LEGISLATIVE COUNCIL

Wednesday 24 July 1996

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

QUESTIONS ON NOTICE

The PRESIDENT: I direct that the written answers to the following questions, as detailed in the schedule that I now table, be distributed and printed in *Hansard:* Nos. 90, 96, 99, 103 and 104.

OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT

90. **The Hon. T.G. CAMERON:** When will the Minister for Industrial Affairs change the Occupational Health, Safety and Welfare Act 1986 to enable the Employee Ombudsman to become an Inspector under that Act to protect employees who raise health and safety issues with that officer against possible victimisation or discrimination for raising such issues?

The Hon. K.T. GRIFFIN: The question asked by the honourable member derives from comments of the Employee Ombudsman in the First Annual Report of the Employee Ombudsman 1994-95, at page 34 and 35, where the Employee Ombudsman discusses his obligation under section 62(1)(h) of the Industrial and Employee Relations Act 1994 to provide an advisory service on the rights of employees in the workplace on occupational health and safety issues.

The comments of the Employee Ombudsman appear to go further than the current responsibility to provide an advisory service, to suggesting that the Employee Ombudsman should also take an active role in the inspection and enforcement of occupational health and safety legislation.

At this stage, the Minister for Industrial Affairs is not disposed to amend the Occupational Health, Safety and Welfare Act 1986 or the Industrial and Employee Relations Act 1994 to provide for the extension of the Employee Ombudsman's role in this manner.

Although the Employee Ombudsman is required to provide an advisory service on the rights of employees in the workplace on occupational health and safety issues, it is not considered that there is a necessity to designate the Employee Ombudsman as an inspector under the Occupational Health, Safety and Welfare Act 1986. The need to provide advice to employees is quite different to the role of inspecting workplace and occupational health and safety and related matters. Often an inspector is called upon to mediate over safety disputes. This role would be inconsistent with the role by the Employee Ombudsman of being an advocate for concerned employees.

In relation to the request that the Employee Ombudsman be given the same protections as an inspector, so that employees may provide information to the Employee Ombudsman on occupational health and safety matters without any fear of victimisation or discrimination, this also is considered to be unnecessary on the basis that it goes beyond the current statutory requirement for the Employee Ombudsman to provide only an advisory service on the subject.

In any event, there are general protections for employees against victimisation under the Industrial and Employee Relations Act 1994 which may well extend to the levels sought by the Employee Ombudsman. Specifically section 223(1)(e) provides a safeguard against an employee being dismissed or prejudiced as a result of the employee asking the Employee Ombudsman to 'take action on the employee's behalf'.

The combination of this provision with section 104 which gives an inspector, including the Employee Ombudsman, the right to enter a place of employment and to question a person in the place on a subject relevant to employment or an industrial matter provides further safeguard to the employee and the Employee Ombudsman even in the case of issues relating to occupational health and safety. It is noted that the term 'industrial matter' is defined in section 4 of the Industrial and Employee Relations Act 1994 and that it 'means a matter effecting the rights, privileges or duties of employers or employees (including prospective employers or employees), or the work to be done in employment'. The Minister notes that this provision is deliberately broad and in his opinion sufficiently broad to cover the circumstances which have been raised by the Employee Ombudsman, within the context of his obligation to provide an advisory service to employees in relation to occupational health and safety issues.

Accordingly, the Minister at this stage would not propose to amend the Act in the manner recommended by the Employee Ombudsman.

FIREARMS

96. **The Hon. P. HOLLOWAY:**

1. How many notifications has the Registrar of Firearms received from medical practitioners in relation to section 20A of the Firearms Act since the Act was proclaimed on 1 September 1993?
2. How many of these notifications were received from medical practitioners working for South Australian Mental Health Services (SAMHS)?
3. How many of these notifications resulted in the suspension or cancellation of firearms licences?
4. What guidelines or procedures exists to encourage medical practitioners, particularly those in SAMHS, to notify under section 20A?

The Hon. R.I. LUCAS:

1. There have been 70 notifications received by the Registrar of Firearms from medical practitioners in relation to section 20A of the Firearms Act since the Act was proclaimed on 1 September 1993.
2. 44 of those notifications were received from medical practitioners working for the South Australian Mental Health Services.
3. 33 of the notifications resulted in the suspension, cancellation or refusal of a firearms licence. Another 33 notifications received were for persons who at that time did not hold a current firearms licence.
4. There are no guidelines or procedures to encourage medical practitioners to notify under section 20A, except the actual section. There were discussions with the Australian Medical Association (South Australian Branch) during the drafting of the Firearms (Miscellaneous) Amendment Act 1993, and upon implementation of the legislation a request was made to the Australian Medical Association to advise its members of the requirements of section 20A of the Firearms Act.

PUBLIC RELATIONS CONSULTANTS

99. **The Hon. R.R. ROBERTS:**

1. Has the Premier, Minister for Multicultural and Ethnic Affairs and Minister for Information Technology, or any of his officials, engaged the services of any public relations firm or individual?
2. What is the name of the firm or individual?
3. What was the nature of the service provided?
4. When was the service provided?
5. How much was paid for each service?

The Hon. R.I. LUCAS:

1. Yes.
2. a) Christopher Rann and Associates Pty Ltd
   b) Michels Warren Pty Ltd
   c) Benson Ainslie Pty Ltd
   d) Marc Colquhoun and Associates
   e) Mediamotion
   f) Stephen Middleton Public Relations
3. a) Research and write media releases, advice on communications strategy for Information Technology, media and industry liaison
   b) Research and write media releases, advice on communications strategy for Information Technology, media liaison, conduct of communications and advertising audit
   c) advice on whole of government basis in relation to Government communication as reported in the Annual Report of the Department of Premier and Cabinet
   d) assistance with Grand Prix promotion in Kuala Lumpur
   e) editing draft of strategic plan of South Australian Multicultural and Ethnic Affairs Commission
   f) Production of *Multicultural Life*
4. a) 1994-1996
   b) 1994
   c) 1994
   d) 1995
   e) 1996

f) 1995-1996
5. a) $39 499
b) $32 080
c) $68 248
d) $4 715
e) $720
f) $23 121.

103. **The Hon. R.R. ROBERTS:** Since 1 January 1994—

1. Has the Attorney-General and Minister for Consumer Affairs, or any of his officials, engaged the services of any public relations firm or individual?
2. What is the name of the firm or individual?
3. What was the nature of the service provided?
4. When was the service provided?
5. How much was paid for each service?

The Hon. K.T. GRIFFIN:

Equal Opportunity Commission:

1. Yes, the Equal Opportunity Commission has engaged the services of an individual consultant since January, 1994, and a consultancy firm between November 1993 and February 1994.

2. The name of the individual private consultant was Ms D Tostevin. The name of the consultancy firm is Miller Mahon Consulting.

3. Nature of the services provided:

D. Tostevin

- Administration, organisation and co-ordination of a National Conference, 'Equal Employment Opportunity', February, 1994.
- Administration and organisation of the Mitchell Oration, October, 1994.

Miller Mahon Consulting

- Assessing and responding to individual local Councils on their progress in implementing at Equal Employment Opportunities program in accordance with the requirements of the Local Government Act 1934.

4. The service was provided between November 1993 and November 1994 and November 1993 and February 1994 respectively.

5. Cost for each service:

D. Tostevin

- National Conference, 'Equal Employment Opportunity'—$18 500
  This excludes payment of $3 000 made in December 1993
- 1994 Mitchell Oration—$4 400

Miller Mahon Consulting

The total cost for service was $6 165, with $3 330 paid in 1994.

Office of Consumer and Business Affairs:

1. The Office of Consumer and Business Affairs engaged the services of a public relations firm to assist with the launch of the Independence Pack.

This Pack was developed specifically for young people aged between 18—25 years to help with their understanding of buying a used car; renting a house or flat; and obtaining credit. The Pack was launched on 8 December 1995.

Corporate sponsorship was secured through radio station SAFM and the Adelaide Bank, who both assisted with the wide distribution of the Pack.

2. The name of the firm was Michels Warren of Fullarton, South Australia.

3. The agency invested considerable resources in the research and development of the Independence Pack and the securing of corporate sponsors. Due to limited agency resources, the services of Michels Warren were sought to co-ordinate all aspects of the launch including TV, radio and press advertisements, invitations, promotional support resources (posters and caps) and local celebrities who attended the launch.

Assistance was also provided with the arrangements for the launch of the Pack in three country regional centres.

4. The service was provided in November and December 1995.

5. This was a one-off service for the amount of $8 817.00.

104. **The Hon. R.R. ROBERTS** asked the Attorney-General—Since 1 January 1994—

1. Has the Minister for Tourism, Minister for Industrial Affairs and Minister for Recreation, Sport and Racing, or any of his officials, engaged the services of any public relations firm or individual?
2. What is the name of the firm or individual?
3. What was the nature of the service provided?
4. When was the service provided?
5. How much was paid for each service?

The Hon. K.T. GRIFFIN:

Department for Industrial Affairs

1. Department for Industrial Affairs—The Committee of Inquiry into Shop Trading Hours
2. Sexton Marketing Group
3. Telephone survey of public opinion on shop trading hours in South Australia. 850 households were canvassed.
4. March 1994
5. $9 000
1. Department for Industrial Affairs
2. Turnbull, Fox, Phillips
3. Develop a public relations strategy for the launch and marketing of 'Snakes and Ladders' (a publication aimed at women and enterprise bargaining). Drafting press releases, making telephone calls on the Department's behalf to radio, TV and print journalists and arranging interviews.
4. May 1996
5. $1 800

South Australian Tourism Commission

The South Australian Tourism Commission has its own Public Relations Unit which is utilised for public relations activities. Some of the services detailed below are utilising public relations companies for editorial services rather than public relations.

1. South Australian Tourism Commission
2. Michels Warren
3. Arranged interview following a request from ABC Sunraysia to interview a spokesperson on Bed and Breakfast in SA
4. January 1994
5. $277.75
1. South Australian Tourism Commission
2. Christopher Rann and Associates
3. Discussing approach to editing and writing SATC Business Plan, editing, reformatting, proof reading, writing introductory chapter and index
4. October 1995 to December 1995
5. $6740.00
1. South Australian Tourism Commission
2. Christopher Rann and Associates
3. Tourism Plan editing, rewriting and attendance at meetings
4. September/October 1995
5. $4416.20
1. South Australian Tourism Commission
2. Judith Bleechmore
3. Public Relations consultancy for Sensational Adelaide
4. September/October 1995
5. $5000.00
1. South Australian Tourism Commission
2. Judith Bleechmoore
3. Review instructions for submissions to State Tourism Awards including contact with other State Awards organisers and make recommendations relating to instructions seminars and information to be issued to nominees.
4. December, 1995
5. $100.00

Workcover Corporation

Public relations activities are performed by the Communications Unit in WorkCover.

1. WorkCover Corporation—Communications Unit
2. Warburton Media Monitoring
3. Media monitoring service for radio
4. Regular monthly service for entire period
5. $10 091.00
1. WorkCover Corporation—Communications Unit
2. Imedia Press Clipping Service
3. Media Monitoring service for newspapers
4. Regular monthly service in 1996
5. $1297.00
1. WorkCover Corporation
2. Customer Focus
3. Customer Survey
4. 1996
5. Not known.

Office for Recreation, Sport and Racing

1. Office for Recreation, Sport and Racing

2. Life. Be In It, as part of a general contract delivering marketing services.
3. General marketing services including promotion, sponsorship and event management
4. From 1 January 1994 until October 1995
5. $50 000 per annum for all services included in the contract of which public relations was only one.
1. Office for Recreation, Sport and Racing
2. Bruce Raymond Marketing Services, as part of a general contract delivering marketing services.
3. General marketing services including promotion, sponsorship and event management.
4. From October 1995 until October 1996
5. $53 000 per annum for all services included in the contract of which public relation is only one.
1. Office for Recreation, Sport and Racing
2. Mr Gordon Schwartz.
3. Assistance with the recognition of successful South Australian athletes.
4. From March 1996 until June 1996.
5. $1755.50 to 27 May, 1996

Adelaide Entertainment Centre

1. Adelaide Entertainment Centre
2. Field Business Services Pty Ltd.
3. Media monitoring and media relations advice.
4. As required throughout the period from 1 January, 1994 to date.
5. $26 505.00
1. Adelaide Entertainment Centre
2. Warburton Media Monitoring.
3. Media monitoring and media relations advice.
4. As required throughout the period from 1 January, 1994 to date.
5. $663.00
1. Adelaide Convention Centre
2. Media Message—1/1/94-30/6/95
C.P.R. (Corporate Public Relations) 1/7/95-31/5/96
3. Preparation of editorial and articles for national and international industry/trade press.
Text for insertion in publicity and promotional material.
Prepare script and produce video for marketing of the Adelaide Convention Centre.
Prepare articles and act as editor for quarterly magazine 'Talking Point' prepared and distributed by the Adelaide Convention Centre—3 500 copies.
4. On-going activity as part of the Adelaide Convention Centre's marketing strategies and campaigns.
5. 1/1/94-30/6/94—$10 678.00
1/7/94-30/6/95—$14 050.00
1/7/95-31/5/96—$12 662.00

Australian Major Events

1. Australian Major Events
2. Hamra Management
3. Premier's launch of Australian Major Events and to act as the organisation's PR/Media consultant.
4. Since September 1995
5. Prior to December, 1995 Hamra Management fees were met by the Australian Formula One Grand Prix Office

January 1996	General Events	$1536.00
March 1996	General Events	$1536.00
March 1996	Cycling	$3032.00
April 1996	Cycling	$3639.50
May 1996	Cycling Commonwealth Games	$5420.50
June 1996	Cycling Commonwealth Games Newsletter	$7292.80

SENATOR, ELECTION

The PRESIDENT laid on the table the minutes of proceedings of the Joint Sitting of the two Houses held this day to choose a person to hold the place in the Senate of the Commonwealth rendered vacant by the resignation of Senator Jeannie Ferris, whereat Ms Jeannie Ferris was the person so chosen.

Ordered that minutes be printed.

LEGISLATIVE REVIEW COMMITTEE

The Hon. R.D. LAWSON: I bring up the evidence of the committee on regulations under the Reproductive Technology Act 1988.

I also bring up the twenty-ninth report of the committee.

REVEGETATION

The Hon. K.T. GRIFFIN (Attorney-General): I seek leave to table a ministerial statement by the Minister for Primary Industries in another place on the revegetation strategy for South Australia.

Leave granted.

LEGIONNAIRE'S DISEASE

The Hon. DIANA LAIDLAW (Minister for Transport): I seek leave to table a ministerial statement made today by the Minister for Health on the *Legionella* incident.

Leave granted.

QUESTION TIME

SCHOOLS, SELF-MANAGEMENT

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 devolution and self-management in schools.

Leave granted.

The Hon. CAROLYN PICKLES: In September last year, the Minister outlined trials being conducted for self-management of schools, including energy management, maintenance and school cleaning contracts. The Minister said that training and support strategies and models for the allocation of funds were being developed and that most schools would achieve savings from this approach. My questions to the Minister are:

1. Given that school grants are meeting only 25 per cent of the cost of running in some schools, with the balance being met by school fees and other fund raising, will the new funding models guarantee a minimum level of Government support, including the payment of all salaries?

2. Will models for the allocation of funds take into account different needs to ensure that minimum standards are maintained across the system?

The Hon. R.I. LUCAS: In any decisions that the Government takes relating to shared or local school management—whatever the euphemism might be that is currently being used by some sections of the education community—it will seek to take into account the different problems and circumstances that confront school communities. I think it is fair to say that it would be virtually impossible to cater for all the different circumstances that are faced by South Australian schools. It is also fair to say that both the State and the Commonwealth Governments do a lot to try to address those different circumstances. The Government contributes significant sums of money through the schoolcard system, the disadvantaged schools programs scheme and additional staffing allocations to provide extra assistance to school communities generally in lower socioeconomic areas and areas where the broader community may well be seen to be financially disadvantaged.

So, in any decisions that the Government might take—whether they be in this area of shared or local school management or other areas—it will always seek as best it can financially to take into account the varying needs of different school communities. As I have said, the Government certainly does that at the moment. If there is anything that I can usefully add after I consult the department about the Leader's questions, I will endeavour to provide that information later.

MOUND SPRINGS

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the Minister representing the Minister for the Environment and Natural Resources a question about the mound springs.

Leave granted.

The Hon. T.G. ROBERTS: The recent announcement by Western Mining to extend its uranium and gold mining processing in the north of South Australia has been welcomed by all who appreciate the economic benefits that will be brought to this State.

The Hon. Diana Laidlaw: Does that include you?

The Hon. T.G. ROBERTS: I might be about to make that announcement now.

The Hon. M.J. Elliott interjecting:

The Hon. T.G. ROBERTS: That's right. We welcome this announcement, which will bring economic benefits to the State. As the interjection implies, if you are the least critical of any part of the process or even if you make inquiries to get some constructive answers, you are seen to be anti-development. That is not the case: the Leader of the Opposition in another place has made supportive statements about the Western Mining extension.

My questions relate to the possible drawdown effect of the water table—in particular, the artesian basin—and its impact on the 600 mound springs that are in the South Australian section of that possible drawdown area. No-one knows what the eventual effect of the drawdown will be on these springs. I think it is responsible for the Opposition to ask the Government to endeavour to ascertain as best it can what possible impact the volumetric drawdown will have on the mound springs, bearing in mind that the Western Mining applications and extensions for bore field B are not the only applications that will be processed in the future in relation to licensing drawdown for the artesian basin. With that in mind, as other mining projects that impact upon agricultural and horticultural pursuits start to expand, the Opposition has concerns about how much scientific evidence there is on which to calculate the possibility of the immediate problems associated with the drawdown or problems that could emerge in the future. My questions are:

1. Will the State Government initiate a management plan for the mound springs areas of South Australia?

2. Will the State Government work with the Federal Government in putting together a total management plan to assess the impact of the drawdown, including all potential users?

The Hon. DIANA LAIDLAW: I will refer those questions to my colleague in another place and bring back a reply.

FLINDERS MEDICAL CENTRE, BUS STOP SHELTER

The Hon. T.G. CAMERON: I seek leave to make a brief explanation before asking the Minister for Transport a question about the Flinders Medical Centre bus stop shelter.

Leave granted.

The Hon. T.G. CAMERON: It has recently been brought to my attention by a constituent who lives in the southern suburbs that there is a lack of suitable shelter for the public at Flinders Medical Centre. There is only one small shelter, located some distance from the bus stop, and it faces away from the traffic. This means that a waiting passenger must constantly get up to check whether their bus is approaching. There are two seats at the bus stop, but, with no shelter, people are exposed to all extremes of the elements. Indeed, my constituent had had treatment to her neck and had a hot pack tied to her back. Another passenger waiting in this week's cold had just had a tooth extraction. Both of these people would have been more comfortable with some protection. It is not feasible for passengers to wait inside the hospital as they cannot then see the bus. Waiting under the hospital portico is not an option either, as there are no seats. My questions are:

1. Will the Minister investigate this matter and rectify the inadequate bus shelter situation that exists at the Flinders Medical Centre?

2. Will she get her department to undertake a review of bus shelters at other metropolitan hospitals to ensure that a similar situation does not exist and that adequate shelter is provided for waiting patients?

The Hon. DIANA LAIDLAW: The answer to the first question is 'Yes.' Secondly, I can advise that shelters and seating generally are being assessed across the whole of the public transport system. The honourable member may have noted in Saturday's paper that bus shelters in the city won an architectural award last Friday evening. They are glassed so that people can not only get shelter and seating, but see oncoming buses. That is important in providing better facilities across the system.

Last Friday morning I went to Noarlunga for the opening of the redeveloped Noarlunga Interchange. The shelter there is much better now. It was raining very heavily and I noted that many people at bus stops along Goodwood Road had no shelter at all. Therefore, there is a great deal to be done not only at hospitals but across the system, and that is why this assessment is being made.

