed in the Hon. Mr Elliott for injecting into the debate on basic skills testing the fact that my wife and I, for the reasons that I have indicated, chose a Catholic or religious-based education for our children.

The approach adopted by the Hon. Mr Elliott was, in effect, to say that because my children went to a Catholic school system I had no knowledge of what occurred as a result of decisions that I took in the Government school system regarding basic skills testing.

Members interjecting:

The Hon. R.I. LUCAS: That is exactly what the Hon. Mr Elliott said. In relation to basic skills testing, because my children went to a Catholic or non-government system, the Hon. Mr Elliott was saying that I had no knowledge of what went on in the Government school system.

Such considerations do not stop the Hon. Mr Elliott, who has never worked permanently in manufacturing industry, from being an expert on WorkCover; they do not stop the Hon. Mr Elliott, who has never been a planner or developer, from being an expert on planning and development; they do not stop the Hon. Mr Elliott, who has never been a farmer or primary producer, from being an expert on primary production; they do not stop the Hon. Mr Elliott, who has done very little other than pursue his own career paths, which are well known, from being an expert in all these areas. Yet he chooses to be critical of me—

The Hon. M.J. ELLIOTT: I rise on a point of order, Mr Acting President. The speaker is wandering far and wide and not addressing the Bill. He has not addressed the Bill virtually since the debate started over half an hour ago. Now he has gone even wider of the mark in addition to totally misrepresenting what I said on an earlier occasion not in relation to this Bill or this issue.

The ACTING PRESIDENT (Hon. T. Crothers): I ask the speaker to confine himself to the subject matter at hand. In saying that, I again remind interjectors that, if they find something with which they do not agree in the speaker's address, they have the right to enter the debate and address that matter. Unnecessary and verbose interjections can lead to a position where one thing leads to another. I uphold the point of order and ask the Hon. Mr Lucas to continue within the framework of the subject matter on the Notice Paper.

The Hon. R.I. LUCAS: Thank you very much, Mr Acting President; of course I will comply with your suggestions. In relation to any criticism of my not being able to discuss basic skills testing for the reasons I outlined earlier, obviously I reject that completely. As a Minister for two years and a shadow Minister for seven years, I have visited more schools and spoken to more teachers, students and parents than the Hon. Mr Elliott could ever dream of.

The Hon. Mr Elliott can refer to the fact that at some stage in the past he was a teacher but in the past nine years education has changed significantly. From the days the Hon. Mr Elliott can remember when he was a teacher there have been significant changes. This Government is implementing significant change within our school system. I can say absolutely that knowledge comes from a preparedness to sit down, work and listen to the points of view. Over nine or 10 years as shadow Minister of Education and Minister for Education and Children's Services I have visited more schools, listened to more teachers and principals and spoken to more parents and students than the Hon. Mr Elliott could ever dream of. I know absolutely that parents want this reform, that this reform will be good for students within our schools and that, two or three years down the track, the basic skills testing will be a permanent part of the South Australian education framework, as has occurred in New South Wales, where basic skills testing was introduced by a Liberal or conservative Government. When the Labor Government was elected there it continued with the basic skills testing.

Members interjecting:

The Hon. R.I. LUCAS: No-one is refuting it. I challenge the Hon. Mr Holloway, the Hon. Mr Elliott or anybody else to indicate where the information has been misused.

The Hon. K.T. Griffin: They can't.

The Hon. R.I. LUCAS: Exactly; they can't. Within the constraints of what I have said and the guarantees I have given, we have been handling the situation, and the undertakings that we have given will ensure that we deliver the guarantees. No-one, not even the Hon. Mr Elliott—he is strangely silent—can indicate one example of any abuse of the system of the type to which he has referred. We have not only had the 1995 results, but have also had the 1994 pilot results, so we have had results out there for almost two years now. The Hon. Mr Elliott, strangely silent, cannot find one example to indicate an abuse of the sort that he is talking about. I have given him the opportunity; I paused, as the *Hansard* record might not show. He has not been able to indicate an example of the abuse that he has been talking about. The Government has given those guarantees and, as I have indicated to the Hon. Carolyn Pickles and others with whom I have discussed this issue, we will take whatever action required to ensure that those guarantees can be delivered.

We are looking at a number of options. If it requires regulatory or legislative change, we are prepared to consider possible changes, but we are not prepared to consider the sort of change that will tie the Minister's hands behind his or her back and prevent public discussion of boys' performance against girls' performance, Aboriginal student performance versus State average performance or the performance of students from a non-English speaking background against a State average performance.

We will not support those sorts of changes, but if required and if a problem does eventuate—which has not happened so far in the two years that we have been handling it—I have given an indication that we are prepared to consider a number

of options, some of which we have done a reasonable amount of work on at the moment but not yet brought to finality. If it requires regulatory change or even legislative change, we would be prepared to contemplate such a change. For all those very strong and conclusive reasons the Government opposes the second reading of the legislation.

The Hon. M.J. ELLIOTT: For the Minister this place seems to be a bit of a game. We have had another one of these performances today. Virtually none of his contribution addressed the substance of the Bill at all. When I introduced the Bill I made the point that despite the fact that I have some personal concerns with the basic skills test—not the notion of it but the particular basic skills test we have in South Australia—it was not my intention to debate that issue and that that was not what this Bill was about. Despite having said that it in introducing the Bill and then focusing on the questions contained within the Bill, the Minister carried on about matters which do not relate to the Bill and which, by way of a point of order, I tried to point out. But the Minister persisted, because for the Hon. Mr Lucas this place is somewhere to play a game. His colleagues on the backbench applaud him because he is being clever again.

The Hon. T.G. Cameron: What about all the untruths he attributed to you?

The Hon. M.J. ELLIOTT: That's right; through his contribution he attributed things to me that were not true. The Minister then put on the record that he said things to which I did not respond by way of interjection. In fact, I did respond by way of interjection. The Minister chose not to acknowledge it and then put on the record that by my silence I acknowledged what he was saying. He is essentially putting an untruth into *Hansard*. I think that that is an absolute untruth. The Minister does it far too regularly and it is totally unacceptable. It is about time he brought himself back into line. The Minister should address the substance of the Bill, as it contains matters of importance. They are matters which the Liberal Party in New South Wales recognises, because when it introduced the basic skills test it provided, by regulation, some protections.

When I went to parliamentary counsel I said, 'I want protections in the legislation which mirror the protections in New South Wales' because I thought they were sensible. The Minister's colleagues in New South Wales thought that such protections were necessary, and that is what I sought. In the small amount of attention the Minister gave to this Bill, he again misrepresented the situation. The Minister talked about what information he could have or whether or not a principal could compare different teachers in their school. Nothing in this Bill prevents any of that. I suggest to the Minister that if there were particular parts of the Bill which he felt tied him up—and I am not saying that in the drafting that may not have happened—he honestly could have addressed that by way of amendment. The Minister has chosen not to do that. He decided to launch a tirade about basic skills testing generally, which is not what this Bill is about. The Minister did not address the very basic issues which I was trying to address and which I went through in some length at the beginning of the second reading stage.

The Minister said that there have been no problems so far. By way of interjection on about eight occasions I posed the question: whilst you may not intend to put such information out comparing schools with schools or classes with classes at public level, what can we do about freedom of information? The Minister chose to ignore that interjection on at least—

The Hon. T.G. Cameron: Six occasions.

The Hon. M.J. ELLIOTT: No, I believe it was eight occasions.

The Hon. R.I. Lucas: Get your story right.

The Hon. M.J. ELLIOTT: It was eight because I was counting.

Members interjecting:

The Hon. M.J. ELLIOTT: Whether it is six or eight is not important. I am quite confident that it was eight, but that is a bit beside the point anyway. We know what happened with SSABSA results at one stage when an attempt was made to abuse freedom of information, although at that stage it could have been legal. The Minister is perfectly aware that if someone in the media decided to try to assemble a league table the information could not be withheld—on my understanding of the Freedom of Information Act.

If the Minister is aware of that, and I believe he is, does that mean that, whilst he will not publish the results, he is prepared to accept that they might be published by someone else but that that is not really his responsibility? Unless he disagrees with my interpretation of the way in which the Freedom of Information Act would apply, that is tantamount to what he is doing: he will not publish the results, but he will not stand in the way of their being published either. He says, 'We are considering things.' I would like him to explain—perhaps he can do so in Committee—what problems he has with what the New South Wales Liberal Government did in terms of the protections it supplied by way of regulation. Can he tell me what problems that Government created? If he cannot explain that, I would then like him to say why he is not prepared to accept something similar, whether it be by way of this legislation, albeit perhaps amended, or why he himself is not prepared to bring in a similar regulation.

I issued that challenge at the beginning of the second reading stage back in October, but I do not know whether he took the time to read my contribution in terms of my concerns about it. I would have hoped that he would address the issues that I raised in an honest debate. You hope in this place sometimes that you will have a debate where members raise issues that are of genuine concern to them, and that members of other Parties—even within their own Party—respond and say, 'I believe you are wrong because. . . ' and go into a reasoned discussion. The Minister chose not to do that, and I do not think that he has done himself any great—

The Hon. R.I. Lucas interjecting:

The Hon. M.J. ELLIOTT: You might care to read that again. The point I make is that the Minister chose to misrepresent what I was saying. He has decided to put an interpretation on what I said which clearly was never intended—and he knows that.

An honourable member interjecting:

The Hon. R.I. LUCAS: I know exactly how he works, because I have had to watch him for 10 years, whereas you have had to do it for only two or three years. I am disappointed that the Minister did not choose to address in a reasoned way the specific issues that are contained within this Bill, but that is the way he chose to do it on this occasion. Perhaps in Committee he will tell this place whether or not he believes that the use of FOI would allow the media to publish results comparing different schools or classes within schools and, if that protection is not there, he might then like to explain whether he finds that acceptable and whether he is prepared to intervene, because that is what this Bill tries to anticipate.

The Council divided on the second reading:

AYES (9)

Cameron, T. G.	Crothers, T.
Elliott, M. J. (teller)	Holloway, P.
Kanck, S. M.	Levy, J. A. W.
Roberts, R. R.	Roberts, T. G.
Weatherill, G.	

NOES (8)

Davis, L. H.	Griffin, K. T.
Irwin, J. C.	Laidlaw, D. V.
Lucas, R. I. (teller)	Redford, A. J.
Schaefer, C. V.	Stefani, J. F.

PAIRS

Pickles, C.A.	Nocella, P.
Lawson, R.D.	Pfitzner, B.S.L.

Majority of 1 for the Ayes.

Second reading thus carried.

In Committee.

Clause 1 passed.

Clause 2—'Insertion of s.103A.'

The Hon. M.J. ELLIOTT: At the end of the second reading debate I suggested that the Minister might care to respond to one issue, and that was whether or not he believed that the Freedom of Information Act could be used by the media such that they could produce league tables and, if that was his understanding, whether or not he would want to change the law or introduce regulations to stop that from occurring.

The Hon. R.I. LUCAS: As it is not my Bill, I am not required to answer questions in Committee but, being an amenable and amicable sort of fellow, I am happy to—

The Hon. R.R. Roberts interjecting:

The Hon. R.I. LUCAS: I recognise the numbers—make some general comment in response to the invitation from the Hon. Mr Elliott on this issue. I invite the Hon. Mr Elliott to look closely, in the defence that I made of my own children and family, at the comments I made about the legislation. It is fair to say that it is possible that certain media outlets might seek to gather information in relation to the basic skills test results. Frankly, I do not think there is as much attraction for media outlets as there was for year 12 results, because year 12 results are so public; they cover everything. In effect, they are the aggregation of all one's education and there is much more interest from the media in those results.

As I have indicated on previous occasions, I have a different attitude in relation to the year 12 results, because I think that at year 12 one has had 13 years to try to even out the educational disadvantage that students from certain areas suffer, and that all the equity programs that we as a Government (State and Commonwealth) direct ought, if they are effective, to be achieving something in terms of redressing some of that educational disadvantage, and that parents and students ought to be able to make some judgments.

However, that is a debate about year 12, whereas at year 3 or year 5 I do not think we can say that our Government school system has had the time to redress, in an educational sense, the disadvantage with which students might have come to our school system. We have had the young people for only four or six years, so I do not think we can fairly judge the effectiveness of our equity programs or our social justice programs. So, it is unfair to make judgments about schools and about teaching methodologies at year 3 and at year 5.

In my second reading contribution, I gave, as I have given previously, undertakings that not only would I not publish—and that is why I asked the Hon. Mr Elliott to look at what I actually said—

An honourable member interjecting:

The Hon. R.I. LUCAS: No, I didn't say that. It is not that I would not publish: I said that the Government's position was that it would not publish and it would not see published league tables, and we would take whatever action that needed to be taken to ensure that our commitments were met.

An honourable member interjecting:

The Hon. R.I. LUCAS: Yes, I believe we can, and my advice is that we can, because we have for two years coped with a range of issues and have ensured that my commitments as Minister have been met. I give this Council an undertaking, as I have to other public meetings, that it is not just me: I am not, as the Hon. Mr Elliott sought to portray, trying to find a foot in the back door; that I am just saying 'I won't do it and I'll let something else happen to do it.' That is not what I have said in the Council and not what I have said on public occasions previously. I have given a Government commitment that we will not allow league tables of school results to be published.

As I indicated in my second reading contribution, and as I do again in response to the Hon. Mr Elliott's question, we are looking at a range of other options, and we will take whatever action is required. Given the attitude expressed by the Australian Democrats and the Labor Party, I am sure that whatever action we took—which might not go as far as this Bill, because we think this Bill goes too far—would be generally supported, given that the majority in the Council have supported what we see as an unnecessary version of protection: if the Government was to come back with something that was heading down that path, but not quite so far, to meet a particular set of circumstances, I am confident that either the Labor Party or the Democrats (or, indeed, both) would support such a proposition.

So, I urge members to look at exactly what I said in the second reading contribution, because I meant it. I have said it on a number of other occasions, and it is the Government's position. I indicated that if perhaps it required regulatory change or some version of legislative change, we would be prepared to contemplate it. But at the moment I have given a commitment: we are handling the situation. We have ensured for almost two years that what we said would not occur has in fact not occurred, and we will continue to do so. As I said, we are nearing some resolution, we think, and some other options. If we are able to do that and if we feel that we need to do that, that will be ready to go should there be a set of circumstances that requires it.

The Hon. M.J. ELLIOTT: At last I welcome the fact that we have had a passage of debate that focused on the issues of the Bill. I am pleased that the Minister is giving a commitment. I must say my concern would continue, but I cannot see there is a mechanism immediately available to the Government under FOI to deny the request, and they would need to come back to Parliament and whether or not they would run into time constraints, I am not sure.

My recollection is that, when moves were taken with SSABSA results, the first set could not be stopped because the request was already being handled. I may be wrong in that recollection, but whether or not I am wrong, I am not sure that we can respond, and that is why I believe a protection of this sort is necessary and, as I said before, a protection essentially the same as that which was introduced into New South Wales by regulations. I do not think we have a

regulation making power which is available to do this under our current legislation.

If this Bill fails to get through the Lower House, I would welcome the Minister acting sooner rather than later in terms of what other considerations he is making to tackle these issues. As I have said, this is clearly a separate issue from basic skills testing itself. The results can be misused and to the detriment of education as a whole for a range of reasons which I debated previously and do not intend to take further now. With those words, I welcome the support of members of at least the Labor Party and the Democrats for the clauses in this Bill.

Clause passed.

Title passed.

Bill read a third time and passed.