Bus shelters are the responsibility of local government, not State Government, other than transit link routes on which TransAdelaide is responsible for shelters. The honourable member may be aware that in 1991 the former Labor Government got rid of the subsidy that was provided from the State Government to local government to assist with the erection of shelters. That matter is also being assessed as part of our review of shelters across the system. I see shelters, seating and better information at bus stops as a critical part of our public transport business, not an issue that is necessarily for local government. It has become the responsibility of local government because shelters are on footpaths and local government is responsible for footpaths.

So, we have this odd situation where bus shelters, which are such a key part of our business of delivering better transport services, are actually administered by another level of government which really has no interest in the issue and

which has been fully responsible since 1991 for the erection and funding of shelters at all but Transit Link services.

In terms of railway stations, shelter is the responsibility of TransAdelaide. Last week we engaged students from the University of South Australia to be involved in the design of five shelters on the railway system to provide work for them as part of their ongoing course and to provide much better facilities at railway stations in the longer term.

I am keen to address the issue across the public transport system. I appreciate the honourable member's question and will bring back a reply specifically related to the Flinders Medical Centre and hospitals generally. However, I felt that he might be interested to know that we are taking the issue seriously across the system.

CANNABINOID DERIVATIVES

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister for Transport, representing the Minister for Health, a question about the therapeutic use of cannabis.

Leave granted.

The Hon. M.J. ELLIOTT: My question relates to the State Government's implementation of recommendations of the Select Committee on the Control and Illegal Use of Drugs of Dependence, which reported to the Parliament on 5 July 1995. The committee's first recommendation, which was supported unanimously by the all-Party committee, was as follows:

> The select committee recommends that scientifically designed and controlled clinical trials in the use of cannabis for therapeutic purposes be undertaken for specified medical conditions.

The committee was first appointed in 1991.

The Hon. Diana Laidlaw: Is this the subject of your Bill before the Council?

The Hon. M.J. ELLIOTT: No. My Bill does not touch on this matter at all.

The Hon. Diana Laidlaw: Okay.

The Hon. M.J. ELLIOTT: So, I am allowed to keep going?

The Hon. Diana Laidlaw interjecting:

The PRESIDENT: Order! If you want to have a conversation, you can have it elsewhere.

The Hon. M.J. ELLIOTT: She is being so friendly, Mr President.

An honourable member: Always friendly.

The Hon. M.J. ELLIOTT: Yes. The committee was first appointed in 1991 and over a 3½ year period received considerable evidence relating to the therapeutic use of cannabis. It is worth noting that synthetically manufactured cannabis is a licensed drug in the USA and that since 1986 cannabis derivatives have been used for the control of nausea and vomiting associated with chemotherapy and the treatment of cancer. It has also been used—and claimed successfully so—overseas in the treatment of open angle glaucoma, which sometimes responds to no other medical treatment, uncontrollable epilepsy, Huntington's Chorea and various other spasticities caused by nervous system disorders in children. It has also been used in the treatment of convulsions, multiple sclerosis, tetanus and rabies. Its role as an anti-nausea agent, appetite stimulant and analgesic in people with AIDS has also been noted. The committee noted that the National Drug Strategy has written that:

> In a rational world, clinical decisions about whether to use pure cannabinoid drugs should not be abrogated because crude forms of the drug may be abused by those who use it recreationally. As a community we do not allow this type of thinking to deny us the use of opiates for analgesia. Nor should it be used to deny access to any therapeutic uses of cannabinoid derivatives that may be revealed by pharmacological research.

That was from the National Drug Strategy, Monograph No. 25 of 1994, page 199. As it has been more than a year since the committee reported, will the Minister tell the House what action has been taken on the select committee's unanimous recommendation and will he say when he intends to act on this advice?

The Hon. DIANA LAIDLAW: I will bring refer the honourable member's question to the Minister and bring back a reply.

VEHICLES, UNREGISTERED

The Hon. J.C. IRWIN: I seek leave to make a brief explanation before asking the Minister for Transport a question about unregistered vehicles.

Leave granted.

The Hon. J.C. IRWIN: I refer the Minister to an article in the *Advertiser* of Tuesday 9 July headed 'Unpaid fine debt soars near to $20 million'. I quote that article briefly, as follows:

> South Australians owe almost $20 million in 91 000 unpaid fines. Fine evasion was responsible for most of the outstanding warrants last financial year, with driving, vehicle and criminal offences topping the list. Figures obtained by the *Advertiser* revealed the number of outstanding warrants to 19 June totalled 91 141, worth more than $19.6 million in unpaid fines. The figure compares with 73 000 warrants for fines worth $17.37 million for 1994-95 and 79 990 for fines worth $14.9 million the previous year.

Obviously, that is an upward progression. The unpaid fines are in the areas of traffic, summary offences, motor vehicles and criminal law. I refer specifically to motor vehicles because I realise legislation has been passed by the Parliament which is going to make it easy for the payment of fines and so my question is not in that area. In relation to motor vehicles, the *Advertiser* articles states:

> . . . about 11 500 warrants for fines of almost $2 million for offences such as driving without a licence or driving an unregistered vehicle.

They are the offences that made up many of those fines. Can the Minister say what steps she is taking to detect and address the problems, first, of people driving without a licence, and, secondly, people driving unregistered vehicles?

The Hon. DIANA LAIDLAW: As to unregistered motor vehicles, a number of steps are being taken in this regard. First, we have the introduction of a quarterly registration option which came into force on 1 July this year. This is expected to assist road users in meeting their registration and insurance obligations. This issue went through this place unanimously because a number of people have not been able to pay up front what is regarded by some people to be an expensive charge associated with registration, and people can now stagger those payments over three-monthly periods. It is also an issue that has been addressed through registration disks. New disks will come into circulation later this year and will have a much more prominent number on them. This was the case until registration and licensing went to computer labels some years ago. It can be difficult for drivers, unless they have reason to go around to the passenger side of their vehicle, to see when the date is due, or else they become aware of notices through the mail. They may have missed that

notice coming through the mail that registration is due and that we need some payment to renew that registration.

Thirdly, by the end of this year we will start a system which many members over several years have sought, that is, for reminder notices to be sent to people from whom we have not received payment for registering their vehicle. That has been a considerable problem raised with us regularly by people who have claimed that they did not receive their registration advice and, having missed that date, were unwittingly driving an unregistered vehicle. Other than for all non-seasonally registered vehicles that are not renewed within 14 to 21 days of the expiry date, this reminder notice will be sent and it is a service that many South Australians will welcome if they have not registered their vehicle.

All those issues—making people more aware of their responsibilities by issuing reminder notices that they have not paid, the larger disk, and also the quarterly registration option—will help to ensure that there is less reason to have unregistered vehicles on our roads unless, of course, people deliberately seek not to register their vehicles. In that instance, the bigger number on the disk will make it much easier for the police to detect an unregistered vehicle, as has been the case for some years. The police will be inspecting a much larger number of vehicles on our roads for a whole variety of purposes. Whether it is through the use of the current laser guns where people are stopped for speeding, or whether it is through the drink driving campaigns, more vehicles are being stopped more often. It will be easier for the police to see whether vehicles are registered. It is an important initiative to make sure that more vehicles are registered and that, if they are registered, they are also insured, which is an important consideration in terms of property insurance.

The Hon. T.G. Roberts: Will the Minister answer the question?

The Hon. DIANA LAIDLAW: I am answering the question. The honourable member asked what we are doing about the number of unregistered vehicles on the roads, and I am indicating the initiatives that will make it easier for people to register their vehicles if they wish. If people do not wish to register their vehicles it will be easier in the future for the police to detect those unregistered vehicles because of the larger number appearing on the disk and the increased reasons police are now finding for stopping vehicles on the roads. The fact that the police are stopping people for a large number of purposes is also an important initiative in terms of checking that people have a driver's licence.

A proposal is before the National Road Transport Commission for the compulsory carriage of licence, but that has been resisted by many States. Certainly South Australia, at the last Transport Ministers' conference, indicated an unwillingness to require all motorists at all times to be carrying their driver's licence, preferring the current system of requiring a person who does not have their driver's licence with them to report with their licence to the nearest police station or other suitable inspection station within a 48 hour period. The National Draft Road Rules will say that compulsory carriage of licence is necessary but that States can differ from that course under various exemptions, and we will take that course.

In response to the honourable member's question, a number of initiatives have been taken in this State and Australia-wide arising from concerns about unregistered cars and people who drive without a licence. Hopefully, that will mean that less people offend, although the Treasurer will not be pleased because he may get less money.

ADELAIDE AIRPORT

The Hon. P. HOLLOWAY: I seek leave to make a brief explanation before asking the Minister for Transport a question about Adelaide Airport.

Leave granted.

The Hon. P. HOLLOWAY: It was announced at the weekend that the investment group Hudson Conway, owners of the Melbourne Casino in the City of Melbourne, has emerged as possible bidders for the soon to be privatised Melbourne Airport. That followed a move by the Victorian Kennett Government to ensure that the airport's new owners will promote Melbourne's interests. The article in the *Melbourne Age* announcing this move stated:

> The renewed interest in the airport from Melbourne-based groups comes after the Premier, Mr Jeff Kennett, last month set up a task force to pressure the Federal Government over local ownership of the airport. The State Government is trying to encourage the formation of the Melbourne-based bidding group through its Melbourne Airport Privatisation Task Force.

In the light of the Kennett Government's actions, does the Brown Government have any views as to the future ownership of Adelaide Airport and who should own it, and what action, if any, has the Brown Government taken to ensure that any new private owners of Adelaide Airport have this State's interests at heart?

The Hon. DIANA LAIDLAW: We have always had the State's interests at heart in arguing strongly for Adelaide Airport to be in the first round of leasing of airports. The honourable member will recall that Mr Brereton and the former Labor Government would not include Adelaide Airport in the first round of leasing, and this meant that it was the only international airport in the country that was being so severely disadvantaged. If we saw every other airport leased, we did not again wish to be the last on the list in the second round, and then deemed to be a secondary airport.

The Federal Liberal Government has indicated that it will be included, and it has done so in legislation before the Parliament. That legislation has been stalled in the Senate, because it involves some privatisation proposals. However, certainly Adelaide Airport is with this Government in the first round, and that is the first important thing.

Secondly, this matter, because of the Government's view that it has such significant economic development impacts for South Australia, is being addressed through the Hon. John Olsen, the Minister for Industry, Manufacturing, Small Business, and Regional Development, and Minister for Infrastructure, and, in terms of transport, my responsibilities are the extension of the runway. The Hon. John Olsen has met with a number of people who are certainly keen in bidding for the right to purchase the 99-year lease and, on each occasion, they are made aware that South Australia's economic interests will be at the fore in consideration of who will eventually be offered the opportunity to bid and in any acceptance of that bid.

The Hon. T. CROTHERS: As a supplementary question, is the Minister aware that the land on which the Adelaide Airport is based is owned by the DCI, which makes it Commonwealth territory—

The Hon. L.H. Davis: Gosh!

The Hon. T. CROTHERS:—and, therefore, not subject to many of the laws of this State? Well might the Hon. Mr Davis say 'Gosh!' I was saying that myself when I heard the question.

The Hon. T.G. Cameron: It was a peaceful Question Time until he came in.

The Hon. T. CROTHERS: Yes, it was; diver Davis. Therefore, it is not subject to most, if not all, of the laws of this State. What has the State Government done with respect to pursuing Australia's economic interests—in the words of the Minister—given that the fact that the land is currently owned by the Commonwealth may well put that beyond the capacity of the State Government to enact legislation with respect to control of any part of the Adelaide Airport?

The Hon. DIANA LAIDLAW: It is not beyond the capacity of the South Australian Government to influence, because this Government is working closely with the new Coalition Government in the interests of South Australia. It is for that reason that we are able, first, to secure the commitment, and then see it translated into legislation, that the leasing of Adelaide Airport would be in the first round of leasing. That came from the State Government's influencing the Federal Government in this matter. In all discussions I have had with the Federal Government in relation to the Adelaide Airport, I have no reason to believe that we will have any difficulty in continuing to influence positively decisions in relation to Adelaide Airport—decisions that will be in the economic interests of South Australia. We have as much capacity to influence a decision in that respect as the Victorian Government does in relation to the Tullamarine Airport. This has been demonstrated with our success today with legislation before the Federal Parliament.

HEPATITIS B

The Hon. BERNICE PFITZNER: I seek leave to make a brief explanation before asking the Minister representing the Minister for Health a question about hepatitis B immunisation.

Leave granted.

The Hon. BERNICE PFITZNER: Hepatitis B is a viral infection and, as such, is the cause of 80 per cent of all liver cancers, second only to tobacco among known cancers. There is a carrier rate of 10 to 15 per cent amongst those from some areas of Asia. Frequent exposure to blood and serum fluids is a high risk factor for transmission of the virus. There is a high likelihood of transmission of the virus during the perinatal period from an infected mother.

The National Health and Medical Research Council (NHMRC) has recommended universal hepatitis B immunisation for infants and children up to the age of 13 years. At present, there is the targeted immunisation policy, which aims at protecting people at high risk of contracting the disease, either through their lifestyle or occupation or being a member of a community with high rates of hepatitis B infection. The NHMRC has advocated strengthening and widening the current policy to include young children who do not show any symptoms of hepatitis B when infected, but they are a potential source of infection to others, and these children have a significantly increased risk of chronic liver disease and liver cancer in latter life.

The NHMRC has tried, since 1983, a program of selective immunisation, trying to reach the most vulnerable, but it has been unsuccessful. The program has not even reached 50 per cent of those in need of immunisation. The positive aspects of universal immunisation of hepatitis B is that not only are we protecting the children but also we are eradicating a reservoir of carriers that increases and accumulates over time. My questions to the Minister are:

1. Are we in South Australia looking at a possible program for universal immunisation for hepatitis B for young children?

2. If funds are tight, will the Minister obtain funding from the Federal Government, especially since such a program is recommended from their national health council?

The Hon. DIANA LAIDLAW: I will refer that question to my colleague in another place and bring back a reply.

STATE ECONOMY

The Hon. T. CROTHERS: I seek leave to make a precised statement before asking some questions of the Minister for Education and Children's Services and Leader of the Government in this Council about the economic state of the State of South Australia.

Leave granted.

The Hon. T. CROTHERS: Much has been said by Government Ministers over the past two years or so as to the need to reduce the size of the State's Public Service and to sell off State owned assets in order to reduce the State's debt. With respect to these matters, that well-known South Australian political commentator, Randall Ashbourne, makes the following observations in an article written for the *Public Service Review* this month. Under the heading, 'What happens when the grass goes Brown?', he says:

> More than 10 000 State public servants have been axed. More than $2 billion worth of public assets have been sold. Well over $100 million has been slashed from health and education budgets and the State debt has declined hardly one iota.

He further says:

> That is reality. The South Australian economy is as on the nose as the Patawalonga in high summer. Sometime next year, South Australians will be called back to the polls to register their verdict on Dean Brown's Government. Many couldn't wait. They've been voting with their feet. . . packing up and leaving South Australia convinced there is no future in South Australia.

To support his statement, Mr Ashbourne cites a recent Cabinet report which describes as disturbing the level of outgoing migration from South Australia to other States. Again, I quote directly from his article as follows:

> For the year to the end of June 1995 South Australia had a net migration loss of 6 529 people—

That bears repeating:

> . . . a net migration loss of 6 529 people. The overseas immigration intake is at a record low', the report says. 'Action needs to be taken to balance the net loss of South Australia's population through internal immigration.

The article also states:

> Employment levels of surveyed firms in the manufacturing industry fell by 1.2 per cent in the March quarter—

and that this fall—

follows the same percentage decrease reported in the previous quarter.

He cites as his reference the DEETYA quarterly survey of April 1996. He also mentions that:

> The number of new houses being built in South Australia has reached a record low.

He takes these figures from ABS data of June 1996. Mr Ashbourne states further:

> BankSA trends show that on many key economic measures including employment growth and private investment South Australia still has not recovered to levels achieved in the late 1980s.

He cites as his reference for this statement BankSA Business Focus of June 1996. In the light of the foregoing quotes from Randall Ashbourne's article, I ask the Minister:

1. What bearing does the Minister believe South Australia's net migration loss to June 1995 of 6 529 people has had on the State of South Australia's economy, and what conclusions in the light of the Cabinet document referred to by Mr Ashbourne should this Government draw from this loss of population? I note that the Minister is talking to Mr Davis. Mr Davis is an expert on this, because he used to ask these questions when we were in government.

2. In the light of the statistics mentioned by Mr Ashbourne from the ABS, the June 1996 BankSA Business Focus and the statistical surveys of April 1996 from DEETYA, what surveys is the Government drawing on each time it paints a rosy picture of how well this State is prospering under its guidance?

3. Finally, but by no means exhaustively, does the Minister for Education agree with his Leader's call to urge the new Howard-Costello Government to sack 35 000 Federal public servants; and, if the Premier's advice to the Prime Minister is taken in respect of these sackings, what impact would dismissals of such magnitude have on the economy of South Australia?

The Hon. R.I. LUCAS: I must say that Mr Ashbourne has been known by some members as a political commentator. Until this moment, I had not been aware of his expertise as an economic commentator in South Australia. Nevertheless, as always, I will read his article with interest. I will take the opportunity to examine the detail of the honourable member's questions and refer them to the Premier and bring back a reply as soon as I can.

GALLANTRY

In reply to **Hon. P. HOLLOWAY** (2 July).

The Hon. K.T. GRIFFIN: The ministerial directive referred to was one allegedly made by the Minister for Emergency Services, concerning the utilisation of the M.V. *Gallantry*.

Subsequent investigations have revealed that no such ministerial directive was ever made. The Minister for Emergency Services issued a media release on 4 July 1996, indicating that in fact the contrary was true, and he had instructed that the M.V. *Gallantry* be utilised where it was appropriate.

Accordingly, the question raised by the hononourable member is hypothetical. I have sought advice from the Crown Solicitor on the matter, bearing in mind that the question is hypothetical. The Crown Solicitor advises me that it is difficult to see how a failure to use the M.V. *Gallantry*, in a particular instance, could give rise to any liability on the part of the State. (Pursuant to section 79 of the South Australian Metropolitan Fire Service Act, liability attaches to the State rather than to an officer or firefighter, for acts or omissions done in the exercise or purported exercise of powers or functions under the Act).

As a general rule, it is difficult to establish the tort of 'negligent exercise of a statutory power' in the case of a failure to exercise the power. One assumes that a decision not to use the M.V. *Gallantry* in a particular instance would be based upon reasonable and relevant considerations; and if there were a general direction from the Minister to this effect, it would presumably also be based upon reasonable and relevant considerations such as (for example) the capacity of the M.V. *Gallantry*, the training of its crew and other available water rescue resources. In the Crown Solicitor's opinion, it would be extremely difficult for a plaintiff to establish that the failure to use the M.V. *Gallantry* in a particular instance gave rise to, or increased, the damage suffered by him/her (or occurred to property, etc).

I reiterate to the Council that it is difficult to provide a concrete answer to the honourable member's question, in the absence of a specific directive made by the Minister and in the absence of a particular fact situation giving rise to an allegation of negligence.

KANGAROO ISLAND TOURISM

In reply to **Hon. M.J. ELLIOTT** (3 July).

The Hon. K.T. GRIFFIN: The Minister for Tourism has provided the following response:

1. The impact of nature-based tourism on Kangaroo Island is being monitored through a pilot study for a temperate climate tourism region in Australia. The Limits of Acceptable Change Study arose out of community consultation and initiatives to identify the impact of eco-tourism on the Island. The study will develop a mechanism to identify, monitor and manage the impact of eco-tourism on Kangaroo Island's environment and social structure.

The study, to be completed in November 1996, will incorporate considerable consultation with relevant Government agencies, tourism operators, local government and the general community.

Manidis Roberts Consultants have been awarded the $75 000 contract to undertake the study with funds provided by the South Australian Tourism Commission (1/3) and the Federal Department of Industry, Science and Tourism (2/3). The Department of Environment and Natural Resources and the Department for Housing and Urban Development are also providing assistance with services for the study.

The study was recommended in the draft Kangaroo Island Sustainable Development Strategy and will be the first of the recommendations from the Strategy to be realised. The Department of Environment and Natural Resources, the Kangaroo Island Economic Development Board and the District Councils of Dudley and Kingscote will be major contributors. The development of this mechanism complements strategic planning being undertaken in the region.

The outcomes of the study will be:

- a 'limits of acceptable change' model for Kangaroo Island that will provide for the monitoring of key environmental, economic and social indicators;
- the development of a methodology for the monitoring of the key indicators and methods of managing;
- framework for responsible management of eco-tourism opportunities.

The project is a national pilot project and will contribute to the development of a national profile for eco-tourism in a temperate environment.

The value of the project is that it provides a management strategy to ensure the nature-based tourism experience of Kangaroo Island continues to provide access for tourists, but also maintains the natural resource, eg, the work carried out at Seal Bay is a good example.

2. The Government will take into account the findings of the Limits of Acceptable Change study and assess its implications before making a decision on the Sustainable Development Plan.

3. The Government of South Australia is firmly committed to the promotion of ecologically sustainable tourism in South Australia. The eco-tourism strategy developed by the South Australian Tourism Commission has been hailed worldwide as a leader in the field, and the recently released 'SA Naturally' brochure further develops the eco-tourism promotion and position in the market. However, the Government considers that while nature-based tourism is an important component of tourist attraction in this State, there are many other elements of tourism which are equally important, such as Aboriginal tourism, wine tourism, cultural tourism and festivals and events.

I am aware that there has been some local opposition to the growth of tourism, particularly day trippers, to Kangaroo Island. Equally, I am aware that there has been opposition to new tourism operators coming to the Island to service this new market.

The Government is serious in trying to manage the valuable natural resources of the Island and has acted promptly in response to changing demand and visitor patterns. For example, the South Australian Tourism Commission committed $200 000 towards a new board walk system at Seal Bay to accommodate the increased influx of tourists. The Government also is committed to try and entice tourists to stay longer on the Island, and is working to increase the amount and quality of tourism accommodation.

RESEARCH AND DEVELOPMENT

The Hon. R.D. LAWSON: I seek leave to make a brief explanation before asking the Minister representing the Minister for Industry, Manufacturing, Small Business and

Regional Development a question about research and development.

Leave granted.

The Hon. R.D. LAWSON: On 23 July, the Federal Treasurer announced that with effect from 5 p.m. on that day certain changes would be made to the taxation regime which would allow a 150 per cent deduction for expenditure on research and development in certain circumstances. The savings to the Commonwealth revenue between now and the year 2000 were estimated to be $1 billion. One of the strategies of the South Australian Government has been to encourage research and development in this State. My questions are:

1. Will the Minister examine whether the proposed changes will have any effect on *bona fide* and legitimate research and development in this State; if so, what will that effect be?

2. Does the Minister have in place other strategies, if necessary, to maintain the level of research and development in this State?

The Hon. R.I. LUCAS: I will refer the honourable member's questions to the Minister and bring back a reply.

YEAR OF TOLERANCE

The Hon. ANNE LEVY: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services as Leader of the Government in this place a question about the International Year of Tolerance.

Leave granted.

Members interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY: The year 1996 has been designated by the United Nations as the International Year of Tolerance. There have, of course, been many years designated in this way: 1975 was the Year of the Advancement of Women; and I think 1981 was the Year for the Disabled.

The Hon. Sandra Kanck: The Year for Peace was in 1986.

The Hon. ANNE LEVY: Yes, 1986 was the Year for Peace, and I think last year was the Year for Indigenous People, and so on. As far as I am aware, Governments in this State of both political colours have always done something to recognise the international year designated by the United Nations. In fact, they commenced preparations for recognition of the designated year well before the beginning of that year. The Year of Tolerance is more than half over, and I have heard absolutely nothing from this Government regarding any recognition of it.

The previous Federal Government undertook a number of projects, which are continuing despite the change of Government. I refer to the absolutely wonderful exhibition on tolerance which the National Museum of Australia is now showing in Edmund Wright House. This is a fine contribution by the previous Federal Government to the International Year of Tolerance. I ask the Leader as the representative of the Government: what, if anything, is our State Government doing to recognise the International Year of Tolerance; and, if it has activities planned, will it give publicity to them or, if it has no activities planned, will it plan some as a matter of urgency?

The Hon. R.I. LUCAS: I thank the honourable member for her question. I will refer her question to the Premier and Minister for Multicultural and Ethnic Affairs for a collation of Government responses in relation to this area. I suspect that the Minister's response will be along the lines that this Government is more interested in taking action than publicity for a particular year.

The Hon. Anne Levy: I asked what you were doing for the year.

The Hon. R.I. LUCAS: I suspect that the response will be that this Government is getting on with the task of taking action. For example, as Minister for Education and Children's Services, I can say that we are engaged in the development of the next 10-year languages development policy and plan for all Government schools in South Australia. That will be a significant initiative in terms of building bridges between the various communities within multicultural South Australia and Australia.

The Hon. Anne Levy: It is a one-year event.

The Hon. R.I. LUCAS: It is not a one-year event. Nevertheless, this year the Government is getting on with the task of important administrative and policy changes within portfolios such as education and children's services to demonstrate the reality of multiculturalism and, in my case, multicultural and culturally-inclusive education within our schools and the broader community.

The Hon. T.G. Roberts: Is that why you closed The Parks High School?

The Hon. R.I. LUCAS: If the honourable member wants to have a debate about The Parks High School, or any other high school, I shall be happy to discuss that issue.

The Hon. T.G. Roberts: In what forum?

The Hon. R.I. LUCAS: Here, any time. Name your time and place.

The Hon. Anne Levy interjecting:

The Hon. R.I. LUCAS: Speak to your colleague. He has been interjecting most inappropriately on your question. I suspect he is being intolerant in terms of your question. The Department for Education and Children's Services is undertaking a range of important activities designed to develop our future adult citizens—people who will be tolerant in their personal attitude and behaviour when they become part of the broader South Australian community. There are a number of changes which I shall be happy to discuss. There is the languages development policy, and a national Asian languages program strategy is being developed by both State and Commonwealth Governments. That program relates to the development of Asian languages, knowledge and broad understanding of Asian cultures within our schools and broader community. The Multicultural Education Coordinating Committee is also undertaking a number of ongoing activities relating to culturally-inclusive education. There are a number of initiatives, and my portfolio is just one of 13 undertaking policy—

The Hon. Anne Levy: Is anything specific being done for the International Year of Tolerance?

The Hon. R.I. LUCAS: I think it is an intolerant attitude to take—

The Hon. Anne Levy: I am asking a question.

The Hon. R.I. LUCAS: I am answering it. I think it is intolerant to state by way of interjection that the things that I have talked about in terms of building bridges between various communities in South Australia by spreading the knowledge of languages and the understanding of cultures has nothing to do with the International Year of Tolerance.

The Hon. Anne Levy: I didn't say that.

The Hon. R.I. LUCAS: That is exactly what you said. The honourable member interjected, 'So you are doing nothing for the International Year of Tolerance.' The

honourable member is being intolerant by adopting an aggressive and provocative attitude towards an issue which ought to be bipartisan and apolitical.

The Hon. Anne Levy: I asked a question.

The Hon. R.I. LUCAS: It is not the question; it is the interjections, in an aggressive and provocative way, on an issue which ought to be—

The Hon. Anne Levy interjecting:

The Hon. L.H. Davis: The United Nations would not be pleased.

The Hon. R.I. LUCAS: Exactly. As someone who was a shadow Minister for much longer than I would have wished—seven years—I can say that in relation to multicultural education and multiculturalism I was one of the strongest supporters of the previous Labor Government's general direction in which it sought to take South Australia. On a number of occasions in this Chamber, when in the Federal arena issues were raised which threatened the broad direction of bipartisan support for multiculturalism, as an Opposition member I supported State Labor Government policies generally in terms of that direction. In my judgment, it does the honourable member no good, by way of interjection, to seek to make political points in relation to the International Year of Tolerance as she has sought to do in Question Time this afternoon.

I have a very strong view that if multiculturalism is to work in our society, it needs to have the continued support of both major Parties in South Australia and to have tolerance as well. Interjections which seek to state that this Government is doing nothing for the International Year of Tolerance are intolerant in themselves. I reject the intolerant attitude expressed by the Hon. Anne Levy.

My colleagues have provided me with something which comes under the heading, 'South Australian Multicultural and Ethnic Affairs Commission, Office of Multicultural and Ethnic Affairs, Strategic Plan for a Multicultural South Australia from 1996 to 1999.' There are a number of examples across the portfolio areas which I would be pleased to have the Minister responsible compile and provide to the Hon. Anne Levy to indicate that this Government, in a practical way, is implementing policies which will promote tolerance within the broader South Australian community.

BICYCLES, EMERGENCY LANES

The Hon. SANDRA KANCK: I seek leave to make an explanation before asking the Minister for Transport a question about cyclists riding in emergency lanes on freeways.

Leave granted.

The Hon. SANDRA KANCK: Many of our freeways have emergency lanes marked on the edge of the road, and some cyclists use these lanes because they are safer than the main part of the road. However, the legality of this practice seems to be uncertain.

According to the Traffic Code of South Australia, people are not to travel on this part of the road unless stopping. However, not only do cyclists use these lanes, but some slow-moving motorists also use them so as not to hold up faster-moving traffic. It has been suggested that cyclists should be allowed lawfully to use the emergency lane because it is a much safer part of the road and that a more rigorous application of the law should apply to all other motor vehicles using emergency lanes. My questions are:

1. Will the Minister confirm whether it is against the law for cyclists to use emergency lanes?

2. If not, will the Minister consider expanding the function of emergency lanes as a safer option for cyclists and mark the road appropriately?

3. Will the Minister provide statistics on how many motorists are caught using the emergency lanes for normal driving purposes and advise what fines have been levied on motorists caught using these lanes?

4. Will the Minister ensure that the current law is more strictly applied to motorists travelling in these emergency lanes?

The Hon. DIANA LAIDLAW: I welcome this question. In our cycling policy released in September 1993, the Liberal Party now in government noted that cycling is banned on the South-Eastern Freeway, that from Stirling to Murray Bridge the ban does not cause cyclists much of a problem because there is a reasonable alternative route—the original Princes Highway—but that between Stirling and Crafers the freeway is built on the old Princes Highway, therefore forcing cyclists to use the steeply graded Ayers Hill or Gould Roads. The policy goes on to say:

> Liberals believe that there is merit in lifting the freeway cycling ban, recognising that throughout the world more sections of freeways are being opened up to cyclists and that cyclists are permitted to use the Western Freeway between Melbourne and Ballarat.

It further states:

> We will lobby the Federal Government to lift the ban on freeway cycling between Crafers and Stirling and facilitate cycling on this section by sealing a portion of the emergency left-hand lane. In the meantime, signs will be installed at Murray Bridge highlighting the alternative route for cyclists via the old Princes Highway to Stirling.

I recall writing to the former Federal Minister of Transport, the Hon. Laurie Brereton, but do not recall receiving a reply. I will take up the issue again because national highways and expressways are, as the—

The Hon. Sandra Kanck interjecting:

The Hon. DIANA LAIDLAW: That is a State road, and I did not understand that the honourable member was referring to them.

The Hon. Sandra Kanck: That has an emergency lane.

The Hon. DIANA LAIDLAW: But I thought, from the comments she made, that the honourable member was referring to the expressways. In terms of national highways, which are a Federal Government responsibility, I will pursue the question again in terms of rural arterial and urban arterial roads, which are a State Government responsibility. Increasingly, the shoulders of roads are being widened—even up to a metre in some areas—to accommodate cyclists and for various other safety reasons. So, it is not always a matter of having an emergency lane. Cyclists can be accommodated by an extension of the shoulders of the road. That is certainly not as expensive as the provision of emergency lanes and certainly would provide more extensive opportunities for cyclists. Nevertheless, I will seek specific advice about emergency lane use and the other details that the honourable member has sought in her other questions.

MATTERS OF INTEREST

OLYMPIC GAMES

The Hon. T. CROTHERS: I thought it would be most

appropriate today if I had as my subject the Olympics. Whilst I may not make an Olympian and oratorical input, as perhaps that champion of all Olympians—Zeus—I will simply do my best.

The Hon. A.J. Redford interjecting:

The Hon. T. CROTHERS: The Irish swimmers went better than your Australian swimmers, I remind the honourable member. I speak as a former athlete of some repute, ill or otherwise. I was a very amateur athlete and a very amateur former boxer who used to have to pay money each week to participate in the sport of my choice. The cross country club fee was 2/6d per week.

The Hon. A.J. Redford interjecting:

The Hon. T. CROTHERS: I wish you would go and lie down—some of our ears would get a rest if you did that, Mr Redford. It was 2/6d per week for my membership of the harriers' club and some 2/- per week for my use of the boxing facilities in the amateur club to which I belonged. It fairly makes me grieve when I see the Olympic Games today and the ethics and principles that were embraced and were meant to be embraced by the Baron de Coubertin when he in 1896 in Paris resuscitated what had been the games of ancient Greece from around the seventh century BC through to about the time of Alexander the Great—at that time the son of King Philip of Macedon.

It makes me grieve when I see how that principle has become so commercialised—all buggered up (to use that expression) in the name of media coverage and in the name of the mighty dollar. In those terms the principles of the Olympic Games and those of the athletes competing have been thrown out the window. We will have cup throwing as an Olympic event in the year 2000 in Sydney if it keeps on expanding at the obscene rate that has been the case since the Spanish President took over from old Avery Brundage. Avery Brundage himself was a champion amateur sportsman, who fairly grieved even in his day at the amount of sham amateurism that was then being encouraged by both the United States and the USSR.

Billions of dollars are spent in putting on the Olympic Games each year. Australia now has its own Institute of Sport. It all goes down to assuage and massage the ego of our citizens and reminds me of the old Roman empire maxima of 'Give them bread and circuses.' We then forget about all the other more important events that we should be addressing. There are 20 million people who die of starvation each year, and we are expending billions of Australian dollars—thousands of millions of dollars—each year on putting on this thing which has become a commercial charade.

Many of the old Olympic champions would be spinning around in their grave at the unedifying spectacle of people such as an Australian cyclist and others who would not take the principle of team discipline and perhaps sacrificed another better Australian cyclist in respect of letting her participate in the event for which she was chosen by the Australian Federation of Cyclists' selectors.

I make that point because this is how commercial the event has become, how much it has changed the principle of those who would be competitors at such an event as the Olympic Games. It certainly denigrates the principles from which the games emanated in ancient Greece when wars and everything else were put off so that the Games could run the race that the ancient Greeks had chosen. It has been subverted today, and that is sad and unfortunate. God knows how much more we expend by setting up our sports institutes and other areas which also cost the nation tens of millions of dollars every year so that we can try to compete with the rest of the nations of the world in what used to be amateur sports.

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

ADELAIDE 21 PROJECT

The Hon. R.D. LAWSON: I draw to the attention of the Council the publications of the Adelaide 21 project which were released earlier this month. This project results from joint sponsorship of local, State and Commonwealth Governments. The steering committee under the chairmanship of Dr Don Williams has produced a number of notable, interesting and challenging reports. The first of them, entitled, 'Adelaide 21, City Centre Strategy for the New Era', contains many practical and sensible suggestions for improving the city of Adelaide. Those strategies run from a number of transport initiatives, most of which are already in hand but which still require either completion or additional funding to bring to fruition.

The report recommends matters such as completion of the Burbridge Road/Grote Street, Adelaide Arrive Project, and the implementation of the Mile End railyards redevelopment and matters such as the conversion of the Old Treasury Building to hotel accommodation on the corner of King William Street and Victoria Square opposite the GPO. It also recommends facilitation of a number of hotel projects on desirable sites. These are all sensible proposals, as are a number of proposals for the North-East quarter of the City of Adelaide, which the authors of the report describe as the centre of gravity of the city.

Once again we have practical and sensible suggestions which will bear close examination. One is the enhancement of North Terrace in a style befitting its status as Adelaide's cultural boulevard. The authors of the report suggest that the through traffic along that boulevard be substantially reduced. It is suggested that East Terrace itself have reduced traffic flows. Suggestions are made for the West End precinct of the city and also for the Central Market area where it is proposed that the Chinatown area near Moonta Street be enhanced and extended. A redevelopment of the Central Bus Terminal is proposed. The completion of Gouger Street improvements is also commended. The report notes that Grote Street is the main entrance to the city centre from the airport and should be upgraded.

Another of the recommendations, perhaps a little more controversial but one that is worthy of support, is the proposed establishment of an Adelaide capital city partnership. The stakeholders of that partnership would include major businesses in Adelaide, the key educational institutions within the city, major Government bodies—both State and Federal—the cultural institutions and representatives of the city's diverse communities, including young people. It is envisaged that this partnership, which is based upon successful models in North America for similar initiatives, would be managed by an executive of seven, elected from the stakeholders I have mentioned, with a high degree of initiative, understanding and experience. It is proposed that the City of Adelaide, the State and the Commonwealth Governments would primarily fund the formation of this partnership. The report, which I have mentioned, is but one of a number of reports issued including implementation plans, issues and directions for strategies, all of which warrant the closest examination by the Government and I suggest by members of Parliament.

ABC FUNDING

The Hon. SANDRA KANCK: Last week the Federal Government announced substantial budget cuts to the ABC. This has led me to consider the place for questioning and maybe even dissent in our society. Some members might have heard the observation made by Keith Conlon when he was speaking with Julia Lester on 5AN last week that, by rating higher than Jeremy Cordeaux, which he does, he is a threat to commercial broadcasting but, if he rates too low, he is accused of being elitist.

The Hon. T.G. Roberts interjecting:

The Hon. SANDRA KANCK: Jeremy is a real threat! It is this sort of tightrope that the ABC has been walking for many years. The other tightrope that the ABC has been walking has involved trying to please some Liberal MPs who claim that the ABC is too left wing. The Premier of Victoria, Jeff Kennett, has conducted his own personal boycott of the ABC, refusing to be interviewed by ABC journalists and commentators on many occasions. Whether or not the accusation of bias has any substance, it seems to have developed into a sort of mythology on the part of the Liberals and now that we have a conservative Government at the Federal level it sees it is time for payback. As to the things that the ABC does best, that is, questioning, looking at things from more than one perspective, holding up a mirror to society, presenting the views of minorities or oppressed groups, these things are now threatened. For many years—

The Hon. R.D. Lawson interjecting:

The Hon. SANDRA KANCK: You are illustrating exactly what it is that the ABC is up against. For many years universities played that sort of role in society. They were a place where new ideas were generated, where it was considered justifiable, desirable and sometimes crucial to question mainstream thinking. Through our universities came the major push of thousands of young people to stop Australia's involvement in Vietnam, and they were successful. But since the 1980s and institutionalised unemployment it is no longer okay to be radical. What matters now is that people should be able to get jobs when they graduate and dissenting does not look so good on a CV and universities have increasingly taken on the function of producing well turned out graduates who are suitable fodder for the corporate world. Simultaneously, as dissent has been reduced on our university campuses, we have seen the appearance and development of a number of right wing organisations such as Joh Bjelke Petersen's H.R. Nicholls Society and right wing think tanks such as the Institute of Public Affairs.

As a result, the ABC has become something of a loner in continuing to question, probe and challenge and obviously that is not comfortable to some. We are following the United States example of discouraging dissent. Recently, I attended a dinner addressed by a lawyer who has just spent 12 months in the United States and he described a way of thinking which is virtually endemic there and which appears to be catching on in Australia. It is a way of thinking that says that the *status quo* is good because it is the *status quo* and anyone who questions the *status quo* is considered to be causing the problem. As a consequence, the social justice and environment movements are being increasingly sidelined in the US. There have always been ways of thinking and behaviour that have been accepted in society until someone begins questioning them. The use of child labour in Britain was once accepted unquestioningly as was institutionalised racism in the US. There is no doubt that questioning can be dangerous, because it can change the order and predictability of a society and the economy and can often reduce the power of the powerful.