CIVIL AVIATION (CARRIERS' LIABILITY) (MANDATORY INSURANCE AND ADMINISTRATION) AMENDMENT BILL

The Hon. DIANA LAIDLAW (Minister for Transport) obtained leave and introduced a Bill for an Act to amend the Civil Aviation (Carriers' Liability) Act 1962. Read a first time.

The Hon. DIANA LAIDLAW: I move:

That this Bill be now read a second time.

The Commonwealth Government introduced the Transport Legislation Amendment Act (No. 2) 1995 (Commonwealth) and the Civil Aviation (Carriers' Liability) Regulations (Amendment) (Commonwealth) on 20 July 1995. The legislation (which took effect on 20 January 1996) increased the liability of domestic and international operators who carry air passengers for hire or regard and made it compulsory for operators to be insured in respect of liability for death or injury to passengers.

The Commonwealth Government's action was prompted by—

- concern expressed in Federal Parliament after two regional airline crashes had occurred;
- general awareness that existing liability limits were too low in relation to recent death and injury settlements;
- similar actions by other foreign governments.

The increased passenger liability (which for domestic operators is $500 000 per passenger) automatically took effect in South Australia as a result of the operation of section 6 of the Civil Aviation (Carriers' Liability) Act 1962 (SA) which provides that the requisite part (that is, Part 4) of the Commonwealth Act applies to the carriage of passengers wholly within South Australia.

The Commonwealth Government was further concerned that domestic air carriers be able to pay amounts for which they may be liable to passengers or their estates and that insurers should have as little opportunity as possible to avoid payment of policies in respect of passengers killed or injured in aircraft accidents.

Through the insertion of new Part 4A into the Civil Aviation (Carriers' Liability) Act 1959 (Commonwealth) as part of the Transport Legislation Amendment Act (No. 2) 1995 (Commonwealth), it was made mandatory for air operators to be insured up to a limit specified in the Act against liability for death or injury caused to passengers. Such insurance must include provisions making policies non-voidable under a wide range of circumstances including air carrier negligence or failure to comply with federal regulations (but excluding non-disclosure to the insurer of pertinent information by the air operator when applying for insurance).

All States and Territories have agreed that the application of air passenger liability and insurance requirements must be uniform so that a passenger may board a scheduled or charter air carrier of any size anywhere within Australia with full confidence that the carrier is insured for the standard, adequate, liability amount. For these amendments to apply to the carriage of air passengers within South Australia, section 6 of the Civil Aviation (Carriers' Liability) Act 1962 (SA) is required to be amended to apply the provisions of Part 4A of the Commonwealth Act. This Bill accomplishes that and, in addition, provides that the scheme should be administered and enforced as if it were a Commonwealth Act. Similar action is required by the other States and it has been agreed that each of the State's amending legislation will come into operation on the same date.

The Commonwealth Civil Aviation Safety Authority will administer compliance with these insurance requirements throughout the Commonwealth and will be indemnified by the Commonwealth against any liability arising from the State's delegation. The date for which this amending legislation is to come into operation is set at 1 July and it would be desirable that we accommodate that date by getting this Bill through this and the other place this session. I commend the Bill to members. I seek leave to insert the detailed explanation of the clauses in *Hansard* without my reading it.

Leave granted.

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Amendment of s. 3—Interpretation

This clause inserts definitions of applied provisions, Commonwealth authority, Commonwealth/State scheme, contract and State for the purposes of this amending Bill. In particular, Commonwealth/State scheme is defined as the Commonwealth Act (*ie*: the Civil Aviation (Carriers' Liability) Act 1962 of the Commonwealth) and the provisions of the Commonwealth Act as applied by this Act and the corresponding legislation of other States.

Clause 4: Substitution of s. 5

5. Carriage to which this Act applies

New section 5 provides that the Act applies to the carriage of a passenger under a contract to or from a place in South Australia in an aircraft operated by the holder of an airline licence or a charter licence in the course of commercial transport operations. However, it does not apply to the carriage of passengers to or from a place in South Australia if—

- Part 4 of the Commonwealth Act applies of its own force; or
- a treaty, convention or protocol that has the force of law under the Commonwealth Act applies.

This clause reflects the limits on the State's legislative powers.

Clause 5: Amendment of s. 6—Application of Parts 4 and 4A of the Commonwealth Act

These amendments are consequential on the amendments to the Commonwealth Act and the need to apply new Part 4A of the Commonwealth Act.

Clause 6: Insertion of s. 7A

7A. Administration of Commonwealth/State scheme as Commonwealth Act

New section 7A provides that the Commonwealth/State scheme is to be administered and enforced in the same way as the Commonwealth Act and the Commonwealth Regulations.

Clause 7: Amendment of s. 8—Regulations

This clause inserts a new subsection (6) that provides that the Governor may make regulations for the purposes of this Act.

The Hon. T.G. CAMERON secured the adjournment of the debate.

STATUTES AMENDMENT (MEDIATION, ARBITRATION AND REFERRAL) BILL

The Hon. K.T. GRIFFIN (Attorney-General) obtained leave and introduced a Bill for an Act to amend the District Court Act 1991, the Magistrates Court Act 1991 and the Supreme Court Act 1935, and to repeal the Conciliation Act 1929. Read a first time.

The Hon. K.T. GRIFFIN: I move:

That this Bill be now read a second time.

It makes miscellaneous amendments to the District Court Act 1991, the Supreme Court Act 1935 and the Magistrates Court Act 1991 to provide for court annexed mediation and consistency between the court Acts with respect to mediation, inquiries and trials by arbitrators and referrals for report. The enactment of consistent court annexed mediation provisions in the District Court Act 1991, the Supreme Court Act 1935 and the Magistrates Court Act 1991 have been recommended by the respective courts for a number of years. More recently, the Law Council of Australia has produced draft model legalisation and rules with respect to court annexed mediation. This draft legislation and the recommendations of the respective courts form the basis of the provisions of this Bill. The salient features of the Bill in respect of mediation are as follows:

- The Bill empowers the District Court, the Supreme Court and the Magistrates Court to refer the whole or any part of a civil proceeding for mediation with or without the consent of the parties.
- Mediators appointed under these provisions are accorded the same privileges and immunities as a judge and have such powers as the court may delegate.
- Evidence of anything said or done during the mediation is not subsequently admissible in the proceedings. Nor is a mediator required to disclose any information unless it is required by law.
- A judge, master, magistrate or other judicial officer who takes part in an attempt to settle an action is not disqualified from continuing to sit for the purpose of hearing and determining the matter.

In relation to inquiries and trials by arbitrators, the Bill empowers all courts to refer any matter (other than criminal trials) to trial by an arbitrator, with or without the consent of the parties. In relation to referrals for report, the Bill provides for the referral of any question for report by an expert in the relevant field.

The Bill also repeals the Conciliation Act 1929. The Conciliation Act 1929 provides for a court to conciliate between the parties to a dispute in an endeavour to achieve a resolution of the proceedings. Conciliation may be undertaken with or without the consent of the parties. The conciliation provisions are now duplicated in the court Acts as amended by this Bill. The Conciliation Act 1929 also provides for the establishment of conciliation courts by proclamation. I am advised that no conciliation courts have been established since the Act was enacted in 1929. I commend this Bill to the Council. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

PART 1
PRELIMINARY

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Interpretation

This clause is standard for a statutes amendment Bill.

PART 2
AMENDMENT OF DISTRICT COURT ACT 1991

Clause 4: Amendment of s. 32—Mediation and conciliation

This clause amends section 32 of the District Court Act as follows:

- subsection (1) is replaced with a new subsection which (subject to any rules of court) allows a Judge to refer a civil matter to mediation whether or not the parties to the matter consent. A Master or the Registrar may also refer matters to mediation, but in this case the parties must consent;
- a new subsection is inserted providing for confidentiality of information disclosed to a mediator;
- subsection (4) is replaced with new subsections (2b) and (2c) which make it clear that the Court may itself attempt to negotiate a settlement of a matter and such negotiations will not result in disqualification of the Judge or Master hearing the matter, unless they take the form of a formally constituted mediation in accordance with the section.