That brings me back to the ABC. I believe the ABC performs an incredibly valuable role in our society by taking the lead in that sort of questioning. We should be valuing and encouraging that role as part of getting closer to a more human and humane society. The budgetary actions of the Liberal Party in Government at the Federal level should be condemned.

FIREARMS

The Hon. G. WEATHERILL: I want to address remarks to the Port Arthur massacre which occurred about two months ago. For some time in the media and newspapers there has been comment about the gun laws in the different States around Australia. I point out that the Prime Minister and the Leader of the Opposition went to Port Arthur. Not only were they shocked, but there was shock around the world about this terrible tragedy. Despite this terrible tragedy, the Prime Minister acted quickly to set up a Police Ministers' meeting and the Prime Minister decided to ban different types of weapons. That was a knee jerk reaction caused mainly by the power and pressure of the media at the time not only on the Prime Minister, who was in a vulnerable position after seeing such carnage, but then there was the running around to the shooting clubs and the like and getting them stirred up, and he did a good job on that. However, I believe it would be better for the Prime Minister to stop and instead get on with running the country and start worrying about people who are out of work because no employment is happening in South Australia that I have seen. No matter where you go in this country—

The Hon. R.D. Lawson: Look at the figures.

The Hon. G. WEATHERILL: Anyone can work figures. The honourable member should go out into the real world—it is all very well sitting in here. In my opinion, a lot of this hype from the media and from different members of Parliament could have been calmed down by setting up a Senate select committee, which would have given everyone a fair say, instead of fighting about it in the newspapers and the news media. A decision should have been made that was binding on everybody because, since then, some parliaments have moved legislation and they are now amending that legislation, which is quite stupid when you think about it because the problem could have been resolved by a Senate committee.

A Senate committee has a lifespan of three months. It could have heard evidence from all parties involved and something could have been done, and you would not have this problem with Parliament sitting long hours trying to get through legislation which has been amended to hell. It is just not acceptable. Over the past 2½ years, and since the Liberal Federal Government took office, South Australia has been paying off people in State Government departments as fast as it can go. We are told, 'Look at the figures. On the figures there is plenty of work.' Well, I would like to know where that work is because no matter where I travel in this State people say to me, 'Once I am over the age of 45, where am I going to get a job?' And you do not hear that from just one person but from hundreds of people in this State.

If you go down to the labour exchange, or whatever it is called, you can see that the people are absolutely decimated. Young kids and other people are going there week after week

trying to get a job. The Federal Government is now talking about requiring people to report the times and places they attend for job interviews. I can tell members that after a while that routine gets pretty heavy on kids. First, they go to the exchange to look for a position, and then they go home and their parents get on their backs. It is just pretty heavy stuff. You wonder why there are street kids but it is because they cannot stand the pressure any more.

What we are doing is totally wrong and this legislation has been the best cover up. That is all the media talks about. The media never mentions employment or unemployment: it is all about this gun legislation. Let us get back to what we are supposed to be here for and get some people some jobs in this State and, like the Premier said, let's get the State moving. We are not holding it up. We want the Government to do something about it and we will support it.

ADELAIDE AIRPORT

The Hon. J.C. IRWIN: I never seem to get through the few issues I want to raise in the five minutes available, and that is quite understandable. My contribution today is really left over from when I spoke last time. Adelaide Airport continues to be the worst in the world. Certainly, as a domestic terminal, it is the worst of any Australian capital city I have visited. Pity help the travelling tourist if it is raining, especially this winter. I have experienced that myself recently: you get wet when you go from your car or taxi to and from the terminal building; you get wet getting in and out of the aeroplane; you are fleeced on any item you buy at any of the shops at the airport—

The Hon. Anne Levy: And there are no seats outside for smokers.

The Hon. J.C. IRWIN: I was not going to address that issue. If you happen to have a hire care and fill it with petrol—and, I suppose, it is your own fault if you do that—at the last minute, then the airport service station charges at least 10¢ a litre above the highest priced service station in metropolitan Adelaide. It is a great pity that, on many occasions, tourists are left with a bad impression coming into and going out of Adelaide just through the airport terminal and its facilities.

I now applaud the fashion house Max Mara, which has opened a business on North Terrace at the corner of the Myer facade, which was formerly Shell House. I am not meaning to give any sort of individual publicity to the fashion house Max Mara, but I applaud it for having the courage to locate its facade on North Terrace. In the context of the debate about North Terrace and that cultural boulevard, I believe it would be wonderful to have as many of those high quality stores opening right along North Terrace. It is a very difficult financial climate for retail business, and I understand that. I wish Max Mara well, and hope that many other businesses will follow suit and open where they can along the south side of North Terrace. It will not be easy to do that for, without a huge change to some of the old buildings and their facades which face onto North Terrace, many fairly old, there are not many openings in which to locate these shopfronts. I would love to see North Terrace as not necessarily only high class but a good class shopping precinct, where people can buy, look, promenade, and obviously make their way across to the cultural excitement on the other side of North Terrace.

One issue that has bothered me for sometime relates to the numberplates on our cars. As with some members in this place, I grew up with the old black numberplates, which read SA 1, 2, 3, 4 etc., through to the highest numbers. I do not think any letters were in front of 'SA' in those days, but they were numbers—

The Hon. T.G. Cameron: No, there were not.

The Hon. J.C. IRWIN: There were not, that is right.

The Hon. L.H. Davis: 'SA', with a number after it.

The Hon. J.C. IRWIN: That is right. The black numberplates. I have not done an awful lot of research, I am just racking my memory on this but, at one stage, it was seen to be elitist to have a numberplate SA 1, 2, 3 or 4. They were replaced sometime during the Dunstan era. Around that same time the almighty dollar came in and one could see that having a personalised numberplate would be elitist. There was money in that and they started to show, what I would call, their ugly face.

The Hon. T.G. Cameron: So you have not got one on the big Jag?

The Hon. J.C. IRWIN: No, we have not. I got the one that came with the car. We now have the most amazing mixture of numbers and letters paraded before us that I have ever seen. I guess the police are assisted now with photographic evidence of cars flashing past, but how can the police visually pick up some of the mixtures of numbers and letters? Some have numbers first, some have letters first and they are reversed on some other cars. I am glad that I have had time to get that series of grouches off my chest. If I had another few minutes I would move to the area—which is rather a strange leap—of dipping sheep and lice control.

The Hon. L.H. Davis: Just pull up stumps there, I think!

The Hon. J.C. IRWIN: Well, having experienced the Joint Sitting here today, perhaps a lot of the members in this place might have been improved by a bit of a dip, to get the lice and scratchiness off them, but that is an issue I will mention next time.

TRANSADELAIDE

The Hon. T.G. CAMERON: I am only sorry I am not in a position to exchange my five minutes of grievance debate time today to hear the Hon. Jamie Irwin's contribution on sheep dripping, and on whom he thought might be the first candidate. I know we have a few woolly people on the other side of the fence. The easiest thing in the world is to stand up in this place and, with parliamentary privilege, criticise or engage in personal attacks and personal vilification. I do not think this morning's nomination of Jeannie Ferris and the conduct of some people in this Chamber during that Joint Sitting did either this Chamber or anyone who was present any credit.

It is often said that it is much more difficult to compliment someone than it is to criticise them. If that is the case, then today I will take on a more difficult task and hand out a bouquet to TransAdelaide for the advertisements it has been running on page 5 of the *Advertiser* titled 'Your Guide to Ride'. I do not know whether any members have seen these ads, but they have been running in the *Advertiser* for approximately three years. Similar columns are being run in the *Southern Times* Messenger dealing with matters related to the Lonsdale depot, which operates in the outer southern transit region. Ads are also run in the *Mount Barker Courier* for matters relating to Hills Transit, which service is run by TransAdelaide.

The advertisements provide service information, special events, updates, transit tips, timetable or route alterations, as well as a host of other extremely useful information. Obviously, the aim of these advertisements is to keep TransAdelaide's customers fully informed about public transport matters and to bring to the attention of people who do not or rarely use public transport the full range of TransAdelaide services that are available. The advertisements, which are not only well laid out and easy to read but are also chock-full of useful information for commuters and the public, are run on page 5 of the *Advertiser* and, I suppose, would be somewhat expensive.

TransAdelaide is going through a difficult period, but it is great to see a Government operated service not only fulfilling its community service obligations but also exceeding them. Let us hope that private operators emulate TransAdelaide's attitude toward its customers and provide a similar service. A recent article, headed 'Peninsula—totally accessible', contained the following useful information. The article talked about how TransAdelaide's new accessible minibuses are now exclusively servicing the LeFevre Peninsula. It set out where people could go and see them, said demonstrations were being conducted and it set out the times. The advertisement also provided useful information on school holidays and a 'Super fun day at the bay'. It also provided advice to commuters on what to do if they are having difficulty carrying heavy articles on to buses and trams. Again, that is another useful piece of information. It referred also to fare increases and talked about the quarterly timetable updates and set out some timetable information for commuters.

In addition to providing useful information to commuters, the advertisements also market some of the services that TransAdelaide provides. For example, I wonder whether members realise that TransAdelaide runs a service called the Port Adelaide Get About Loop, which runs every Sunday and, for $5 one can spend all day taking a guided tour of one of our most historic precincts. I am the shadow Minister, and I did not know it was running that service. I take this opportunity to congratulate TransAdelaide for the innovative and informative advertisements, and I look forward to reading them for years to come.

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

NUMBERPLATES

The Hon. L.H. DAVIS: It is a small world. My colleague the Hon. Jamie Irwin made brief reference to numberplates, and that is my subject this afternoon. Numberplates on cars have become a way of promoting a State. Queensland leads the way—certainly in my view—in numberplates. The standard numberplate is 'Queensland—Sunshine State'. However, personalised plates can also be acquired for $275, and a car owner can select three letters, two numbers and either a theme plate or a coloured plate. The themes that are available in Queensland are 'Tropical Queensland', 'Queensland—Great Barrier Reef', 'Outback Queensland' or 'Gold Coast Queensland'. There is a very visual and colourful symbol with each of those four options. Colours are white lettering with either red, black, blue or maroon background. There is no State slogan; it just shows 'Queensland' at the top. The Queensland Government's aim is to get 10 per cent of total registrations of the 2.4 million cars in Queensland onto special plates, and that obviously is a nice little earner for Government coffers. The State Government carried out extensive research to ascertain what the public wanted before marketing these personalised special plates.

In Victoria, the standard numberplate is available with 'Victoria on the Move'. With personalised plates, $95 buys a blue and white plate with your initials and three or four numbers. Personalised plates have 'Vic' on them. It is a wonder it is not 'Jeff'; however, it is 'Vic'. A driver's name costs $295 and a slim line version of the numberplate is available. It must have six characters, and comes in a choice of black and white, light green, dark green, red, maroon, mid blue, dark blue, brown and burnt orange.

In New South Wales, the standard plate slogan is 'NSW Towards 2000'. Custom plates have the same slogan. For $150 you can have a combination of three letters and three numbers in black and yellow, and two letters or three or four numbers in black and white. There are premium plates which can be purchased and which just show 'New South Wales' in the centre. They are white with black writing and are smaller. They are $165, with three letters, two numbers and another letter.

Finally, the standard plate for Western Australia has the slogan 'the Golden State'. As I remember, it used to be 'the State of Excitement' until the Labor Party came along. Custom plates can be personalised; three letters and three numbers cost $77.50 in blue and white, and then metal embossed custom plates are available for $200. Polycarbonate plates are also available in blue with white lettering, costing $295. The custom plates come in a combination of letters or numbers in black and gold, white and black, green and gold, green and blue and blue and white. Then, finally, plates can be purchased with a personal name, eight characters only, with white background and blue lettering.

Finally, I come to South Australia, which is 'the Festival State'; it has a piping shrike on the standard plate. The custom plate shows 'South Australia'. You can have one to six digits, any combination of letters and/or numbers for $150, or seven digits for $250. The colours available are yellow and black, blue and white, green and white, black and white, green and yellow, blue and yellow, and blue and white.

There has been a lot of argument about a new slogan for our numberplate. 'The Festival State' was still the preferred slogan the last time an opinion poll was taken on that matter a couple of years ago. 'Going all the Way' came and went as a slogan for a numberplate, and I do not disagree with that. My suggestion is that South Australia should look seriously at the Queensland idea of having themes. There is an option. One can have a 'Tropical Queensland', 'Queensland—Great Barrier Reef', 'Outback Queensland' or 'Gold Coast Queensland' theme.

I would suggest that in South Australia we give people the option of having a numberplate with either 'the Festival State', 'the Wine State' or 'Gateway to the Outback'. We could have a fourth one eventually when we fully develop what I think is one of the greatest options we have for tourism, that is, a rose festival—with one day drivers having a plate—'the Rose State'.

LEGISLATIVE REVIEW COMMITTEE: REPRODUCTIVE TECHNOLOGY ACT

The Hon. R.D. LAWSON: I move:

That the report of the Legislative Review Committee on the regulations under the Reproductive Technology Act 1988 be noted.

On the last Wednesday of sitting, the report of the Legislative Review Committee on regulations under the Reproductive Technology Act was tabled. The report is the result of work done over a number of months by the committee on a very challenging task. It is worth reminding the Council of the background history to this matter. In 1988, the Reproductive Technology Act was passed. That Act had been the subject of an inquiry by a select committee of this Parliament over a number of years. Its passage caused some controversy. In many respects, it represented a compromise between differing interests on the subject. The Act provided that the South Australian Council of Reproductive Technology be established. That council established under the Act consists of 11 members appointed by the Governor, five of whom are nominated by the Minister for Health, one each by the University of Adelaide and the University of Flinders, one each by two of the learned medical colleges, one by the Heads of Churches in South Australia, and one by the Law Society.

The Act sets out the functions of the council. The first function is to formulate and keep under review a code of ethical practice to govern the use of artificial insemination procedures and research involving experimentation with human reproductive material. The Act defines 'human reproductive material' as including human embryos, human semen and human ova.

'Reproductive technology' is defined as that branch of medical science concerned with artificial insemination. The whole field of reproductive technology has excited a great deal of public interest in recent years. All members will be familiar with the great developments that have been made in recent years in relation to *in vitro* fertilisation programs and the like. It is unnecessary for me to outline to the Council some of those developments, but it is worth saying that those developments have been welcomed by the community and are an outstanding example of the value of medical research. Many couples who previously did not have the opportunity to have children have been provided with that opportunity by reason of developments in reproductive technology.

I return to the Act. I mentioned briefly that the Council of Reproductive Technology was charged with the responsibility to formulate and keep under review a code of ethical practice. Section 10 of the Act provides that the code of ethical practice must contain provisions which cover a number of effects: for example, the practice known as embryo flushing must be prohibited; a human embryo must not be maintained outside the human body for a period exceeding 10 years; and the culture of a human embryo outside the human body must be prohibited beyond the stage of development at which implantation would normally occur.

That section goes on to say that in addition to those mandatory provisions there could be included by way of adoption with or without modification codes or standards of practice adopted elsewhere than in South Australia. The section provides that the code of ethical practice will be promulgated in the form of regulations. Clearly, Parliament envisaged as an important part of the legislative mechanism that there would be parliamentary scrutiny of the codes of practice. That scrutiny was reinforced by a provision of the Act which stated that the regulations would not come into force until such time as they had been examined by the Legislative Review Committee and, of course, as with all regulations, they would be open to disallowance by either House of Parliament.

I should mention that an important provision of the Act is a requirement for the licensing of those engaged in Reproductive Technology. Sections 13 to 15 of the Act specify that persons carrying out artificial fertilisation procedures or research involving experimentation with human reproductive material would require a licence to be issued by the Council of Reproductive Technology. Section 14 of the Act contains a very important protection. It stipulates that any licence issued is to be subject to the conditions defining the kind of research authorised. Section 14(2)(b) provides that any such licence will be subject to:

. . . a condition prohibiting research that may be detrimental to an embryo.

A licence is also subject to a condition requiring the licensee to ensure observance of the code of ethical practice formulated by the council in relation to research, and the council itself is empowered to stipulate such other conditions as it desires.

The Reproductive Technology Act basically came into operation on 1 April 1988, although some parts of section 14 came into operation in July the following year. The Reproductive Technology Council was duly appointed. One envisages that the Parliament when it passed the legislation would have expected the council to produce a code of practice before it did, because it was not until 1995 that the code was produced. The committee heard evidence that there was difficulty in preparing a code that was acceptable to all sections of the council.

The council has as its members a number of distinguished South Australians, and that membership has changed over the years. Professor Lloyd Cox, nominated by the Royal Australian College of Obstetricians and Gynaecologists, was a member from, I think, 1991 to 1994. Warren Jones, Professor of Obstetrics and Gynaecology, nominated by Flinders University, was a member for some time. Father Laurence McNamara of the St Francis Xavier Seminary, nominated by the Heads of Churches in South Australia, served the council over a number of years and was still a member of it at the time of the formulation of the code of practice, which is the subject of the regulations. Father McNamara gave very helpful evidence to the Legislative Review Committee. His evidence is referred to in the report, and I will refer to it shortly.

Colin Matthews, Professor of Reproductive Medicine at the Queen Elizabeth Hospital, nominated by the University of Adelaide, was a member of the council for a number of years. Marcia Neave, Professor of Law at the University of Adelaide, nominated by the Minister for Health, was also a member for a period of time. The Reverend Doctor Christopher Pullin was a member. Mrs Judith Roberts, nominated by the Minister for Health, was Chairman of the council at the time of the publication of the code. Mrs Roberts also gave evidence, as did Professor John Kerin, who for a time was a member of the council.

There were other distinguished members of the council over a number of years, and it is perhaps unnecessary to mention them all by name. Their task was one of considerable difficulty, because it transpires that codes of practice of this kind are not yet well developed in other jurisdictions, so it took this distinguished council some time to produce a code in response to the requirements of the Act.

Two codes were produced. One, in regulation 188 of 1995, entitled, 'The Code of Ethical Research Practice,' deals with

research matters. A sister code embodied in regulation 189 of 1995 was also promulgated. This code is entitled, 'The Reproductive Technology Code of Ethical Clinical Practice.' That deals not with research matters, but with clinical medical practice—namely, the treatment of infertile couples, artificial insemination and the like. It was not specifically envisaged in the Act that there would be two codes of practice. In fact, the Act really speaks of one. However, it was the view of the committee that there was no objection, either legally or in principle, to the promulgation of two codes of practice dealing with the two separate areas of concern.

There were two objectors to the regulations. The first was Dr John Fleming, who is the Director of the Southern Cross Bioethic Institute, established in Adelaide. This institute is dedicated to the study of bioethical issues. Dr Fleming is well known in the South Australian community and is an international expert on bioethical issues. He is also a well-known radio commentator in this State and has been for a number of years. He was a member of UNESCO's International Bioethics Committee, and he is also a priest of the Roman Catholic Church.

Dr Fleming did not object to the code of clinical practice. However, he argued that the research code should be disallowed because certain of its provisions were repugnant to section 14(2) of the Act. That is the section which specifies that any licence will be subject to a condition prohibiting research that may be detrimental to the embryo.

Another objector was Professor John Kerin, who, as I have mentioned, was for a time a member of the Council on Reproductive Technology. Professor Kerin, who is head of clinical services at the reproductive medicine unit of the Queen Elizabeth Hospital and of the Wakefield Hospital, is a practising gynaecologist and infertility specialist in addition to his teaching appointments.

The objections, which were well reasoned and argued, were supported by scientific material. Without wishing to patronise those gentlemen, the points were extremely well put and forcefully and clearly argued.

Dr Fleming's arguments are set out in sufficient detail in the report itself. Accordingly, I will not go through the arguments one after another. However, he claimed that the research code would permit research on embryos that would be detrimental to them and, therefore, contrary to section 14.

Professor Kerin argued much to the same effect. He addressed more the legal and ethical aspects than the scientific. His view was that the statutory prohibition on research that may be detrimental to the embryo precluded much research that was clearly envisaged in the code. Generally speaking, Professor Kerin did not have a problem with the regulations. He thought they were well formulated, but considered that they failed to comply with the strict provisions of the Act.

One of the larger scientific arguments that the committee heard and had to consider was that the research code specifically permits the maintenance of embryos *in vitro* for up to 14 days after fertilisation. Dr Fleming was strongly opposed to this provision. He contended that normally embryos are implanted two to three days after fertilisation and that after three days the attrition rates rise rapidly. He considered that by allowing maintenance of embryos for up to 14 days, the research code was overlooking the prohibition against research that may be detrimental to an embryo. I mean no disrespect to either Dr Fleming or Professor Kerin if I do not further examine their arguments, but, as I said, they are set out in sufficient detail in the report. Today we have tabled the evidence taken by the committee from those gentlemen and others, and that evidence comprises not only the transcript of their oral evidence but their written submissions. They are available and on the record for inspection by any persons who might be interested.

The codes were supported by Professor Colin Matthews, Father Lawrence McNamara, Mrs Judith Roberts and the Executive Officer of the Council on Reproductive Technology. Professor Matthews, who is an expert in reproductive medicine and has an international reputation in this area, provided the committee with two helpful papers. Again, the report sets out the thrust of the evidence given by Professor Matthews.

The committee was greatly assisted by the evidence and approach of Father McNamara in considering the provisions of the Act. Father McNamara identified what is in fact the crucial element in the Act, in particular in section 14, namely, the notion of detriment to the embryo. Father McNamara was of the view that the legislation clearly envisaged that experimentation on human embryos would be conducted in that the Act clearly envisaged that experimentation could not be used, as it were, to prevent experimentation. He adopted what he described as a developmental approach to this notion of detriment and not what he termed the integralist view.

After hearing the evidence and giving the matter a great deal of consideration, the committee resolved that, in its view, the research code is not inconsistent with or repugnant to the provisions of the Reproductive Technology Act. It concluded that the prohibition and the research code against culturing of embryos outside the human body after the embryo has reached a developmental age of 14 days after fertilisation is not inconsistent with or repugnant to the requirements of the Act.

The committee was of the view that the requirement in section 14(2) that any research licence will be subject to a condition prohibiting research that may be detrimental to an embryo is an overriding condition, and the fact that that condition is not specified in the research code does not mean that it has been either overlooked, abrogated or avoided. The condition still applies. That is an important protection to the community. It is important in that it upholds rather than contravenes or avoids the provisions of the Act.

One of the issues raised by Dr Fleming was the matter of the procedure known as embryo biopsy. Dr Fleming was opposed to embryo biopsy, which is a procedure whereby two or more cells are extracted from a fertilised embryo for the purpose of analysis. Dr Fleming described that as experimental and in his view it contravenes the provisions of the Act. The committee, however, took a different view based upon the evidence provided by Professor Matthews and supported in this regard by that of Father McNamara.

The committee also took the view that the clinical code was unobjectionable and ought to be introduced. One of the difficulties about this matter was that, up until such time as these research codes were promulgated, there was in South Australia no regulation at all upon the way in which a clinical practice was conducted or upon the research practice. There were, of course, the provisions of the Act itself which prohibited certain practices, but beyond that there was no code of practice in either area, and the committee considered that that was an undesirable situation, especially having regard to the fact that the Act was passed in 1988. The committee considered that it was highly desirable that some form of code be adopted as soon as possible.

The committee did not regard itself as being the committee which was to look over the shoulder or second guess the South Australian Council on Reproductive Technology in this area. The Council on Reproductive Technology was established by the Act. It is a specialist body. It was charged with a particular responsibility, which responsibility it discharged, so far as the committee was concerned, with diligence and with integrity.

Finally, I should say that the committee in no way pushed to one side or swept under the carpet the objections of Dr Fleming or Professor Kerin. Clearly, the views of those gentlemen and no doubt many others are genuinely held on this issue. The language of section 14 of the Act made their objections clearly arguable. However, on balance the committee was not prepared to accede to the arguments of the objectors, and it was unanimously resolved that the research code and the clinical code be brought into force and that the motions for their disallowance be withdrawn, as was done last week.

In concluding my remarks on the report and commending it to members, I express my thanks to the other members of the committee—the Hons Paul Holloway and Paolo Nocella in this Chamber and, from the other place, Messrs Condous and Cummins and Mrs Geraghty. The committee conscientiously considered all the evidence and deliberated for some time on this issue. The report of the committee was unanimously adopted by the members. I thank them for their assistance and conscientious attention to this matter. I also express thanks to the Secretary of the committee (Mr David Pegram) for his efficient secretarial work in arranging the witnesses and the presentation of the report and to the research officer (Peter Blencowe), who discharged his functions with great diligence.

I also thank those members of the community who made representations to the Legislative Review Committee. Without their conscientious and energetic expressions of interest, the committee's function would have been much harder to discharge. I commend the report.

The Hon. P. HOLLOWAY: I also support the report. This was in many ways a very complex issue as it involves moral, theological, legal and scientific issues. It took the committee a long time to reach its conclusion, and on my part it took some careful reflection on reaching our decision. As the report itself concludes in its final recommendation, in relation to these codes of conduct that were the subject of the committee's deliberation, the task given to the South Australian Council of Reproductive Technology was a difficult one, given the strictures of the Act. The report says that:

> It must also be acknowledged that, given the language of section 14 of the Act, the objections of Dr Fleming and Professor Kerin are arguable. However, on balance the committee was not prepared to accede to the arguments of the objectors.

That comment about 'on balance' reflects the situation. It is a complex issue, and some very persuasive arguments were put before the committee in both directions. In many ways some of these difficult issues were squibbed by Parliament back in 1988 when the original Reproductive Technology Act was passed. Some of the people who gave evidence noted that it was a particularly difficult job that the South Australian Council on Reproductive Technology had in dealing with these issues, given that there are within the community some polarised views on the subject.

The Hon. Diana Laidlaw interjecting:

The Hon. P. HOLLOWAY: That is exactly what happened. It went to the committee, which probably explains why it has been eight years before these codes of ethical practice finally reached this Parliament. That was a factor that we had to take into consideration as well, but I will come to that in a moment. The Hon. Robert Lawson outlined the background to this matter. Basically, the Reproductive Technology Act was passed in 1988 and set up the South Australian Council of Reproductive Technology. Its functions are set out in section 10 and required the council:

> to formulate, and keep under review, a code of ethical practice to govern—
>
> (i) the use of artificial fertilisation procedures; and
>
> (ii) research involving experimentation with human reproductive material.

That was the task of the council which, eight years later, produced the regulations that were before the Legislative Review Committee. Section 14 governs the licences for medical research involving human reproductive material. It states:

> A person must not carry out research involving experimentation with human reproductive material except in pursuance of a licence granted by the council.

Clause 2(b) provides:

> A licence will be subject to—
>
> (b) a condition prohibiting research that may be detrimental to an embryo.

In many respects the whole issue turns on the word 'detrimental' and what is detrimental to the embryo. That was really the challenge to the regulations or the ethical code of practice brought down by the South Australian Council of Reproductive Technology after its many years of deliberation. The code provides:

> 5. A licensee must not, in any research, use or cause, suffer or permit to be used, an embryo of a developmental age of more than 14 days after fertilisation.

The issue before the committee was whether that prohibition—which, although it is a prohibition, in effect says that you can research on a fertilised embryo up to 14 days—is consistent with the condition of the Act that a licence for research is subject to the condition that it may not be detrimental to the embryo. That was the difficult question before the committee. In that regard the committee took some comfort in handling the issue from the fact, expressed in the conclusions of the report (page 17), that:

> The requirement in section 14(2)(b) that any research licence will be subject to a condition prohibiting research that may be detrimental to an embryo is an overriding condition. The fact that the condition is not specified in the research code does not mean that is has been abrogated or avoided.

That is an important point. We received much scientific evidence about what happens to the embryo if it is kept for up to 14 days. Basically, the argument was that normally the fertilised embryo would be implanted after two to three days and the attrition rate of embryos beyond that time increases markedly. The dilemma that came back in scientific evidence is that the situation *in vitro* is not necessarily any different from the situation of an embryo inside the human body. I refer to the evidence when I asked Professor Kerin about that matter and he stated:

> I do not think that any scientist would argue that the longer the embryo is in culture the more vulnerable becomes its demise. The question is, is the embryo in the human body suffering the same rate of demise? The answer is that we truly do not know.

There is a lot more that Professor Kerin had to say about that, and that is one of the dilemmas in quoting just a few sentences, but I suggest that anyone interested in this matter should read the evidence before the committee and the other submissions, because they are informative for anyone with an interest in the matter. I just want to indicate some of the dilemmas that we had in determining this matter.

In his evidence Professor Kerin also pointed to the problem that surrounds this issue generally in the community, as follows:

> Even in the community there are very different points of view about some of these issues because they reflect on our ethical and moral considerations of fundamental issues such as the wellbeing of embryos. I also wish to go on record as saying that I acknowledge the dedicated work of the members of the Reproductive Technology Council. From personal experience, having been on that council for three years, I know that it has not always been easy to obtain a consensus on the decisions made during the course of formulating these regulations over eight years. Reproductive technology is constantly changing, and we had to deal with those on the run.

One of the factors which makes this issue so difficult is scientific progress and, since this report came down, I noticed an article in the press, to which I will refer in a moment, which indicates that there has been some change in this area. We also had to consider, as I said earlier, the consequences of rejection of the code. Dr Fleming, who had originally raised these matters with the committee, was asked by the Presiding Member about the problems if the regulations were rejected, in that it would mean that there would be no such regulations at all in operation. He stated:

> Regulations are needed and I am really disappointed that it has taken seven years to get this far. I do not see why it has taken this long. Having got this far I am more disappointed to find that it puts people like me in the position of saying nothing on the grounds that it might be better to have some regulations rather than none. However, if those regulations are not legitimate in terms of what the Parliament wanted, how do I keep quiet? This is a problem for me. I recognise the problem but, in the end, I do not think that with a matter as serious as this a reading of *Hansard* shows that Parliament spent so much time on it. You can open up a window of opportunity for experimentation for 14 days and allow detrimental experiments when that is not the intention of the Act.

That was his contention, although Dr Fleming does concede the difficulty in rejecting the codes. Father Laurie McNamara was of great assistance to the committee, and indeed all people who gave evidence to the committee were most impressive in their evidence. They were all extremely helpful to the committee and all witnesses treated this matter appropriately given its fundamental importance. Father Laurie McNamara had this to say:

> We were appointed to develop a code of practice around some of the most divisive issues in the community. Some of them probably could have been written into the initial legislation, but I think they were ducked. So, if there is division in the council, it is representative of the wider division in the community. When we go to talk about these things as we have, the matter of division about the central philosophical issues or theological issues is obvious, namely, the status of the embryo which has brought me here today.

I asked Father McNamara whether he believed that the debate on these issues was likely to be settled or, now that they are more out in the open with these regulations being released, is there likely to be a growing debate within the churches, and he responded:

> Yes, quite possibly, because they will be imperfect regulations. This is imperfect legislation: it involves central, philosophical and theological problems. I do not think it is naive to say that.

Again, that emphasises we are dealing with an area where scientific knowledge is imperfect and that there are fundamental divisions within community views as to some of the fundamental issues involved. There is also the question of scientific development. In the *Advertiser* of 20 July, I noticed an article headed 'IVF success may double pregnancies', which was reporting a new scientific discovery of a way to mimic changes in the fluids in which early human embryos develop naturally. It stated:

> Australia's IVF programs are already well-respected internationally, with a 25 per cent success rate, but this could leap dramatically to 50 per cent, IVF pioneer Professor Alan Trounson said.

The article further stated:

> Currently, embryos are transferred from the test-tube to the uterus after only two or three days. Professor Trounson has had considerable success in transfers at six days—the blastocyst-stage—in trials conducted in Singapore using a culture grown from fallopian tube cells.
>
> Australia's stringent anti-infection guidelines prohibit this, but a discovery by Dr David Gardner, who heads the embryo physiology laboratory at the Monash Institute, will pave the way for advanced embryo transfer.

The article states that the technique:

> allows embryos to be grown in the laboratory until up to six days old, just before the time they would naturally implant in the womb.

My point is that, since this report was released, there may well be a discovery that can extend the life of fertilised embryos outside the womb to at least six days. It just demonstrates how the scientific ground can shift quite rapidly in this area. Indeed, I believe that this Parliament will need to be quite vigilant in keeping up with some of these developments. I conclude with a quotation from Father Laurie McNamara. This came at the end of his evidence. When asked about the committee's role to keep these codes of practice under review and whether the council was proposing to review these codes in an ongoing way, Father McNamara said:

> I would think so, because the technology is developing and the issues are certainly developing. There are a number of issues arising, for example, questions involving known donors. It is basically hedging into the question of surrogacy: could one ask a friend to provide gametes in order that that person's wife have a child, or something like that? The whole question of surrogacy and known donors is one area that is in the background, and there would be a whole lot of other areas.

The whole question relating to reproductive technology is one that we really do need to keep closely under review, and I do not believe that the report of the committee on these particular regulations will be the last that this Parliament deals with such matters. I conclude by saying that I believe the South Australian community is fortunate in having people of the calibre of those who came before the committee involved in this issue—both those who were defending the regulations and involved in the developments, and those people such as Dr Fleming, who I believe has a very important watchdog role in ensuring that these changes are subject to the scrutiny that is appropriate.

I believe that we are fortunate in this State, and we have been pioneers in this sort of legislation, that we have people from both sides of the argument, if I can put it that way, who are eminent in their areas of expertise and who ensure that these matters are given the consideration that is due to them. I also thank the other members of the committee, the Research Officer and the Secretary for their assistance during this committee. As I said, it was very difficult. I found some difficulty in considering the complex issues involved in coming to the conclusion. At the end of the day I believe the committee made a decision on balance, as the report states.

I just hope that that is the correct decision, and I would certainly commend to any member of this public or any member in this Parliament who has an interest in the matter to read the report carefully and to look at the evidence involved. I commend the report to the Council.

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

ECOLOGICALLY SUSTAINABLE ENERGY BILL

The Hon. SANDRA KANCK obtained leave and introduced a Bill for an Act to establish the Ecologically Sustainable Energy Authority; to promote energy efficiency; and for other purposes. Read a first time.

The Hon. SANDRA KANCK: I move:

That this Bill be now read a second time.

This Bill seeks to establish an Ecologically Sustainable Energy Authority to assist the South Australian community with the transition to an ecologically sustainable energy industry and to bring about greater efficiency in the uses of energy. The authority would have four objectives: first, to minimise the use of non-renewable energy sources; secondly, to optimise the use of ecologically sustainable energy sources; thirdly, to minimise greenhouse gas emissions and pollutant wastes associated with energy production; and, fourthly, to minimise energy use. To achieve these objectives the authority would assist in the development of relevant State and local government laws, policies and practices, research or promote research into energy sources available in the State and energy efficiency, and consult with and make recommendations to electricity corporations and the State Government on all such relevant matters.

As early as 1985 the OECD identified Australia as the fourth most energy-intense nation in the world—a measurement based on the consumption of megajoules of energy per dollar of Gross National Product, yet we as a nation, and as a State within that nation, have been slow to act on the greenhouse problem and, when we have acted it has been with neither zeal nor effectiveness.

Australia remains one of the highest consumers of energy per capita in the industrialised world, as well as one of the largest polluters in terms of carbon dioxide emissions. Last year, the former Federal Labor Government set in place policies which effectively ensured that the nation's greenhouse gas reduction targets could not be met. It failed to take the lead to ensure that building codes were changed or emissions controls implemented, both of which will be facilitated by this Bill.

The current Federal Liberal Government has dragged the chain on greenhouse gas emissions, too. On 18 July this year—that is just last week—the Federal Environment Minister (Senator Robert Hill) told the world climate summit in Geneva that the Australian Government was not yet ready to commit to the implementation of legally binding targets for greenhouse gas emissions. This was despite the fact that the United States and Europe endorsed the proposal. It was also despite the fact that the New South Wales Government last year passed legislation which enables greenhouse gas emission reduction targets to be enforced in that State. Responding to Senator Hill's comments at the conference, the United Kingdom's Environment Minister made some very telling remarks. He said:

> I have to disagree with my Australian colleague when he said he was 'looking for an effective and long-term regime'. No developed country can properly avoid action—and action now. The time for looking is past.

Later, he said:

> I have to disagree with my Australian colleague, when he tried to make a distinction between economic needs and the needs of climate change. . . I have to say the two march hand in hand, and must not be divided.

When he was interviewed by media later, he said:

> It [referring to Australia] seems to be more interested in its coal exports to Japan than the future of its population. That's very serious.

The contribution of the energy industry to environmental damage occurs primarily through the emission of carbon dioxide and other so-called greenhouse gases from the combustion of fossil fuels.

Another energy related matter that some might initially think is not relevant to South Australia is the radiation associated with nuclear power generation and waste from the process. It is no longer an uncommon power source in our region: in fact, it is growing in popularity, particularly with our near neighbour, Indonesia. While Australia does not currently have any nuclear power facilities—thank heavens—our State is home to the world's largest uranium deposit at Roxby Downs, and it is more than twice as large as the next largest one.

The output of the Olympic Dam mine is currently 1 500 tonnes per annum, but this figure is expected to more than double over the next five years, with the recently announced investment at Roxby Downs by Western Mining Corporation. All this tonnage of uranium is exported for use in nuclear power plants in many countries around the world, so we are indirectly responsible for the risk to environments and peoples in other parts of the world.

I would argue that we have a moral responsibility to play a part in providing those energy consumers whom we supply with uranium the choice of safer energy technologies. We also have a moral responsibility with regard to greenhouse emissions, when you consider that, if we keep going down the path we are with those emissions, almost the whole of Bangladesh will end up underwater, as will many small Pacific island nations.

The post Hilmer environment is also more favourable to the establishment of a nuclear electric generation plant in Australia, particularly with the advent of a national grid. This heightens the moral argument for a greater emphasis on renewable energy. Indeed, this same argument could be applied to the use of Leigh Creek coal and Cooper Basin gas—bearing in mind that I have often acknowledged that our Cooper Basin gas is much less damaging than the Leigh Creek coal—but, with respect to their contribution to global warming, they are still adding to carbon dioxide emissions.

We are told by economic rationalists that economic growth is the solution to our environmental and unemployment problems, although I must say that the Democrats are not convinced by those arguments. It is patently clear to me that, if Australia's economic growth was raised to the level required to reach full employment, certainly under traditional economic thinking, it would be an absolute disaster for the environment. I say 'if' because such a rate of growth would not be environmentally or economically sustainable in the long term. Government policies which focus on growth alone will not solve our problems.

The move towards a national electricity grid is underlain by a belief that the most important energy concern is its financial cost to society—not the environment we share or the

jobs generated. The proposals detailed in this Bill will enable South Australia to carry on a viable local action in the post Hilmer competitive environment, and that is merely looking in terms of financial cost of energy and of creating jobs.

This Bill will provide advice on the best alternatives to address the two related dilemmas of unemployment and environmental damage. Some of this advice may not be politically palatable to the Government of the day, but Government leadership will be necessary if both these problems are to be adequately addressed. Ultimately, these problems can be solved only through a genuine integrated global commitment by and on behalf of all States and nations. However, such a global strategy will include legislation such as is in this Bill, and it gives South Australia the opportunity to lead the way.