Clause 5: Amendment of s. 34—Expert reports

This clause amends the power to refer questions for investigation and report by an expert in the relevant field so that it is no longer confined to questions of a technical nature.

Clause 6: Amendment of s. 51—Rules of Court

This clause amends section 51 to make it clear that the Court can make rules with respect to the referral of matters for mediation or arbitration or expert report.

PART 3
AMENDMENT OF MAGISTRATES COURT ACT 1991

Clause 7: Amendment of s. 27—Mediation and conciliation

This clause makes the same amendments to section 27 of the *Magistrates Court Act 1991* as clause 4 makes to section 32 of the *District Court Act 1991*.

Clause 8: Amendment of s. 29—Expert reports

This clause makes the same amendments to section 29 of the *Magistrates Court Act 1991* as clause 5 makes to section 34 of the *District Court Act 1991*.

Clause 9: Amendment of s. 49—Rules of Court

This clause makes the same amendments to section 49 of the *Magistrates Court Act 1991* as clause 6 makes to section 51 of the *District Court Act 1991*.

PART 4
AMENDMENT OF SUPREME COURT ACT 1935

Clause 10: Substitution of ss. 65 to 70

This clause replaces the current provisions in the *Supreme Court Act 1935* dealing with mediation, arbitration and referral for expert report to ensure that the provisions match the provisions contained in the *District Court Act 1991* and the *Magistrates Court Act 1991* (as amended by this Bill).

Clause 11: Amendment of s. 72—Rules of court

This clause (like clauses 6 and 9 in relation to the other Acts amended) amends section 51 of the *Supreme Court Act 1935* to make it clear that the court can make rules with respect to the referral of matters for mediation or arbitration or expert report.

PART 5
REPEAL OF CONCILIATION ACT 1929

Clause 12: Repeal of Conciliation Act 1929

This clause repeals the *Conciliation Act 1929.*

The Hon. P. HOLLOWAY secured the adjournment of the debate.

ELECTORAL (DUTY TO VOTE) AMENDMENT BILL

Second reading.

The Hon. K.T. GRIFFIN (Attorney-General): I move:

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

This Bill is re-introduced with the object of removing the criminal sanctions which flow when a person fails to exercise their right to vote.

Australia is one of the few democracies which compels (via the use of penalties) its citizens to vote in elections.

In all other democracies the right to vote entails the right not to vote. The fact that Australia persists with compulsion is something which may generally be seen as incompatible with a fair and democratic society.

Most democracies see the right to vote as embracing the fundamental right of individuals not to vote if they so choose. One of the principal reasons Holland abolished compulsory voting in 1970 was the view that to force people to exercise their right to vote was to destroy the very nature of that right. Another critical factor influencing the Dutch was the view that election results should be based on the clear choice of voters voluntarily participating in the election process. Election results should not be influenced by the votes of those who would not bother to vote but for compulsion. This Bill therefore removes the threat of criminal sanctions against those who do not vote.

As previously advised, at the last State election 64 734 individuals failed to vote, prompting 33 746 please explain notices and 9 814 expiation notices. In November, 1994, 5 756 summonses were issued, and of those 4330 were not able to be served by a process server due to address changes. A further 418 were withdrawn due to sufficient explanation, 366 people paid a late fee and 642 proceeded to court and were convicted. Since that time, nineteen people have been imprisoned for a period of 2-3 days for failing to pay the fine imposed in consequence of the failure to vote.

As the process of following up non-voters is only half completed, it is predicted that up to five more individuals may be imprisoned in the next few months for the same reasons.

It is expected that the costs of court action to pursue these individuals will be in excess of $250 000. This does not include costs incurred by the Electoral Commissioner in following up non-voters in the by-elections of Torrens, Elizabeth and Taylor.

Chasing up non-voters is a costly and time consuming process and the end result is that non-voters are penalised for failing or choosing not to exercise their basic democratic right to vote.

The arguments for and against compulsory voting have been debated extensively, so there is no need to repeat them all.

At the December, 1993 State election, this Government promised to abolish compulsory voting. Legislation to abolish compulsory voting and to introduce voluntary voting has twice been before Parliament and was defeated on both occasions in the Legislative Council. First, the Electoral (Abolition of Compulsory Voting) Amendment Bill, 1994 came before Parliament in the Autumn Session of 1994. This Bill sought to remove the requirement for each elector to vote at an election.

Secondly, the Electoral (Duty to Vote) Amendment Bill, 1994 (the Bill) came before Parliament in the Spring Session of 1994. The Bill sought to remove from section 85 of the Electoral Act, 1985 (the Act) (being the section that creates a duty for every elector to record a vote at each election in a district for which he or she is enrolled) those subsections that require the Electoral Commissioner to send out a notice to each elector who appears not to have voted in an election, and that create various offences in relation to failing to vote.

The Bill, as re-introduced, preserves the expression of the basic duty of citizens to vote but removes the sanction of a criminal penalty where the citizen chooses, for whatever reason, not to vote. It is the view of the Government that the obligation to vote and the exercise of the right to vote should not be subject to the sanction of a criminal penalty. Those who would rather not vote should not be subject to that coercion. If they do not vote they should not be penalised and if, ultimately, they refuse to pay any fine and costs it should not be possible for a non-voter to end up in gaol.

Finally, the Bill is reintroduced with an additional provision granting a person the right to choose to have his or her name removed from the rolls under the Act (other than after the close of rolls for an election). Section 29 of the Act provides that a person is entitled to be enrolled on the rolls if the person meets certain conditions. While it is not compulsory to be enrolled under the Act, there is no power to request that a name be removed once it is on the rolls. It follows that if a person has a right not to have his or her name put on the rolls, that there should be a right to choose to request that his or her name be removed from the rolls up to and including the date fixed by the Governor for the close of the rolls for an election.

This Bill achieves that end.

Clause 1: Short title

This clause if formal.

Clause 2: Amendment of s. 32—Transfer of enrolment

This clause makes a consequential amendment on account of proposed new section 32A. In particular, a person will not be liable to prosecution for failing to notify an electoral registrar of a change in address if the person has applied to have his or her name removed from the electoral rolls under the Act.

Clause 3: Insertion of s. 32A

It is proposed that a person will be entitled to apply to have his or her name removed from the rolls under the Act. However, a name will not be able to be removed if the rolls has been closed for an election (until after the relevant election).

Clause 4: Substitution of heading

This clause provides a new heading to Division VI of Part IX of the Act as a consequence of the amendments to be effected by clause 3.

Clause 5: Amendment of s. 85—Duty to vote

It is proposed to remove from section 85 of the Act (being the section that creates a duty for every elector to record a vote at each election in a district for which he or she is enrolled) those subsections that require the Electoral Commissioner to send out a notice to each elector who appears not to have voted in an election, and that create various offences in relation to failing to vote.

The Hon. T.G. ROBERTS secured the adjournment of the debate.

NATIONAL PARKS AND WILDLIFE (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 21 March. Page 1082.)

The Hon. CAROLINE SCHAEFER: I support the second reading of the Bill. It seeks to reform and streamline the administration of national parks and is introduced as a result of the widest possible consultation by Minister Wotton. It will see the formation of the South Australian National Parks and Wildlife Council, consisting of seven members, one of whom is the Director of National Parks and Wildlife who is an *ex officio* member. Four persons will be appointed on the basis of qualifications and experience in one of each of the following areas: conservation of animals and plants; management of reserve land; management of natural resources; and organising community involvement. And two persons will be selected for qualifications or experience in one or more of ecologically based tourism, business management, and financial management and marketing.

The South Australian National Parks and Wildlife Council will be responsible for the following functions: planning in relation to reserves and wildlife; funding involving sponsorship and the development and marketing of commercial activities; community consultation and participation; public education and promotion for conservation; advice on the development of policy; performance review and reporting; funding allocation advice from the Wildlife Conservation Fund; and any other matters referred by the Minister—a fairly comprehensive list of tasks, I am sure members will agree.

The council will be supported by advisory committees that can advise both the council and the Minister on a range of issues, but one of those issues is the management of wildlife, including the harvesting and farming of wildlife, the culling of wildlife, the reintroduction of a particular species to parts of the State once inhabited by that species, the issuing of permits under the Act, the plan of management for a particular reserve or plans of management generally, and the involvement of Aboriginal people in the management of land and wildlife.

It allows for geographically based consultative committees, which have already proven to be very successful in this area. These will advise on local reserve management—and I welcome this. Mr Terry Roberts in his second reading contribution referred to a community—and I note the word

'community'—review of the National Parks and Wildlife Act. That review was set up by the Hon. Kym Mayes and it met on 21 different occasions between April 1993 and February 1994, receiving 135 written submissions. I am sure that that committee brought down some very valuable findings which, no doubt, have been incorporated in the Bill before us. My concern with that committee, though, is that the people on it, as eminent as they might have been, were all either academics or members of the department; that is, they were all either academics or public servants. It is well-known that I am a firm believer that the best managers and the best people to consult on community issues are those who are based in the area.

I hope that more local consultation will be introduced and listened to via the geographically based committees. As most members would know, and as I have just said, I am a firm believer in the premise that local people are best placed to understand their environment. True, some of their knowledge has come from trial and error but nevertheless they are in a great position to understand their surroundings and know what is sustainable in the long term. I suppose that I derive some cynical amusement from the 'discoveries' that environmental experts make from time to time. For instance, it took a major bushfire to make the people of New South Wales understand that both they and the ecosystem would be much safer with judicious burning. The Aborigines knew that, as did the early bushmen, but in our obsession with compensating for early over clearing we had forgotten it.

Yet a number of native species do not regenerate readily without fire running over them. Many acacia species fit into that category, and people are now beginning to realise that they will best protect many broom bush species by lopping them every three or four years. It must be acknowledged that by putting a fence around an area and calling it a park we do not necessarily protect that area. The area must be managed.

For the first time this Bill allows for the trial farming, under permit, of native animals, for the commercial harvesting of native animals and the taking and selling of native plants for commercial purposes. This area seems to be the most controversial, and some doubts have been expressed about this part of the Bill by both the Hon. Terry Roberts and the Hon. Michael Elliott. I am surprised by their concerns because I served with both those members on the Joint Committee on Living Resources, chaired by the Hon. D.C. Wotton. One of the committee's unanimous recommendations was recommendation 10, which states:

> The joint committee recognises the development potential of the State's living resources and strongly recommends that all avenues for advancing new commercial ventures based on the sustainable utilisation of native flora and fauna be actively pursued, including appropriate legislative frameworks.

The actions flowing from recommendation 10 are as follows:

> To review opportunities under the National Parks and Wildlife Act for the domestication of native animals.
>
> To review current arrangements under the Native Vegetation Act for collection and propagation of native species.
>
> To provide greater expenditure for research and development into new commercial enterprises based on the State's living resources.
>
> To use Government expenditure to support the development of markets for local native products.
>
> To provide increased opportunities and support structures for people to access the development potential of local fauna and flora.
>
> To review procedures to prevent genetically manipulated organisms contaminating wild populations.

Therefore, I can only assume that the Hon. Mr Terry Roberts and the Hon. Mr Elliott have changed their minds since that report was tabled on 29 November last year—

The Hon. T.G. Roberts interjecting:

The Hon. CAROLINE SCHAEFER:—hang on, I am being nice—or they believe that there are insufficient safeguards within the Bill for the long-term protection and sustainability of some species. As I have the utmost respect for both those members, I am sure the latter is the case. I am sure that they are just not playing petty politics for the sake of it. In fact, I am sure we all agree on the major parts of the Bill and we really differ only on the methodology of implementing it. I would support those two members if I thought there was insufficient protection in place, but for my part I am happy that the Bill amply covers their concerns. I draw the Council's attention to the Minister's second reading explanation, which clearly states:

> The proposed amendments provide for commercial harvesting of native animals where a plan of management has been prepared and adopted within a framework which addresses:
>
> · impact of harvesting on species and ecosystems
> · factors likely to impact on species
> · other factors affecting a species as a renewable resource
> · protection of the environment, crops, stock and property
> · methods and procedures for capture or killing
> · consultation with the community
> · publication and distribution of the code
> · issue of permits for harvesting
> · royalties for animals harvested
> · any other matters directed by the Minister.

I think that members will agree that it is a fairly comprehensive list. The amendments also recognise the potential for harvesting of native plants and establish a framework for the development and adoption of standards which account for the following:

> · effect of taking plants on the ecosystem to which the species belong;
> · the need for research in relation to species taken;
> · identification of plants and plant products;
> · public comment on draft recommendations;
> · royalty payable on plants taken; and
> · the ability to impose restrictions and conditions on permits.

Again, that is a fairly comprehensive list. I am convinced that the survival of some species is probably dependent on farming them, or at least giving them some commercial value. Certainly, if our forebears had known what we now know, there would have been much less soil degradation had they begun by grazing emus, kangaroos and perhaps wombats, which are considered a luxury meat by Aborigines, than by grazing cloven-hoofed animals. Probably sheep and cattle would be extinct had not people in Europe farmed them at the beginning of civilisation and ever since.

I know that the Hon. Mr Elliott has a philosophical concern with farming many species because he believes they change from their original type, and that does happen. People prefer to breed superior species but neither I nor the Bill suggests that we should deplete wild stocks to farm the species. However, what I do suggest is that species evolve and change with the passing of time, whether or not mankind interferes. For instance, in drought conditions, only the strong survive. The forerunner of today's horse had six legs but evolved to a more practical model. As they come south in times of drought, red kangaroos cross-breed with grey kangaroos, so they have created a new hybrid. Probably koalas once needed to drink fluids, but they have now adapted to their surroundings. Humankind once had arms that hung to the ground so they could more easily swing through the trees, and on occasions tonight that might have been appropriate.

Things change with time and my view of conservation and sustainability is not to stop the clock but rather to assist and enhance the chances of survival for most species as we know them today, and this can be best done with judicious commercialisation. I have spoken in this place before of my horror at the cruelty of the smuggling of Australian creatures, particularly birds, to overseas markets. That now lucrative trade would be stopped overnight if limited exporting under licence became legal. It took many years to convince the well-meaning, urban-dwelling do-gooders that sometimes some kangaroos need to be culled for their own survival as much as for the survival of agriculturalists. I then witnessed at first hand the gross spectacle of those kangaroos rotting in the paddocks, their valuable meat and their valuable hides wasted, and I hope that I never see anything like that again.

In closing, I should like to read a poem, which was read to a hearing of the Living Resources Committee. It is called 'Advance Australia's Fare', and reads:

The emu and the kangaroo stand facing eye to eye;
The shield between them points upwards to the sky.
They're on our nation's coat of arms, standing tall and proud;
Don't dare to eat one, you might upset a rather emotional crowd.
Our land abounds with nature's gifts of beauties rich and rare;
So why not farm them, to Advance Australia's Fare?
Our waratah is sold worldwide, it's called the Kiwi Rose.
And you'd know that barramundi's farmed in Thailand I suppose.
As for eucalyptus oil, Portugal's No. 1 today;
Australia's macadamias come mostly from the USA.
Brazil then China lead the world in eucalyptus wood;
And we couldn't farm our mud crabs till Thailand showed we could.
Israel and Holland showed us how best our boronia flower to grow;
They also put our kangaroo paw right up there on show.
But still some sit around and moan, on their conventional farms;
We couldn't eat the kangaroo, he's on our coat of arms.

We cannot continue to enjoy the benefits of this bountiful country without managing our resources. I have worried for many years that we have established so many parks without any plan to manage or utilise them. I believe that this Bill goes a long way to achieving this aim and I commend it to the House.