The 1988 Conference of the Changing Atmosphere was held in Toronto, Canada, with representatives from 48 nations, including Australia, attending. The conference recommended the stabilisation of global carbon dioxide emissions by 2000 at the latest and a 20 per cent reduction by 2005 as the international target. In the longer view, halving of carbon dioxide emissions was recommended. No doubt this conference and the 1991 Senate committee report entitled 'Rescue the future: reducing the impact of the greenhouse effect' helped to inspire the South Australian Liberal Party to adopt its pre-election commitment that said:

> A Liberal Government will ensure that within 10 years 20 per cent of the State's energy will be derived from renewable energy sources.

The Hon. R.D. Lawson: Hear, hear!

The Hon. SANDRA KANCK: Absolutely! I could not concur more, but not much is happening. I understand that expressions of interest were publicly called by the Premier's Department in relation to the possibility of establishing a renewable energy industry in South Australia, but we have not heard much about the progress of this.

In November last year, the renewable energy working group of the South Australian Greenhouse Committee reported on what it believes can be done to develop a target for renewable energy in this State. A key finding of this group was that energy savings contributing to about 50 per cent of the target could result from energy efficiency measures alone.

At the Toronto conference, they were talking about a halving of carbon dioxide emissions in the long term. If we in South Australia put energy efficiency measures into force we could do it almost overnight. When I am talking about energy efficiency, I am talking about things such as insulation, energy efficient light globes, and proper siting of buildings so that they take best efficiency from the sun in terms of what they can absorb in the winter and keep at bay in the summer. All those things—if they were introduced now—could result in 50 per cent of South Australia's target being achieved.

The Hon. T.G. Cameron interjecting:

The Hon. SANDRA KANCK: Well, I don't know that we could do it overnight, but it would certainly be a growth industry, wouldn't it?

The Hon. T.G. Cameron interjecting:

The Hon. SANDRA KANCK: It might take couple of years but it would certainly keep a few people employed, and that alone would be worth it if the Government would take it under its belt. Also, the renewable energy working group reported that there were renewable energy export opportunities for South Australian businesses in the long term.

The Hon. Robert Lucas spoke to me earlier and asked me about this Bill. He referred to it by an acronym. I actually had not thought of the acronym of this authority, that is, the Ecologically Sustainable Energy Authority (ESEA). I thought, well, what a wonderful name. It is certainly a lot easier to go down this path than many other paths that this Government proposes, for example, the national grid.

It is disappointing that the proposals that have been put to the State Government have not yet been adopted. I find it difficult to see how the Liberals will put their election promise into action within that 10 year period, when we are already a quarter of the way through it. What is required is the political will to act to foster the greater use of ecologically sustainable energy sources. The words of the Liberals at the election are laudable, but I wonder whether the commitment is there. The establishment of an Ecologically Sustainable Energy Authority should focus our mind on this important matter. Those who might consider opposing this Bill on the ground that there is no need for an Act should not only consider the moral arguments but that other greenhouse abatement legislation has already been passed in other jurisdictions and that business also acknowledges the imperative of CO_2 reduction.

In February this year, the expert group on renewable energy technologies reported to the Commonwealth Minister for Primary Industries and Energy on the development and use of renewable energy technologies. The primary recommendation of that expert group was that:

> The Commonwealth Government declare the renewable energy industry as strategic for Australia and a key target for development assistance, because of its combination of environmental benefits, local and export market potential, local technological base, potential for industry growth and consequent future contribution to the economy.

A joint industry submission to the Commonwealth Government on sustainable energy policy detailed in the Business Council bulletin of April 1996 shows that the private sector is further advanced than the Government in its understanding of the environmental damage caused by non-renewable energy consumption. A growing number of Australian businesses are participating in The Greenhouse Challenge, a voluntary program with its stated objective to:

> . . . ensure industries and firms seek continuous improvements in energy and process efficiency, achieve maximum possible greenhouse abatement performance, and at the same time improve their competitive advantage.

Under The Greenhouse Challenge, participating firms undertake a number of functions outlined in this Bill. These include establishing CO_2 emission inventories and developing specific energy efficiency and emission abatement action plans. The companies also prepare reports which are made available to the public. The Business Council stated in its submission:

> The Government for its part needs to continue to promote and publicise the program and address Government policies which impede emissions abatement. . . Urban planning, public transport and building codes are areas with very significant, longer term potential for savings.

The submission goes on to identify a number of specific suggestions for Government action. In conclusion, it states:

> In summary, industry supports the implementation of strategies which improve the efficiency and environmental sustainability of Australia's energy sector.

I think it is unfortunate that we are now seeing business taking the lead rather than Government. The Ecologically Sustainable Energy Authority will provide active encourage-

ment for research and development into genuine methods of providing consumers not only of South Australia but potentially all other States with access in the future to a wide range of energy sources not dependent on the use of non-renewable fossil fuels.

Last year, the New South Wales Parliament passed, according to Greenpeace, the world's first greenhouse gas emissions reduction legislation. The New South Wales legislation goes further than this Bill in that it seeks to apply a hands-on approach to commercialise renewable energy technologies with a substantial commitment of taxpayers' funds. So, from that point of view New South Wales has already beat us to the punch. My colleague the Hon. Mike Elliott introduced his atmosphere protection Bill in 1989, which would have empowered the then Labor State Government to set standards for greenhouse gas emission reduction. That Bill lapsed. It is taking Governments of both Labor and Liberal persuasion far too long to put these sorts of ideas into action. Remember: that was seven years ago.

The Ecologically Sustainable Energy Authority relies on a participatory and consultative mechanism to address the greenhouse problem. It seeks to provide the environment for ecologically sustainable energy to flourish rather than to take the commercial risks directly as the New South Wales legislation appears to do. Unlike the New South Wales legislation, this Bill seeks a whole of Government and most of industry approach to the greenhouse pollution problem. The Democrats have long held a reputation for keeping Governments accountable for their promises. So it is with this Bill. I believe the Government's promise to lower South Australia's greenhouse gas emissions by 20 per cent by the year 2004 was made in good faith.

I introduce this Bill and speak to its introduction now in the same good faith in which I believe that election promise was made. I do so because I believe that the challenging but nonetheless achievable target of a 20 per cent reduction in South Australia's greenhouse gas emissions will require the broad support of the South Australian community if the Ecologically Sustainable Energy Authority is to succeed in fulfilling its charter to bring about a green energy industry in South Australia.

In concluding my second reading speech to this Bill, I cannot help but reflect that, had the Parliament of the day passed a similar Bill introduced by the Hon. Ian Gilfillan in 1991, South Australia would have had four years' head start in the development of a renewable energy and energy efficient industry. We would now be four years ahead of our competitors in New South Wales in the development of this exciting industry in South Australia in providing interesting, fulfilling, and even inspiring jobs for young South Australians. When I started work on this Bill at the end of last year, I had a draft of what I called the Energy Efficiency Bill. I sent copies of it to about 100 people: to Democrat members who have a specific interest in this issue; to members of the Australian New Zealand Solar Energy Society (ANZSES); and to members of the United Scientists for Environmental Responsibility and Protection (USERP). Of those 100 people, approximately 40 per cent wrote back to me with suggestions of ways in which I should alter my draft Bill. I consider that to be an enormous response. It shows a great deal of enthusiasm from these people. In the light of those responses, my original energy efficiency Bill became a Bill that was to create an authority, because it was quite clear that what I originally intended would not go far enough.

I would like to pay special tribute to Mark Andrews, the Democrats' Policy Convener, for his efforts during the consultation phase of this Bill, together with all the others who participated in its preparation. The evidence is irrefutable. The greenhouse effect remains one of the biggest challenges facing humanity. Our children will hold us responsible for the environmental damage we wreak. This Bill represents a small step in taking responsibility for our actions, and the time to act on greenhouse pollution is now. The Democrats will assist the Government in keeping its election promises through this Bill. I commend the Bill to the House.

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

ABC RURAL BROADCASTING

The Hon. CAROLINE SCHAEFER: I move:

1. That this Council regards the rural and regional broadcasting activities of the Australian Broadcasting Commission as a critical part of its charter, and urges that the Federal Government's proposed review of the ABC ensures that any changes take into account the commission's important public responsibility to remote area broadcasting where commercial opportunities for information services are severely limited.

2. That this Council requests that these sentiments be conveyed to the Minister for Communication and the Arts, Senator Richard Alston, and to the board of the Australian Broadcasting Commission.

Unlike many members of this place and the wider public, I have no great fear of a review and restructure of some of the services of the ABC, nor do I have any great fear of the review as it has been mooted. To illustrate that, I would like to cite some of the terms of reference of that Federal review, as follows:

Without otherwise limiting the generality of the review, the review shall have particular regard to the need for:

(a) independent news and current affairs services which are accurate, impartial and comprehensive;

(b) high quality information and entertainment services which contribute to a sense of national identity; and

(c) services which fulfil the needs of rural and remote communities, children and other significant groups not well served by other broadcasting services.

I have no fear for the future of the ABC should those objectives be fulfilled. I believe that over the years the ABC has departed from its core services, and in this respect I should like to quote from an article in the *Australian* of Wednesday 17 July by Errol Simper. With regard to the objects of the review, he says:

It's difficult to find fault with this. The corporation has swirled around for years, not really knowing whether it's supposed, or best advised, to try to compete with commercial broadcasting or fill in the numerous cracks the commercials leave with their bland, unquestioning, mass-audience fare. The ABC has had the worst of both worlds. When it's gone popular it's been accused of playing the ratings game, of duplicating commercial material, so wasting taxpayers' money. When it's gone up market—to try to cater for 'groups not well serviced by other broadcasting services'—it's been labelled elitist and its nose unmercifully rubbed in low ratings figures. It's been told it's irrelevant, boring and pretentious.

If the corporation can finally get an unequivocal signal from Canberra about the direction it's supposed to take, then much of this dissent, aggravation, humiliation, confusion and nonsensical rhetoric can stop.

I concur with those views. The ABC management has acknowledged that there is a need for some restructuring and, as such, has recently held a two-day seminar in Sydney to look at future directions. It has been reported—I believe I

heard this on the ABC—that Brian Johns acknowledges that there is a fundamental need for change and that management systems are perhaps out of date and a little bloated.

Each of us can no doubt point to areas where we believe expenditure can be cut. I wonder whether the ABC bookshops are necessary or whether they could be managed by another bookshop under an agency relationship. I will probably raise the ire of the Minister for the Arts, but I wonder whether six ABC orchestras are necessary. Why can we not have one good national ABC orchestra? For that matter, when did I last see an ABC orchestra anywhere outside the metropolitan area? If they are to be subsidised by the taxpayer, I believe that they should be accessible to all, not just a few, people. How much money is spent on middle management?

I do not know the answer to these questions, and it is not for me to say, but I hope that when the results of this latest review are brought down the ABC, particularly its management, is not told, 'Physician heal thyself.' Far more appropriate, I believe, would be a committee comprised of a broad-ranging group of community representatives who would reflect the needs of the larger community and ensure that the money is spent appropriately.

My plea, as usual, is for rural and regional broadcasting, particularly radio, to receive the support that it so richly deserves. By anyone's standards, it fits the criterion of servicing 'groups not serviced by other broadcasting services,' as directed by Senator Alston.

In fact, regional radio underwent a major restructuring a few years ago, and it is already extremely efficient. There are 49 regional stations in Australia, four in South Australia, and the management of the Broken Hill station is also from South Australia. Of course, these stations are also relayed by FM to areas such as Roxby Downs and Coober Pedy, and there are two regional outposts from Port Lincoln and Port Augusta.

This service is provided by 25.5 full-time equivalent staff who are all actively involved in broadcasting and who do their own research and administration. They have one centrally-based manager, who has one administrative assistant. Two people, Ian Doyle and Legh Radford, edit and manage *Country Hour*. It also has one national editor, Lucy Broad, who has one administrative assistant. Surely, this is a mean and lean structure by anyone's standards.

I believe that other arms of the ABC cannot claim the same frugality. It would be interesting to look at the national radio budget, compare that with rural radio's budget and then compare their actual listening audience.

I grew up with the culture that is essentially rural Australia. My early childhood memories include being woken up to the voice of the news reader of the day, eating lunch while listening to *Blue Hills*, and then listening to the *Argonauts* at night. I even listened in the early morning to English for migrants and, of course, to the schools programs during the mid-morning as I did correspondence. Perhaps it could be said that was an isolated way in which to grow up, but it was the only radio that was available in my area at the time, and it is still the only listenable radio in many rural areas.

So important is regional radio in our household that I often quote the time when our teenage son was home helping with the seeding. There are two unforgivable sins when using my husband's tractor: one is smoking in the cab and the other is changing the channel on the radio. Our son committed the second offence. When challenged, he was silly enough to mention that not everyone listens to the ABC, and he felt sure that there were farmers who got by without the *Country Hour*. His father's response was quick and absolute, 'If they don't listen to the *Country Hour*, they should not be farming.'

Perhaps that is not far from the truth, because it is the only medium whereby farmers can access immediate pertinent information. We have no other access to information which is vital to our industry: for example, market prices, grain contracts, accurate long-range forecasts, as accurate as they ever get, stock exchange reports, abattoir reports and informative and educational matters pertinent to agriculture. There is only one other comparable source of information for rural South Australians, and that is the *Stock Journal*, which is published only on a weekly basis. When one's livelihood depends on trading on a day-to-day basis cash contracts for grain, a weekly publication is totally inadequate.

It is estimated that at least 85 per cent of the State's farmers listen to rural radio, in particular the midday *Country Hour*. (I suspect that it is a higher proportion than 85 per cent.) Staff are professional and local; they are up to date and informed. An incident that I should like to quote is the recent informed air play that has been given to queries about the registration of farm vehicles. There is no quicker way of disseminating information to farmers in this State than to have something put on *Country Hour*.

It must be realised that many rural people do not enjoy such luxuries as morning newspapers. I am always grateful for the service that Terry Price provides as he reads the national and *Advertiser* headlines on 5CK each morning. For those who are insomniacs, the same service is provided by Simon Royal at about 3 a.m. I understand that regional ABC radio has a far larger listening audience than does the metropolitan ABC. It has been put to me that Ashley Walsh on 5CK has a larger audience day in and day out than does Murray Nicoll. So, even by economic standards regional radio should stay. State run programs have been tried, but they were considerably less successful than those with local content, but more importantly many of these services would simply not be available at all to people if they were not provided by the ABC.

For example, country people would have no access to racing broadcasts. TAB Radio does not extend to country areas. We would not be able to listen to the broadcast of football without access to the ABC on a Saturday. Dean Jaensch has kept most of us politically aware—even if we do not always agree with him—for many years. I am sure that Dean dreads the day when we in country areas have access to the mobile telephone, as he will have even more lively debates than he does now.

No other method is available for these people to communicate. They cannot go to the pub after work—it is too far away. They cannot argue with their workmates as largely they work alone. This service is absolutely essential to people who do not have access to other areas. I am an unashamed addict of the AM program, which for many years has provided me with an in-depth resume of current affairs. In recent years one can argue with a fair bit of credibility that the ABC is no longer as unbiased or evenhanded as it might be, but the personal preferences of the operators should not condemn the purpose of the program. I only ask that the inquiry that has just been commissioned take heed of Senator Alston's commitment to the need for a concentration on services for groups not well serviced by other broadcasting services. By any standards under these circumstances regional and rural radio would and should remain sacrosanct. I ask for the support of the Council in this motion.

The Hon. CAROLYN PICKLES secured the adjournment of the debate.

SELECT COMMITTEE ON THE PROPOSED PRIVATISATION OF MODBURY HOSPITAL

The Hon. L.H. DAVIS: On behalf of my colleague the Hon. Ms Pfitzner, I move:

That the committee have leave to sit during the recess and report on the first day of the next session.

Motion carried.

SELECT COMMITTEE ON OUTSOURCING FUNCTIONS UNDERTAKEN BY E&WS DEPARTMENT

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

That the committee have leave to sit during the recess and report on the first day of the next session.

Motion carried.

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

The Hon. L.H. DAVIS: On behalf of my colleague the Hon. Jamie Irwin, I move:

That the committee have leave to sit during the recess and report on the first day of the next session.

Motion carried.

SELECT COMMITTEE ON CONTRACTING OUT OF STATE GOVERNMENT INFORMATION TECHNOLOGY

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

That the committee have leave to sit during the recess and to report on the first day of next session.

Motion carried.

SELECT COMMITTEE ON A PROPOSED SALE OF LAND AT CARRICK HILL

The Hon. DIANA LAIDLAW (Minister for Transport): I move:

That the committee have leave to sit during the recess and to report on the first day of the next session.

Motion carried.

PLAYFORD, Hon. SIR THOMAS

Adjourned debate on motion of Hon. Carolyn Pickles:

That this Council, on the one hundredth anniversary of his birth, acknowledges the enormous contribution of Sir Thomas Playford to the development of South Australia and his commitment to the public ownership of important community assets such as the Electricity Trust of South Australia and the South Australian Housing Trust.

(Continued from 10 July. Page 1687.)

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I move to amend the motion as follows:

After 'development of South Australia' insert 'the attraction of significant new industrial developments such as the motor vehicle industry'.

Leave out 'commitment to the public ownership of' and insert 'determination to establish and operate in the public interest'.

Most members have been fortunate over the past couple of weeks to have been involved in some celebrations in relation to the one hundredth anniversary of Sir Thomas Playford's birth. As a member of the Government, together with a number of other Government members, I was fortunate to attend the Playford oration at the Town Hall and to listen to some excellent speeches and contributions, in particular from the Premier and the Prime Minister (Hon. John Howard), who travelled to Adelaide especially for the Playford oration.

On the subsequent weekend there was another formal ceremony and speeches and a number of other opportunities when members of Parliament and other public figures were able to place on the public record their acknowledgment of Sir Thomas Playford, his life and all that he did in terms of public, parliamentary, political and Government life.

I do not intend to go through all the detail, having looked at the number of contributions made in relation to our longest serving Premier in South Australia, a person who served for 27 years or so. He was not only the longest serving Premier in South Australia but also the longest serving Premier of any Westminster Parliament in the Western world, a man representing a Government that made great progress and policy changes in South Australia for the benefit of all South Australians.

It is important, in seeking to acknowledge the contribution of Sir Thomas Playford, that we seek to find a form of words with which all members in this Chamber would feel comfortable in terms of public acknowledgment of Sir Thomas Playford's contribution. It is not an opportunity to have a position where this Chamber would see the need to divide on or disagree significantly in relation to what ought to be a simple matter of a public acknowledgment of the work, the worth and the value of what Sir Thomas Playford undertook.

On behalf of Government members, I indicate that we are not comfortable with the form of words before this Council in relation to this motion and have therefore suggested what we see as a non-provocative amendment which does not require any other member of this Chamber to change their own view, for example, in relation to public ownership of community assets.

It would allow all members of this Chamber to agree unanimously, we would hope, on acknowledging the contribution of Sir Thomas Playford. Each in our own way will be able to highlight the aspects of Sir Thomas Playford's contribution that we feel most comfortable with in speaking to the motion. For some members of the Labor Party, but not necessarily all, it may be that public ownership of community assets is the contribution that they would concentrate on and see publicly acknowledged. Other members of the Labor Party and certainly members of the Government and some members of the Australian Democrats would like to see something which is more easily accepted for all members of the Council so that we can have some form of unanimous resolution.

I have moved my amendment not from the viewpoint of trying to make or win a political point in relation to the motion, but in an endeavour to create an opportunity for all

Legislative Councillors unanimously to agree on a form of words that can be unanimously passed. I have made a suggestion and, if other members feel uncomfortable about what is meant to be a non-provocative form of words to constitute the amendment, I am happy to indicate now on behalf of Government members a willingness to look for a form of words that can encompass all our views in a formal public acknowledgment and recognition of the value and work of Sir Thomas Playford's contribution to public life.

My amendment inserts the phrase 'attraction of significant new industrial development such as the motor vehicle industry' into the acknowledgment of Sir Thomas Playford's work. I will not go through all the detail surrounding the forerunners to General Motors-Holden's, the original Holden manufacturers and the motor vehicle and component industry. That story has been often told as a key part of the diversification policy that Sir Thomas Playford personally undertook in trying to diversify what was a very narrow economic base for South Australia at the time of primary or rural production.