The Hon. J.C. IRWIN secured the adjournment of the debate.

PASTORAL LAND MANAGEMENT AND CONSERVATION (BOARD MEMBERSHIP) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 20 March. Page 1027.)

The Hon. DIANA LAIDLAW (Minister for Transport): I thank members for their cooperation in speaking to this Bill. I understand that members have indicated that there are no difficulties in terms of the Bill. It may be that there is speedy passage for the Bill through the Committee stage.

Bill read a second time.

In Committee.

Clause 1—'Short title.'

The Hon. T.G. ROBERTS: The Opposition supports the Bill. I indicate that it was the Government's previous position to have a transitional period and then revert back to a smaller board, but the Government is now increasing the time by three years. The concerns which have been expressed have been accommodated by the Government's position. It is a matter of allowing the Government the confidence to put together a board based on the make up as suggested by this Bill and hope that the balance of appointments work to enable the best possible deliberations for outcomes to be presented to the Government without the vested interests—the infighting and imbalances— that appear from time to time in some board appointments.

In this instance we are supporting the Government. We hope that the balance and make-up will give the quality guidance that Governments require from time to time on matters associated with pastoral land management and conservation.

The Hon. DIANA LAIDLAW: That is the Government's goal. The amendments provide that one will be selected by the Minister from a list of three persons who produce beef cattle on pastoral land outside the dog fence, as submitted by the South Australian Farmers Federation, and that one will be selected by the Minister from a list of three persons who produce sheep on pastoral land inside the dog fence, again as submitted by the South Australian Farmers Federation.

The Government accepts that initially it wished to reduce the size of the board, but in terms of getting the best advice it was impractical to expect that one individual could adequately represent the interests of the beef cattle industry outside the dog fence and the sheep industry inside the dog fence.

An honourable member interjecting:

The Hon. DIANA LAIDLAW: The dog itself has been suggested. I see no amendment and I shall not take it seriously. In order to get the best quality advice in the interests of the pastoral industry in the State as a whole, it has been determined that the board should consist of six members. I appreciate the united support of all members in this place.

The Hon. M.J. ELLIOTT: I did not speak during the second reading stage of the Bill, but I should like to make a few comments now. Until the principal Act was amended about five years ago, the provision was for one representative of pastoralists to be on the board. At the time, when other changes were made, there was a temporary change to the composition of the board: there was to be one person representing interests associated with cattle and another associated with sheep. As I recall, that was largely to address issues surrounding rents. It was realised that, if that issue was to be addressed by the board, there would need to be a clear understanding of the two industries. It was done on a temporary basis, and the Farmers Federation wanted it to continue, which I can understand.

I suppose the Farmers Federation is as concerned about the composition of the Pastoral Board and the possibility that there could be too many greenies on it in the same way as conservationists and environmentalists were concerned about the composition of the council advising the Minister on the National Parks and Wildlife Act. They were concerned that perhaps too many people were trying to make a buck out of national parks and wildlife generally. I understand why the conservationists had that concern and I can understand why the pastoralists have a reverse concern in relation to the Pastoral Act.

I understand that again this will be a temporary measure, continuing what has been in place for a few years now, with the Minister planning more substantial change. I have been involved in discussions and negotiations with a large number of groups, and there is no doubt that the structures relating to the arid areas of South Australia need more substantial

change. I see the Pastoral Act changing to embrace much wider issues than it does now. For example, I do not think that the Pastoral Act adequately addresses tourism, which is expanding rapidly in arid parts of South Australia.

It does not adequately address issues of Aboriginal land ownership. Substantial parts of arid South Australia are in Aboriginal ownership, and questions of basic land care are as important on land owned by Aborigines as they are on lands operated by pastoralists. Bringing all these groups together in a forum which can provide for the constructive interchange of information would be a good thing. My understanding is that the Minister's original intention was to have this one expanded pastoral board with representation from all these groups overlooking all the issues currently dealt with under the Pastoral Act. I see some problems with that structure, and obviously now we have more time to discuss it further, but frankly I do not think that either Aboriginal representatives or tourism representatives would have a particular interest in some of the day-to-day issues that are currently handled by the Pastoral Board. I suspect that under an Act which would no longer be a pastoral Act but which would be more an arid lands Act there would have to be a couple of structures which would recognise that we have multiple uses of land in arid parts of South Australia.

I put on record as I have on previous occasions that in my view pastoralism has a role in arid South Australia. Frankly, the resources are not available through a national parks department to care for three quarters of the State, in particular, to address issues involving rabbits, goats, camels, horses and all the other feral animals. As long as they are caring for the land properly, having the pastoralists there is far superior to simply leaving the land to the feral animals. I would argue that that would be a major disaster. A significant number of people in the conservation movement share that view. It is not a unanimous view, but I would say that the vast majority of people within the conservation movement would see pastoralism continuing.

I think it is unfortunate that both pastoralists and conservationists have been forced into corners; that happens too often. There is a willingness to talk, and I have already been involved in initiating some discussions in getting those groups together to talk further. I hope we can progress things before the Government returns with further amendments. At this stage this is simply a short term, temporary measure. It does not cause me great concern either way, but I do say that in the long term I see an arid lands Act which supports basic land care. It would need to be broader than pastoralism but it would not ignore pastoral interests or in any way disadvantage them.

Clause passed.

Clause 2 and title passed.

Bill read a third time and passed.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION BILL

Consideration in Committee of the House of Assembly's amendments:

No. 1. Clause 8, page 4, line 25—Leave out 'under this' and substitute 'or functions under this or any other'.

No. 2. Clause 8, page 4, after line 25—Insert new subclauses as follows:

(2) A power or function delegated under this section may, if the instrument of delegation so provides, be further delegated.

(3) A delegation under this section—

(a) must be by instrument in writing; and

(b) may be absolute or conditional; and

(c) does not derogate from the power of the delegator to act in any manner; and

(d) is revocable at will by the delegator.

The Hon. K.T. GRIFFIN: I move:

That the amendments be agreed to.

The amendments arise from a concern by the Principal Registrar of Births, Deaths and Marriages that the Bill contains a simple provision for the Principal Registrar to delegate powers under this legislation. The Principal Registrar has indicated to me that he overlooked the need to delegate his powers under other Acts, namely, the Adoption Act, the Cremation Act and the Sexual Reassignment Act, and also it is desirable to provide for further delegation. At present his instrument of delegation of powers under the Cremation Act to the registrars of Magistrates courts in country centres allows them to subdelegate authority to issue cremation permits. The Principal Registrar submits that the provisions are necessary for the effective discharge of his responsibilities, and the delegation clause which is now proposed to be amended will closely parallel section 11 of the present Act. The registrar asks that, for the sake of ensuring that there is appropriate flexibility, these amendments be agreed to.

The Hon. ANNE LEVY: The Opposition supports the amendments. As the Attorney indicated, delegation powers exist in the current legislation, and it was obviously by oversight that they were omitted from the rewrite of the Act in the Bill before us. As the Attorney indicated, one of the main delegatory powers involves cremation permits and delegation to magistrates in the country so that such permits can be issued without the registrar himself being involved. If and when the Cremation Act is repealed, as I for one hope it will be before too long, that delegatory power will not be necessary in its current form, although it may well be required in some other form. In any case it is very sensible to have this delegatory power to ensure smooth administration without undue imposition on the registrar himself. We certainly support the amendments.

Motion carried.

LAW OF PROPERTY (PERPETUITIES AND ACCUMULATIONS) AMENDMENT BILL

Returned from the House of Assembly without amendment.

LEGAL PRACTITIONERS (MISCELLANEOUS) AMENDMENT BILL

Returned from the House of Assembly with amendments.

GAMING MACHINES (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 21 March. Page 1058.)

The Hon. P. HOLLOWAY: It is now almost four years since the original Gaming Machines Bill passed through this Parliament, and I think it is appropriate that some revision of that Bill should be made. Let me say from the outset that this Bill is really a grab for money by the Brown Government. The intelligence of every South Australian would be insulted if any member of the Government tried to claim that these

changes are motivated by concern about the impact of poker machines. I intend to use the term 'poker machines' rather than 'gaming machines' because I believe that term is more commonly accepted in our community. The use of the term 'gaming machines' is a bit of political correctness that I intend to correct.

How can we take seriously the argument put by the Government that it is trying to deal with some social concerns of the impact of poker machines when it seeks to raise through this Bill an extra $25 million in tax on poker machines but will reallocate only $1 million of this windfall to those affected by their introduction? I think there has been an incredible amount of hypocrisy over the introduction of poker machines.

I supported the introduction of poker machines in 1992, when I was a member of the House of Assembly, and I did so for several reasons. I was aware of many pensioner groups in my electorate who, at that time, regularly organised bus trips to New South Wales to play poker machines. These pensioners enjoyed playing the machines, but of course it resulted in the loss of part of their income to the State that could have been used to provide jobs here.

Also, when poker machines were introduced here, they had just previously been introduced into Victoria, and I believe that the impact of poker machines on that State would have had a crushing effect on the viability of clubs and hotels in towns along the border, such as Renmark, Naracoorte, Bordertown and Mount Gambier. The hotel and club industry at that time was in a parlous state because of profound changes in drinking habits, which were, in part, due to the crackdown on drink driving (particularly random breath testing) and the lowering of the blood alcohol limit to .05, which took place in the early 1990s.

Unlike the then Liberal Opposition, I voted for the introduction of those tougher drink driving measures, because I believed that the political cost of those measures—and there was a political cost—was worth taking to reduce the tragic loss of life and injury from drink driving which had clearly been established by road accident research and which was subsequently demonstrated by the reduction in the road toll following the introduction of those measures.

However, I saw the introduction of poker machines as one way in which new life could be breathed into the hotel and club industry without the problems associated with drinking. I believed that poker machines would bring new investment, a new client base and many jobs into the hotel and club industry.

I also believed that it was hypocritical and patronising that we permitted high fliers to gamble tens of thousands or even hundreds of thousands of dollars at the Casino, which was then partly foreign owned, while some people thought it was wrong that housewives and workers were not considered capable of playing poker machines at their local club or hotel. I also believed, and I still believe, that many thousands of people would gain enjoyment from playing poker machines, and that many people who previously stayed home to watch television would benefit from the new entertainment and the new facilities that poker machines would bring.

Poker machines also offered the prospect of substantial revenue to the Government. Against these positives I knew there would be some people who would gamble too much on poker machines, just as there are those who are addicted to gambling on horses, blackjack or the roulette wheel at the Casino, although one could say that at least it takes a lot longer to lose a fortune on poker machines than it takes to run one horse race or to throw a pair of dice. So, on balance, four years ago I had no hesitation in supporting the introduction of poker machines. Indeed, as the Secretary to the then Minister for Finance Caucus Committee, I was an early advocate of their introduction. In my speech four years ago, I said:

> Many people for whom I have respect have sought my views on the matter and implored me to vote against poker machines. I respect the views of those people and think that they hold genuine concerns, although I must say that most of them are concerned not for themselves but for what they fear will be the impact on the behaviour of others who they believe cannot resist temptation. I think that is really the central issue of this matter, namely, to what extent we can or should protect others from themselves. I believe that in matters such as this it is really up to the individual to choose. Where we do have a responsibility. . . is to protect society at large, and we certainly must examine this Bill very carefully to ensure that the security of poker machines is preserved and that any side effects from the introduction of poker machines are minimised.

The one proviso that I expressed about the introduction of these machines was that they should be accompanied by adequate Government support for those affected by gambling addiction. Four years after that legislation passed the Parliament, I have no regrets about my decision. The benefits of poker machines to the hotel and hospitality industry and the economy of this State have been everything I expected and more. In spite of the bleatings of the *Advertiser*, and some members opposite, many South Australians actually enjoy playing poker machines and the facilities that they have brought to clubs and hotels.

Also, the revenue from poker machines has been a godsend to this State. Members opposite love to recall the losses of the State Bank, which amounted to some $3.15 billion. It is interesting to note that if the $650 million compensation package from the Keating Government and the $750 million proceeds from the sale of the State Bank are deducted, the impact of interest of the remaining $1.75 billion on State debt is roughly equivalent to the income we will now receive from poker machines. In other words, the decision to introduce poker machines, plus the decision to sell the State Bank and the negotiation of the compensation package with the Keating Government, effectively negate by themselves the impact of the State Bank losses.

It is interesting that those decisions were all taken by the former Labor Government. There has been a lot of misinformation with respect to the amount of gambling money that actually is involved. A gambler may pay $10 to play a poker machine. However, the turnover in relation to that $10 will be greatly in excess of that sum because, for each $1 of turnover, 85¢ or thereabouts is returned to the player. About 4.2¢ now goes in tax, and the remainder goes in the administration costs and profits of the hotels and clubs. So, the turnover figures that have been used to talk about gambling from poker machines in this State greatly distort the actual level of gambling.

One mistake I did make at the time the Bill was introduced was to underestimate the impact of poker machines on the racing industry. I know that we will be dealing with this matter in another Bill before us, but in my speech four years ago I tabled a document from the Institute of Criminology which showed that the real *per capita* racing gambling expenditure had not substantially altered with the introduction of poker machines in other States. It was my hope that the same would happen in South Australia. However, it is clear that there has been some impact from poker machines on the racing industry, and that matter needs to be addressed.

With those small provisos, I have no regret for the stance I then took. I will support the Bill before us, subject to some amendments that I will be moving in three particular areas. First, this Bill seeks to restrict the gaming hours by imposing a prohibition on all gaming on Christmas Day and Good Friday and by imposing a mandatory six hour close-down in each 24 hour period. This issue is, of course, a matter of conscience for the members of the Labor Party as the provision affects gaming hours. What I find remarkable in relation to this provision is that the Government's report on the Bill does not contain any explanation for this change, and we might ask: is the purpose of this close-down to limit the time any person can spend in any one establishment to 18 hours and thus flush the compulsive gamblers out of the hotels and clubs? As the whole Bill is based on the premise of a revenue windfall from poker machines, the Government obviously does not expect this change to hours to affect takings. What then is its purpose?

Is the purpose of these changes in hours to improve the competitive position of the Casino, which is now 100 per cent Government owned and which is up for sale to the highest bidder? Of course, through cutting the hours to hotels and clubs the Casino will be comparatively advantaged, since this restriction does not apply to the Casino. Like other members of the Opposition, I have reservations about the need for this six hour compulsory close-down. Why not let the patrons and publicans or club managers decide when machines should be used, subject of course to the general licensing provisions relating to disturbance to neighbours and such similar important considerations? The amendment that I will move to this provision reluctantly accepts the six hour close-down, since it appears that the industry has agreed to this in negotiations with the Government, but the amendment I move will provide some flexibility in the six hour period for the handful of hotels and clubs that cater to shift workers. Basically, the amendment I will be moving splits the six hour period into three two-hour lots or two three-hour periods.

The second amendment that I will be moving to this Bill addresses the totally inadequate provision made by the Government to deal with the impact of poker machines on welfare organisations that support the families of those affected by gambling. The $1 million proposed by the Treasurer to go to charities out of the extra $25 million revenue to be raised by the increased tax rate on poker machines is an insult. It is no wonder that many members of the Government Party are in revolt over the meanness of their Treasurer's actions, and how hypocritical this is when the present Treasurer moved an amendment to the original legislation calling for $5 million to be set aside to dealing to deal with the problems of the introduction of these machines. I would like to put on record some of the comments that were made by the Treasurer when in Opposition.

The Hon. T. Crothers: Is that Mr Stephen Baker?