We also saw, for example, other major employers such as Uniroyal and Philips being attracted by Sir Thomas Playford and his policies in trying to diversify South Australia's industrial base. Significant new private sector employers such as Holden, Uniroyal and Philips, together with many others, were attracted by Sir Thomas Playford as part of a conscious strategy to provide jobs for South Australians in diversifying South Australia's industrial base. It is also true, as the original motion indicates, that Sir Thomas Playford did support at the time public ownership of community assets or organisations such as the Electricity Trust of South Australia and the South Australian Housing Trust and there may well have been others.

As I said, the Government would like to see that aspect of the motion amended so that we can talk about the determination of Sir Thomas Playford to establish and operate in the public interest operations such as the Electricity Trust and the Housing Trust. There is no doubting that at the time Sir Thomas Playford saw, in terms of the public interest of all South Australians, the importance of the Electricity Trust and the Housing Trust. Some of the speakers at the Playford Oration, the Premier in particular, highlighted the approaches of Sir Thomas Playford and, whilst one will never know, the Premier speculated as to what the approaches of someone like Sir Thomas Playford might have been in the 1990s and in the changed economic circumstances that exist in South Australia. He cautioned people against automatically assuming that the policy directions and mechanisms that Sir Thomas Playford might have undertaken or initiated in the 1990s, should he have been Premier, would have been exactly the same as the policy mechanisms that he initiated during his 27 years as Premier of South Australia.

No-one can say one way or another how Sir Thomas Playford, if he were Premier in the 1990s, might have approached the task of the 1990s. Any one person's speculation is likely to be as accurate as any other person's, I suspect. I am saying that I see the importance of a motion of the Legislative Council as being something that is capable of being supported unanimously by all Legislative Council members. Whilst I do not seek to change her point of view, I ask the Leader of the Opposition in particular, as it is her motion, to at least contemplate some amendment to this motion to enable all members in the Chamber to feel comfortable about supporting it. I leave the Leader of the Opposition and other members with the offer that should my amendment be unacceptable to other members, I am certainly prepared on behalf of Government members to negotiate to try to find a form of words with which all members can become comfortable in acknowledging Sir Thomas Playford's contribution to South Australia.

I do not intend to repeat a long exposition of Sir Thomas Playford's career in public and community life in South Australia. That has been done more expertly by others in this Chamber than I would be able to do. I do place on record my personal acknowledgment of all that Sir Thomas Playford has done for the people of South Australia. I leave members with my entreaty to come up with a form of words that can be supported by all members in the Council rather than to have an unseemly division or divided opinion about something that ought to be supported unanimously by all members of the Legislative Council.

The Hon. SANDRA KANCK: The Democrats welcome the opportunity to speak to this motion, which appears to serve two purposes. First, it recognises the tremendous personal contribution of Sir Thomas Playford to the development of South Australia and, secondly, to promote the notion of public ownership, particularly the public ownership of electricity and public housing. I will address both those areas in my comments. There have been a number of recent functions and occasions celebrating the one hundredth anniversary of Sir Thomas Playford's birth where South Australians have been reminded of his contribution to the development of our State. Throughout his record term as leader, Premier Playford consciously undertook to diversify the State's once predominantly rural based economy through an ambitious industrialisation program.

There is no doubt that the success of the Playford Government's industrialisation process was very much due to the contribution of Sir Thomas Playford. Large manufacturing companies did not naturally look to South Australia for establishing industries but favoured the larger Eastern States of New South Wales and Victoria. However, this was not to deter Sir Thomas, who personally negotiated with the Federal Government and business leaders to secure industrial investment in this State. There are many recorded anecdotes as to how Premier Playford used a mixture of cunning, energy and leadership to ensure that industries were established in South Australia. Central to Sir Thomas Playford's success was his vision for this State. He did not allow market forces alone to determine the economic and social objectives. If Sir Thomas Playford had set up the State Bank he would have used the powers that were within the Act to keep it under control. He would have had a hands-on approach, as opposed to the Bannon Labor Government.

In honouring Sir Thomas Playford's achievements at this time, the current Liberal Government could well observe and learn that market forces can be challenged and, in some cases, should be challenged if we are to improve the social and economic wellbeing of all South Australians. Sadly, the current Liberal Government's vision is closely linked to market forces and the belief that the private sector is more efficient than the public sector. Under the guise of this vision—and I wonder what drugs the Liberals had before they got this vision—this Liberal Government has handed over the management of a number of State-based utilities and public sector services to national and multinational firms in the belief that foreign involvement will create export markets and jobs, but I do not know yet where it gets its proof from that it works.

All that happens in the long run is a diversion of profits away from our State and into the hands of businesses based overseas or interstate. Interestingly, a very recent Industry Commission report criticised the practice of State Governments and, in particular South Australia, of offering tax subsidies to attract companies to set up businesses in their particular State. It was widely reported that Premier Brown was greatly angered by the findings of this report. He referred to its authors as a 'bunch of whackers' who did not know anything about business, which I find very strange considering that this Government had actually invited the Industry Commission to this State to conduct an inquiry and to advise the State Government how it should restructure its energy industry.

At any rate, Mr Brown challenged the Industry Commission to find ways of attracting businesses to the State and, in his tirade on the media, referred to Premier Playford, who apparently at some stage in the past had stated that the offering of tax subsidies was central to his very successful industrialisation strategy. While it is true that Playford very skilfully offered tax incentives, this was only one way amongst many. Playford was also able to engineer other benefits, such as cheaper land, access to water and electricity on extremely attractive terms, and cheaper public housing for workers, resulting in lower wages than those being paid interstate.

He understood what a utility is and how it can be used to advantage a State. But these days, as a result of Government actions, many of these sorts of incentives are simply not available. Since the introduction of competition policy and related legislation, Governments are no longer allowed or able to set prices for public utilities, such as water and electricity in a way to benefit the State. Also, today some 80 per cent of public housing tenants are welfare recipients, not workers. There is no substantial difference in wages across Australia and the amount of Government-owned land has diminished—might I say, courtesy of both the Labor and Liberal Parties which have, for quite a number of years, conducted a fire sale of our assets.

Being the top-class negotiator that he was, there is no way that Premier Playford would let businesses get away with achieving bargains for themselves through generous tax subsidies without any long-term gains being achieved for the State. I think that is the big difference between what Premier Playford was doing in the 1950s and what Premier Brown is doing now. It is quite remarkable that Premier Brown did not seem concerned by the Industry Commission's findings that companies are playing the States off in order to reduce their costs, and that some of these companies are approached by other States and invited to put in a bid even when the company has no intention of moving interstate.

Premier Brown is not correct to imply that his strategy is similar to Playford's. The Playford Government used tax subsidies only to increase the overall level of State-based industries, whereas the Brown Government is offering tax subsidies on the one hand while simultaneously handing over State-based utilities and other public sector functions to national and international companies. It sounds like, 'Heads you lose, tails you lose.' The Brown Government has handed over the management of our water industry to a multinational conglomerate; our State computer system is now run by an American giant, EDS; the management of one of our prisons has been handed over to an English-based company; and assorted public hospitals are in the process of being handed over to national and international companies.

These are just the public sector utilities; there are also many other industries and assets being sold off to Asian buyers with the assistance of the Brown Government. Sir Thomas Playford would not have done these things. The outcome of Brown's policy will result in profits being shipped offshore. Moreover, the Government and Parliament will become powerless to make any meaningful public policy.

I turn now to the motion's second intrinsic purpose, that of promoting the notion of public ownership and, in particular, public ownership of electricity and public housing. I find it somewhat intriguing that the Labor Party seemingly and suddenly sees virtue in the importance of public ownership. I only need go back to November last year when we were looking at the Housing Trust Bill and consider some of my amendments that the Labor Party in Opposition would not back. Only last month the Labor Party wholeheartedly supported the national competition policy legislation.

The Hon. P. Holloway: What about the forests?

The Hon. SANDRA KANCK: What about the forests?

The Hon. P. Holloway interjecting:

The Hon. SANDRA KANCK: I did not sell off the forests; I was not here. The outcome of such legislation greatly diminishes the autonomous power of State Governments to have any sort of control over State-owned industries, such as electricity. Irrespective of Labor's rhetoric to the contrary, the introduction of competition policy will threaten, sooner or later, the ability of assorted Government business enterprises to remain in public hands. Mr President, as I have only recently had the words of the Government's amendment to this motion in my hands, I have not had time to consider them. I therefore seek leave to conclude my remarks so that I will be able to address the amendment to the motion.

Leave granted; debate adjourned.

OBSTETRIC SERVICES

Adjourned debate on motion of Hon. Sandra Kanck:

That the Legislative Council requests the Social Development Committee to examine, report on and make recommendations about obstetric services in rural areas, in particular—

1. access by women living outside the Adelaide metropolitan area to obstetric services;
2. the costs of medical indemnity insurance for city general practitioners as opposed to country general practitioners with or without obstetrics loading;
3. the rates in South Australia for medical indemnity insurance with other States;
4. the role played by our State Government and the role Governments play in other States in regard to the negotiating and brokering of medical indemnity insurance;
5. the contributing role of the legal profession and court system in causing medical indemnity insurance to rise in the first place and to determine whether or not legal payments should be capped in the case of medical malpractice; and
6. any other related matter.

(Continued from 3 July. Page 1616.)

The Hon. P. HOLLOWAY: I indicate that the Opposition will support this motion, although in saying that I point out that we do not necessarily agree with all the arguments put forward by the Hon. Sandra Kanck in her speech to this motion. Nevertheless, we agree that the Social Development Committee should investigate the question of obstetrics, particularly in country areas. This is a matter which my colleague, the shadow health spokesperson, the Hon. Lea Stevens has raised in some detail in the other House. The Opposition has been concerned by the developments, particularly in Mount Gambier, in relation to obstetrics.

These matters were actually raised during the Estimates debates in 1995—over a year ago. The Government had then put in place temporary measures to tide this problem over, if I can put it in those terms, for 12 months.

During those Estimates hearings, the Minister then indicated that he was looking for a more permanent solution. I must say that I was extremely surprised as, indeed, were many people in the South-East (and I travel there regularly, and I have spoken to them about it) that the Brown Government had been unable to resolve this problem for so long. Indeed, it was not until after the end of the recent financial year that some doctors in the South-East finally agreed to the Government measures—even though the Government had known for well over a year that this was a problem.

Even now, as the Hon. Sandra Kanck pointed out, the measures that the Government has put in place to pay for the indemnity insurance of doctors involved in obstetrics will last for several years only, and then they will have to be renegotiated again. Given that this problem is not likely to go away, the Opposition believes that it is entirely reasonable that a committee of this Parliament should investigate these matters and report upon them.

In my view, it is not a matter of its being a problem just in the South-East where this problem was been most apparent. We believe it is a problem through much of the State. Nor is it a problem involving just obstetrics. In such areas as anaesthesia there are problems in providing basic hospital services to rural areas.

As I understand medical insurance, part of the problem is that some of these medical indemnity schemes appear not to have been put on a proper actuarial basis. What has happened is that, as there has been a growth in the number of claims and also an escalation in the payouts made in claims against doctors involved in obstetric services, the payouts from these funds have grown rapidly but the premiums have been based not on a forward projection so much as on the payout for each year. Eventually, this has caught up with the schemes, and there has been a massive increase in the premiums that doctors have had to pay.

One can argue as to who should be responsible for those. Should they be left to the market and doctors be responsible for them? My view is that the State Government has a fundamental responsibility to ensure that basic medical services are provided to our rural areas. The Government really cannot run away from those responsibilities. It really must become involved in providing a solution to ensure that those basic services are provided in country areas. They are quite involved matters, and we should be looking at—as the Hon. Sandra Kanck's motion states—the whole area of medical indemnity insurance.

We have to look only at what has happened in the United States with some of the claims made there to see the problems that can arise. Sadly, in some of these areas it appears that we are going down the United States' path. It is my understanding that in some parts of the United States basically no-one will practice obstetrics, because the claims are so common and widespread that the premiums have become totally prohibitive.

It really is an absurd situation when you have insurance premiums driving the provision of basic public services. We should not allow that to happen in Australia, and it is entirely appropriate that we should look at some of these problems. If I touch on a couple of related areas, we can see how this question of indemnity, insurance, and so on is affecting us here. I will give two examples. The first example is the community hospital on the LeFevre Peninsula which went out of business because of a claim. The second example is that of third party motor vehicle insurance. The case involving actor John Blake resulted in his receiving a multimillion dollar payout, and that will affect third party premiums to a significant extent for every South Australian. This whole issue of insurance premiums, which is related to health areas not just obstetricians, is having a big impact on our community, and there are issues which we could well look at.

With those brief words, I indicate that the Opposition supports this motion, and we believe that the Social Development Committee should look carefully at the role of medical indemnity insurance. I say again that we, as an Opposition, are deeply concerned by the way in which the Government conducted its negotiations with doctors in the South-East over this matter. Unfortunately, the Government has left a legacy in that area—a very bad taste. When the Government threatens doctors in Mount Gambier with deregistration, and so on, if they do not apply it does not make for a good cooperative health system in that area. We have been most concerned with the way in which the Government has gone about its negotiations in this area. However, regardless of any solution of that, we believe that broader issues need to be addressed in this area, so we welcome this reference to the Social Development Committee.

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

HOUSING TRUST WATER LIMITS

Adjourned debate on motion of Hon. R.R. Roberts:

That the regulations made under the South Australian Housing Trust Act 1936 concerning water limits, made on 28 March 1996 and laid on the table of this Council on 2 April 1996, be disallowed.

(Continued from 5 June. Page 1524.)

The Hon. SANDRA KANCK: I will be brief on this matter, as I believe that the Hon. Ron Roberts has spelt out most of the argument. I am disappointed that the Government has introduced these regulations. When we were debating this issue in March 1995, I supported a limit of 136 kilolitres, and the Government has now dropped it to 125 kilolitres. I supported the 136 kilolitre limit after some consideration at that time, recognising that many of the people in Housing Trust accommodation are on social welfare. However, I felt it was worthwhile having that limit as a way of encouraging people to conserve water.

However, I do not see the rest of the community being treated in the same way. If I had some evidence that the Government, with Housing Trust properties, was instituting a practice of encouraging people to install water efficient gardens (in other words, providing some sort of advice system), if it showed me that it was installing water efficient roses in shower recesses in Housing Trust properties or, for instance, putting in dual flush toilets, I would think about supporting this 125 kilolitre limit. However, I believe that what the Government is proposing, although it is a cost cutting measure, is a socially unjust one. I support the motion.

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

[Sitting suspended from 5.54 to 7.30 p.m.]

JOINT COMMITTEE ON WOMEN IN PARLIAMENT

Adjourned debate on motion of Hon. A.J. Redford:

That the final report of the committee be noted.

(Continued from 10 July. Page 1690.)

The Hon. ANNE LEVY: In speaking to this debate, I wish to heartily endorse the remarks of other contributors. The motion was introduced by the Hon. Mr Redford, who was a member of the select committee. I am interested to observe that, apart from the Hon. Mr Redford, so far no male has spoken in this debate. The women who have spoken include not only those who were members of the select committee but also other women members of Parliament, and I find it strange that no man who was not a member of the select committee has seen fit to contribute to this debate.

The final report of the Joint Committee on Women in Parliament is a very thorough document which examines all the issues in great detail. It contains some interesting observations, quotes from the evidence given by various witnesses, and comments made by committee members themselves. The report confirms the view long held that Parliament reflects our society as it is at the moment: that is, a society in which women lack positions of responsibility, authority and proper representation in all spheres. The imbalance which is found in Parliament is no different from that which is found in any positions of responsibility throughout society. In fact, in many respects Parliament, despite its shocking representation of women (about 18 to 20 per cent throughout the country), is still very much better than the boards of companies throughout the country which have, I think, only 3 per cent of women as board members. So, perhaps we can say that Parliament is more representative of society than business. The whole question is really about power. Any position of power and responsibility is one which traditionally has been held by men, and I guess that no-one gives up power easily.

There has been much discussion during the debate and comment made in the report about the proportion of women in Parliament and the voting system that is used. I can but hope that more women do not get into Parliament just as Parliament loses its power, which has been occurring in recent years, and the Executive seizes even more power than it has had until now. With reference to the detailed recommendations in the report, I am glad that the Minister for the Status of Women has said that she will take them up, but it should not be left to her; it should be the Parliament itself which takes up these recommendations, many of which are aimed fairly and squarely at the Parliament.

I am not alone in being bitterly disappointed that the recommendations of the interim report of the select committee were not taken up when the opportunity was there for the Parliament to do so. I feel that it makes a mockery of the select committee that, after so much work to produce such an excellent interim report, it was completely ignored by the Parliament. Under our Parliamentary Committees Act, when standing committees produce a report to the Parliament the Executive must provide a response to that report—that is part of the process. This ensures that the reports of the standing committees are taken note of by the Executive. This does not apply to select committees. They can produce wonderful recommendations which can then be completely ignored by Ministers, parliamentary officers and everyone else. Perhaps we should look at our Standing Orders to see what happens to the recommendations of select committees as well as having the detailed procedure for what happens to recommendations of standing committees.

With regard to the recommendations which refer to the Standing Orders of both this Council and the other House, I suggest that if they are ignored, as were the recommendations of the interim report, the Council itself could move a motion instructing the Standing Orders Committee to implement at least the recommendation regarding gender neutral language. The Parliament is supreme and has the power to instruct its committees as to what they shall do. I suggest that we give the Standing Orders Committee a reasonable time to take up the recommendations of this report but that, if it fails to do so of its own volition, this Council instructs it to do so. We do not want the recommendations relating to the Standing Orders Committee to be ignored as the President and Speaker ignored the recommendations over which they had control in the interim report.

Looking in more detail at the recommendations, I hope that the Minister for Education and Children's Services will take up those which refer to political education measures which should be implemented throughout the schools system. This is a long-term solution, but, if worthwhile courses are introduced in our schools, in 20 years we might expect to see some effect in society resulting from a good curriculum. It is certainly ironic that at the moment the civics education program, which was started by the Keating Government federally, is now being cancelled by the Howard Government. Such a program would have gone some way towards implementing the recommendations detailed in the select committee report on educational measures.

I am glad that the Minister for the Status of Women has endorsed the recommendations, as a number of them refer to actions to be undertaken by the Office for the Status of Women. As that office is under her direct control, she can at least ensure that those recommendations will not be ignored.

I hope that the recommendations regarding child care as a legitimate campaign expense will be focused where they need to go, which is to the appropriate Ministers at Federal or State level. Such measures will not solve all the problems referred to by the Hon. Caroline Schaefer, but I am sure that she would agree that assistance with child care would help women candidates in more remote areas, as, after all, most campaigning is done in local areas. However, it would not solve problems regarding the family responsibilities of members of Parliament from outside the metropolitan area.

The Standing Orders Committee has considerable responsibilities regarding parliamentary procedures, about which recommendations have been made. I agree with the suggestion that family impact statements should be made available as part of the second reading report which is presented with any legislation.

I wholeheartedly endorse the recommendations regarding parliamentary staff, but implementation will require commitment by not only the President and the Speaker but the clerks in both Houses, plus other senior staff within the building. I hope that they will take note of this and not treat it with the disdain with which the recommendations in the interim report have been treated.

One recommendation refers to the Equal Opportunity Act and sexual harassment. The Hon. Carolyn Pickles has already tackled this recommendation with her private member's Bill. I hope that all members will support her legislation, arising

out of the select committee report, if there is agreement with the report as indicated by the silence of many members.

The interim report contained extremely important recommendations relating to child care, a family room in Parliament and the days and times of sitting. Again, I express my disappointment that nothing has happened with regard to these recommendations. I feel that if the Standing Orders Committee does not accept the challenge put before it, this Council should instruct it to undertake the work which would implement the recommendations.