The Hon. P. HOLLOWAY: That is Mr Stephen Baker. He said:

> New South Wales, Queensland and Victoria have seen fit to earmark some of the contributions into the Treasury from gaming machines. They have seen fit to do so: why should we in this State not see fit to do the same?. . . I should have thought that it could do one thing that actually does some element of good for the community and say that there is a possibility of obtaining $5 million that would not normally be available, which will go to charities that are hitting the hard edge, the areas of need. . . The people out there bleeding at the moment deserve some support. The people working their butts off for the community deserve some support, and I thought that, for once in our lives in this Parliament, we could actually grab this issue and say that it may be gambling, it may be a revenue source that has suddenly become available, but let us use it so that there is a lasting benefit.

That is what the now Treasurer said four years ago. In relation to the amendment that he moved I made the following comments because, as I said earlier, my support for poker machines was based on the proviso that some attention be given to dealing with the problems of those who had problems with gambling. I said in the conclusion to the Committee debate on this:

> I am pleased that the Minister has given an assurance that an allocation will be given to Gamblers Anonymous and other bodies involved in the rehabilitation of persons addicted to gambling. I think that is the most important part of this issue. I shall be looking very carefully to see that the Government honours that promise and provides money to those bodies, because I believe there is a genuine need there that we in this Parliament must accept as part of this legislation. With those assurances from the Minister I cannot accept the amendment moved by the Deputy Leader, although I find some attraction in part of it.

As I said earlier, I intend to be consistent and to ensure that that pledge I made is upheld; that there should be some attention given to those affected by gambling, even if the Treasurer is not prepared to honour his words of four years ago.

I know that there are many members of Parliament, myself included, who are sceptical about hypothecation—that is the dedication of tax revenue to a particular purpose. I know that the member for Giles (Hon. Frank Blevins) has been particularly outspoken about this. The hypothecation of gambling revenue has a long history in South Australia largely as a means of justifying new forms of gambling to the public. Thus, the introduction of lotteries in the mid 1960s was accompanied by the establishment of a hospitals' fund into which the proceeds of the lottery were placed. While there may have been some initial increase in funds for hospitals as a result of this hypothecation, it was inevitable that, in a few years, the budget allocation for hospitals would be determined by the Government of the day and the funds from lotteries would be treated no differently from general revenue.

In other words, whenever the amount hypothecated is applied to another area of Government responsibility, and the amount hypothecated is less than the allocation normally made for that area of responsibility, hypothecation is essentially a deception. It is just another book entry in the income account which has no effect on the expenditure made. Thus the $25 million that the Government claims it will spend on health and education, for example, will simply be deducted from the $3 billion which is spent every year on health and education.

What I will be proposing in my amendment is, I guess, a hypothecation measure of sorts to set aside $5 million in a fund for charitable organisations, but I would point out that it is different in that the organisations to receive these funds are not Government bodies and the funds now provided for these purposes at present are negligible, so the amendment would at least, although it is a sort of hypothecation about which I have great reservations, in this instance and application put a floor under the assistance provided to the victims of gambling. After all, it is those people who will have contributed more than their fair share of this tax windfall we will receive from poker machines.

The third amendment I will move deals with any poker machine tax revenue received by the Government which is in excess of $146 million. The $146 million is the minimum figure set by the Government for this tax to recoup. If that

figure is not achieved by the tax rate set by the Treasurer in the Bill, then the tax rates will be increased to achieve this result. Of course, if the revenue were to exceed the $146 million threshold, this would be a windfall for the Government, under the present provisions of the Gaming Machines Bill. My amendment would apply the windfall received into a fund to assist sporting clubs. I think sporting clubs have been particularly affected by poker machines, and it is important that their contribution to our community should be recognised.

The Hon. T. Crothers: What about sporting clubs themselves operating poker machines?

The Hon. P. HOLLOWAY: Indeed, some sporting clubs do operate poker machines, and they at least have a source of revenue. However, there are many smaller clubs in the community that do not have the capacity to operate poker machines and they have suffered greatly through the loss of their income and so on, and I will certainly be happy to provide more details about that amendment when we get to the Committee stage.

The Hon. T. Crothers interjecting:

The Hon. P. HOLLOWAY: Rather than go into all the details about how it will be disbursed, I would prefer to explain that during the Committee stage, because we will have a mechanism to use the Industry Development Corporation of the Parliament to act as the distributor of funds, and I guess they would be the sorts of matters to be taken into account. In relation to sporting clubs, the Hill report, which had received a submission from SportSA, was the basis on which the Government used to make these changes.

The Hon. Anne Levy: Pretence.

The Hon. P. HOLLOWAY: Indeed, the Government has used this report as the basis for it, but it really was a pretence. It is all about grabbing extra revenue and this report is a philosophical backing to try to justify it. The Hill report said in relation to sporting clubs:

> Sport SA argue in their submission that the number of sporting associations have been dramatically impacted by the introduction of gaming machines. It argues that there has been a loss of membership, support from retailers and sponsors and fund-raising ability through bingo tickets and small lottery raffles. Some licensed clubs without gaming machines had suffered declining bar trade.

We are particularly concerned about the impact of sporting clubs within the community because they provide an important recreational outlet for the community, and that provides benefits in a number of ways, for example, by improving the health of the community at large and reducing expenditures that it would otherwise have on hospitals and the like.

A number of other measures are contained in this Bill arising from the Hill report and they relate to the administration of poker machines. Most of those amendments are sensible, not controversial, and I am sure they will receive support from the Opposition and most members of this Parliament.

In relation to the increased funds that need to be made available for the victims of families, we need to draw a distinction between charities that claim that their fundraising abilities have been affected by poker machines and those bodies who have had an increased demand for their services as a result of the introduction of poker machines. One point I raised in the debate four years ago related to the fact that many of the charities that were at the time opposing the introduction of poker machines used professional fund raisers to raise funds. My investigations revealed that some of these bodies spent up to 90¢ of every dollar they raised as administration expenses or payments to contractors they used to raise the funds: in other words, the charities were getting only 10¢ or so from every dollar they raised. I am not sure that I have a lot of sympathy for some of the charities that have been complaining about the impact of poker machines and I do not see poker machines as being a cheap fundraising alternative for those organisations.

The money we are proposing to put up to deal with the social impacts of poker machines should be handled carefully and should go only to the organisations which have had a real impact on the clientele directly as a result of the introduction of poker machines.

Finally, I refer to the new tax regime to be introduced under this Bill. The new complicated tax regime that the Government is introducing may give rise to some problems. The turnover tax system is a simple straightforward system, and in many ways that is a blessing. We have seen that various attempts to make the income tax system in this country fairer have made it so complicated that at the end of the day there has been almost the reverse effect. People advocate that the income tax system should become a flat rate of tax to overcome the unfairness in the system.

The lesson is that, the more complicated you make a system in trying to iron out problems, you can achieve the reverse result of what you intended. The turnover tax has the virtue of simplicity. I agree with the comments made by my colleague Frank Blevins in another place that it might well have been much easier for this Government to speak to the clubs and make some adjustment to the existing tax regime rather than coming up with the rather complicated formula it has now devised.

Nevertheless, I accept that the Government has gone out and spoken to the clubs and that they have agreed, so I am prepared to go along with that part of it. At the end of the day, it is up to the Government to make the new system work and, if it has problems with it, that is its fault.

In conclusion, I will support the Bill, subject to my amendments, particularly in respect of those provisions that will show a little more generosity than the current Government has shown towards the victims of poker machines. My amendments will improve the Bill. Again, I repeat that, in spite of all the bad publicity poker machines have been given in the press and by others over the years, not only have they made an important economic contribution to this State in respect of Government revenue, the jobs they have provided, and so on but also they have provided a lot of entertainment to many people. That is not recognised enough. With those comments, I support the Bill.

The Hon. G. WEATHERILL secured the adjournment of the debate.

ADJOURNMENT

At 11.17 p.m. the Council adjourned until Thursday 28 March at 11 a.m.