It is true that the necessary major reforms to achieve more women in Parliament must be done through the political Parties, particularly in preselection and general procedures. The Parliament cannot control these; it can only make recommendations and hope that the political Parties will take note and act accordingly. There is obviously great support on both sides for these recommendations. I hope that all members of Parliament will take up these questions within their political Parties and achieve change in that way.

This very valuable report addresses the situation in South Australia. However, it is obvious that this matter is of concern not just within South Australia but throughout the world. There was considerable discussion about getting women into decision-making positions, including Parliaments, at the Fourth International Women's Conference held in Bejing 12 months ago. More recently, I received the summary of the results of a working group to enhance women's representation within Parliaments in Southern Africa. This conference, which was held in Malawi at the end of April this year, involved 10 Southern African countries. It is interesting that many of the recommendations from this African working group mirror the recommendations from our own select committee. For example, they talk about having training workshops and exchange programs to learn more about parliamentary procedures, research and analysis, public speaking, confidence building, gender analysis and other priority topics. Interestingly, they also recommend the preparation of profiles on the perspectives and visions of parliamentarians, with the focus on women parliamentarians, for wide distribution throughout their communities.

I was particularly interested in one recommendation by this Southern African conference, which is not reflected in our own select committee report. It plans the elaboration of a brochure for use by parliamentarians explaining what is meant by gender issues and by women's specific interests. Obviously in Southern Africa it is felt that male members of Parliament need education in these matters just as much as the general community. I suggest that the fact that our select committee made no such recommendation means that it felt that male members of Parliament here do not need education on these matters, or, if I might say this in a slightly cynical vein, that it was pretty well impossible to sensitise many male members of Parliament about these matters, so it would not be worth putting the effort into producing such a brochure.

I hope that is not the case, as I am sure that many male members of Parliament here completely agree with the report of the select committee and endorse its recommendations as heartily as I do. That does not mean that there would be unanimity on this matter amongst all male members of Parliament, but I very much hope that a majority would not require this educational process. We should not let the recommendations of the report gather dust on a shelf but rather should ensure that they are implemented by the various bodies and authorities that have the power to do so. I support the motion.

The Hon. BERNICE PFITZNER: In noting the report on women in Parliament, I must say that the concept of investigating existing impediments to women standing for Parliament and strategies to address these impediments initiated during the 1994 centenary celebration of women's suffrage was an appropriate and a good idea. Many issues were canvassed in the reports—some old and some new—which many of us know about and which are set out clearly, concisely and logically. It serves to clarify our thinking on the whole subject.

However, there was a large gap when it came to non-English speaking or non-English cultural background women and their difficulties not only in standing in Parliament but even in making themselves heard. At this stage I quickly chastise myself for not providing evidence to the committee as a woman from a non-English cultural background. I should have done so, but my cultural upbringing tended to persuade me that others from NECB could give a more objective viewpoint. However, I have been made aware that no evidence was given by any group from NESB or NECB. This surprised me as I expected at least the Office of Multicultural and Ethnic Affairs or its commission would have given evidence, or even that the Asian Women's Consultative Council or the Asian Pacific Women's Business Council would have done so. However, none of them responded and none was specifically called.

I now take this opportunity to address this gap. In searching for some comments on NESB women in the report, I note that at page 30 there is a brief reference to the subject as follows:

> Evidence to the committee maintained that the cultural barriers facing people from traditions other than Anglo-Celtic meant that women from non-English speaking backgrounds face a double bind. It was pointed out that, being comparatively recent arrivals in Australia, women of non-English speaking backgrounds have little chance of being accepted in the old boys and old girls networks and that the political Parties should make efforts to reach out to ethnic communities to recruit talented non-English speaking background women. Affirmative action must include non-English speaking background women in the preselection of candidates for winnable parliamentary seats.

This brief reference did not go into the details of why there would be a double bind and, although affirmative action included the NECB women, no specific strategies were mentioned.

During the 1994 Women's Suffrage Centenary celebrations there was a main international women's conference, generously funded in the hundreds of thousands of dollars, I believe, whose theme was Women, Power and Politics. However, there was a lesser funded international conference called Non-English Cultural Background International Women's Conference, funded to the tune of $7 000, and its theme was insight, courage and purpose, potential unlimited.

We can observe not only the difference in State funding but also the two themes, which provide a distinct cultural difference. On the one hand Women, Power and Politics to me is an aggressive upfront theme and the other—Insight, Courage and Purpose—Potential Unlimited—is more general and yet no less powerful and no less strong.

The proceedings of the NECB International Women's Conference were compiled and printed in a publication with its beautifully and locally designed cover, and I will read some passages that these NECB women contributed. In particular, I will read an article from Dr Kanwaljit Soin on women in politics. An orthopaedic surgeon and politician from Singapore, she states, in part:

Women comprise half the world's population but carry out two-thirds of the world's work and own one-tenth of the world's wealth. In every country we are poorly represented in positions of public and political power. No country treats its women as well as it treats its men.

Looking at a table in the article entitled 'Global Gender Inequality' which involved data from the United Nations, the world's women 1970 to 1990, it shows categories of: Heads of State—men, 98 per cent, women, 2 per cent; Cabinet Ministers—men, 98 per cent, women, 2 per cent; senior positions, national policy making—men, 96 per cent, women, 4 per cent; and national legislators, Parliaments—men, 92 per cent, women, 8 per cent.

The Hon. Carolyn Pickles interjecting:

The Hon. BERNICE PFITZNER: I hear interjections, but I am trying to make a point that it occurs all over the world and still is occurring to this time. The categories continue: senior positions, intergovernmental organisations—men, 95 per cent, women, 5 per cent; senior positions in unions—men, 95 per cent, women, 5 per cent; work hours—men, 40 per cent, women, 60 per cent; income—men (high income), 94 per cent, women, 6 per cent; property ownership—men, 99 per cent, women, 1 per cent; illiterates—men, 40 per cent, women, 60 per cent; and, refugees—men 20 per cent, and women, 80 per cent.

These facts depict a disappointing and dismal result after so many years of debate on gender equality, so many struggles by women and supportive men and so many changes in national laws. We have won the battle for the vote, and there is a growing presence of qualified women in society and the economy yet there is a glaring contrast in the absence of women from major decision making roles.

I quote again Dr Soin, who said that the good news is that all over the world some women are beginning to take the reins of power. Another table shows gendered divisions of power. Some of the more well-known female heads of State in the twentieth century to 1992 are as follows: Presidents—Corazon Aquino from the Philippines, Agatha Barbara from Malta, Isabela Peron from Argentina, and Mary Robinson from Ireland; Prime Ministers—Mrs Bandaranaike from Sri Lanka, Benazir Bhutto from Pakistan, Gro Brundtland from Norway, Edith Cresson from France, Indira Gandhi from India, Golda Meir from Israel, Margaret Thatcher from the United Kingdom, and, lately, Khalida Zia from Bangladesh.

Despite all this progress, says Dr Soin, what are the reasons that hold women back from taking on their share of political power? She further says that the validity of decision making by what is virtually an all male Parliament or legislature is questionable when we consider the 50:50 balance of men and women in society. Policies arrived at by policy making bodies, where women's perspectives and concerns are better represented, would have made that much more legitimate. However, the greater participation of women in politics could well lead to more effective solutions to our society's problems. She further says that when feminists talk of equality between the sexes, they are not saying that men and women are similar in every way but the biological. There are some differences, but these are differences that complement each other in every sphere of life, rather than segregating the sexes into prescribed roles and behaviour.

A balanced participation by women and men in decision making would produce different ideas, values and styles of behaviour suited to a fairer and more balanced world for all, both women and men. Also, women's empowerment would help to liberate men from their rigid roles. Further, she says that in many countries there is a growing lack of respect for the traditional adversarial parliamentary style, and the entry of women into politics in sizeable numbers may improve politics. This belief is substantiated by electorates, as shown in the survey done in Australia in 1991 where 64 per cent of those surveyed believed men entered politics out of personal ambition and desire for money and only 11 per cent believed women had the same motives, 13 per cent believed men were motivated by altruism and concern for community welfare but 54 per cent of the electorate believed this of women.

Let us now look at the strategies that Dr Soin has suggested for changes in order to have more women in public and political life.

1. The first essential tool for change is the availability of statistics documenting the participation of men and women in public and political life. Statistics are an ideal way to illustrate women's unequal representation, whether in private companies, Parliament, trade unions or statutory boards. At the national level, Government could make an inventory of public appointments, disaggregated by gender and the appointing authority, so that it can be clearly seen in which areas the shortfalls lie. I believe our Government is doing something in that direction. Published routinely, such information would permit women and legislators to put pressure on the right points. Databanks with details of suitable women willing to be appointed can be compiled by women's organisations and submitted to appointing authorities. Once there is a critical number of women in public positions, the transition to politics will be so much easier.

2. We can try to change reality by changing mentality. One way to change mentality is by disseminating information and through education. Awareness is needed among women themselves and the population at large as well as throughout organisations.

3. Creating networks in business, professions, government, trade unions and women's organisations to share experiences and create solidarity as well as a knowledge base. Also, women already in powerful positions can influence policy output to benefit women. Women in senior positions can reach out to women lower down and promote them to powerful colleagues. They can also head-hunt for more women to be brought up the ladder, for example, the Prime Minister of Norway, Gro Brundtland, used her power to bring almost 50 per cent of women to Cabinet level.

4. Women's organisations are an important aspect of women making a difference both to women and to society in general. Women's organisations can become a major route for entry of women into public life and for advancing women's interests. Membership of women's organisations, whether or not they are feminist, does have an effect in raising gender and political consciousness among women. Women derive leadership, advocacy and administrative skills from participating in women's organisations and such women should not be overlooked when appointments are made in public life.

5. Planning mechanisms such as quotas or reserved seats must be considered as a strategy to hasten the natural but slow evolution of women into power. It is critical to remember that the central struggle is over power, which is never easily yielded to outside contestants by incumbents who are nearly all men. Therefore, quotas or reserved seats are needed as a temporary measure until the playing field becomes more level.

6. The paths to power must change so that women are not excluded. Given the global problems now confronting us, a legal career and military service cannot remain the major prerequisites for public service or a political career. Why are human relations skills, in which women excel, not deemed crucial for public positions and politicians?

7. Legislation to limit election expenses. In many countries it is very difficult for women political candidates to raise the huge amounts of money required to be able to canvass for elections. This is often the stumbling block for women's entry into the political arena.

I now refer to the recommendations from the Women and Politics Workshop, a workshop of the International Conference of Women of Non-English Cultural Background and its recommendations, as follows:

1. That women who participated in this workshop form a network to support women who want to enter politics or seek representation on Government and non-government boards, committees and councils in South Australia.

2. That political Parties encourage women to enter Parliament by setting a quota of 30 per cent of candidates to be women.

3. That the lack of fluency in English or a strong accent should not be a barrier for being selected as a candidate for a parliamentary position.

4. That political Parties provide training for NECB women who want to enter Parliament.

5. That women in Parliament sponsor and mentor NECB women who aspire to a political career.

6. That this workshop advocates the preselection of an Aboriginal woman candidate for a safe parliamentary seat.

From my perspective there is indeed the double bind that impedes NECB women getting into Parliament. The first bind is that of being a woman and the report covers this most adequately. However, having previously been a medical practitioner, I do not find the parliamentary hours any more arduous than those of a medical doctor. Therefore, I find that the concerns about long hours, encroaching into school holidays and lack of child care facilities are just par for the course.

Therefore, I tend to think that if one is not prepared for these inconveniences then perhaps one should not take on the job—if the kitchen is too hot, then one should move out. The issues of greater concern are cultural. Most cultures of NESB and NECB women tend to be gentle, quiet, disciplined, polite and compromising. These cultures seek not to put a person down nor to offend, but to win a point by gentle persuasion so as not to let your opponent lose face. That sort of culture, coupled with a caring medical background, which seeks to protect the vulnerable and the disadvantaged does not sit well with political life.

In an Anglo-Australian culture, especially politics, one has no problem with blowing one's own trumpet: seeking opportunities for one-upmanship and looking for the weak points of one's opponents so as to strike at them with impunity. With these cultural disadvantages, one needs some sort of affirmative action to impel these women of different cultural backgrounds. However, affirmative action can also work against a person and produce a weakness because the affirmation might produce a person who is not promoted on merit. Rather, I would like to see the NECB women overcome their cultural differences by dint of learning by observation and moving out of their comfort zone into a foreign zone—the type of behaviour they see in the Anglo-Australian women models.

It is best to retain one's own cultural qualities and then add on ones that would tend to promote a higher profile, perhaps, and a stronger character. However, I acknowledge that this is not easy. In closing, I would like to quote part of Dr Soin's contribution when she said:

Finally, I would like to say that 'womens issues' should not be marginalised as representing a special interest group. If a man is not a husband, a boyfriend, a father, a brother or a son, or if his work or business does not involve women in any way, then only is it safe to say that women's issues are of no interest or relevance to him. That probably represents 2 per cent of men, therefore women's issues are relevant to 100 per cent of women and perhaps 98 per cent of men. As Tennyson wrote long ago, 'The women's cause is man's. They rise or fall together.'

In noting the report, it gives me pleasure to be able to address this cultural gap, although I am aware it would have been better to have addressed it in committee and for the Committee to have had the opportunity to ask questions. I therefore commend this report as a contribution to the memory of the women's suffrage centenary.

The Hon. A.J. REDFORD: In closing the debate on this motion, I congratulate the members who contributed, the Hon. Anne Levy, the Hon. Diana Laidlaw, the Hon. Carolyn Pickles, the Hon. Bernice Pfitzner and the Hon. Caroline Schaefer. I note that some comments were made to the effect that many of the issues and recommendations in this report are to be left in the court of the Minister for the Status of Women and the Parliament. One would hope that, in saying so, we do not resile from the obligation upon all of us to carefully consider and implement the recommendations and sentiments contained within the report.

I have always maintained that there has been no collective male conspiracy to exclude women from Parliament, but I would not resile from any criticism that there has perhaps been negligence and selfishness on the part of the male of the species in leading to institutions and mechanisms which caused the exclusion of women. I think that, in some respects, it is more than an obligation on the part of women in our society, in our community and in this Parliament to ensure that the representation of women in this and the other place and, indeed, in all places of power in Australia, but is a collective responsibility of all of us, whether we be male or female.

I want to make one comment about a side issue of the debate, about which the Australian Democrats seem to want to make a big issue, that is, whether or not proportional representation would lead to an increased number of women in parliaments. When I moved the motion it was suggested that Tasmania provides us with a classic case of proportional representation leading to a greater number of women in the Tasmanian Lower House.

The Hon. T.G. Roberts interjecting:

The Hon. A.J. REDFORD: I would have to say that Tasmania, as the honourable member interjects, is prone to throw up the odd aberration, and I would submit that in that case it is just one such aberration. One simple example—and I did not go into much detail but it seemed to focus on the minds of the Australian Democrats—is the United States. It is clear that the most powerful Houses in the United States are their Upper Houses. They are the Houses that have the most power and they are the most prestigious. It is also clear, notwithstanding the vast range of methods of election of people in the 50 odd States in the United States, that men still dominate.

I will always go back to the fact that if the perception of power, and particularly in the Australian Parliament, is that it takes place in the Lower House, then that is where men will appear to dominate. I would be most interested to engage in

debate with the Australian Democrats on that issue in the future. I think the Democrats' whole argument detracts from the main issue. I want to make a number of comments about individual members, and if I do not mention an individual member do not think I did not value their comments, but I was—

The Hon. Sandra Kanck interjecting:

The Hon. A.J. REDFORD: You just did. I was very impressed with the Hon. Anne Levy's genuineness and, quite clearly, she has been in this place longer than any other member and she has been quite consistent and passionate about the sorts of issues that were raised in this report. I look forward to hearing from her in the future about changes in Standing Orders and, whilst I will not guarantee that I will agree with everything she says, I hope we can enter into a spirit of debate which will improve the Standing Orders along the lines that the committee felt were desirable. I also take issue with the honourable member's comments about civic education.

I know from a number of discussions and meetings I have had with the Leader of the Government in this place, and indeed with the Hon. Jamie Irwin, about civics education, there is certainly no intent on the part of this Government to reduce or diminish the role of civics education. Indeed, if one asks questions of people like the Hon. Robert Lucas and the Hon. Jamie Irwin, the opposite would apply. I can assure members that I share their views and, if there is anything or any part I can play, and I am sure if there is any part the Hon. Jamie Irwin can play in ensuring that civics education is improved in this country, then we will do so. It is pleasing to see—

The Hon. Carolyn Pickles interjecting:

The Hon. A.J. REDFORD: I will not resile from criticising where criticism is necessary, either. I have spoken to Dennis Ralph, the newly appointed head of DECS, and it is pleasing to note that he shares a similar view on the important role of civics education in our education system, because a democracy will not work in a state of ignorance. Certainly, getting women involved in the parliamentary process is important.

Having been through the Hon. Carolyn Pickles' contribution, and I must say that I did not disagree with anything she said, other than that I do not support the way in which we get to the objective in terms of quotas. Other than that, everything she said was constructive and positive and reflected my views. Quite frankly, the constructive contribution made by the Leader of the Opposition in the debate reflected the constructive role played by her during committee deliberations.

Without the drive and initiative of the Hon. Diana Laidlaw, this committee would never have commenced in the first place, and that needs to be and should be recognised. In her capacity as Minister for the Status of Women and as an outspoken spokesperson for women's issues, both in the Party room and in Cabinet, I am sure that her role has not been easy.

The Hon. Diana Laidlaw: It's not been easy.

The Hon. A.J. REDFORD: I would have no hesitation in saying that, from what I have seen, I agree with the Minister's comments. I also agree with the contribution made by the Hon. Caroline Schaefer, when she provided a unique country woman's perspective. In any event, I agree with the honourable member's perspective that a lot of this is up to women, and I also agree with the comments made by the Hon. Bernice Pfitzner about the unique position of ethnic women. She no doubt has more experience in that area than most.

The challenge is to men to consider very seriously the recommendations because, funnily enough, there are benefits for men in having more women in Parliament, and we overlook that on many occasions. Following the next election we will be reconstituting all our committees and, barring totally unforeseen circumstances, one imagines that nearly all of us who are here now will be here following the next election. That is the unique nature of the Legislative Council.

One of the significant institutions within parliamentary life is the Joint Parliamentary Service Committee. I throw down the challenge for both major political Parties to ensure that nominations for the Joint Parliamentary Service Committee from the Upper House be for women. So often when we are confronted with decisions made that affect our lives and the many hours we spend in this place, we have to deal with the Joint Parliamentary Service Committee and the decisions it makes, and I hope that we have more women on that committee. Indeed, it is disappointing to note that there is not one woman on the committee. I give the undertaking that, when it comes to nominations following the next State election, if a woman from my Party is nominated, I will give my complete support to that nomination, from whom—

The Hon. Diana Laidlaw: You might nominate the woman.

The Hon. A.J. REDFORD: And the honourable Minister throws out the challenge, which I will accept: I will nominate and support a woman from our Party to be a member of the Joint Parliamentary Service Committee.

The other important committee of which the Hon. Carolyn Pickles is a member is the Standing Orders Committee. Again, I will give this place the same undertaking: that I will, if possible, ensure that I nominate and support as best I can a woman to a position on the Standing Orders Committee—

The Hon. Carolyn Pickles interjecting:

The Hon. A.J. REDFORD: As best I can, having regard to the conditions, as the Leader mentioned. I would hope that a woman is put in that position. I simply say it because a number of recommendations have been made in the previous report about changes to Standing Orders, and there has not—and perhaps I am speaking from a position of ignorance—been any suggestion, indication or notification of any changes to Standing Orders which might improve or encourage women's position.

The Hon. Carolyn Pickles: There is a lot of work going on behind the scenes.

The Hon. A.J. REDFORD: If that is the case, then I am delighted to hear it, and I will support those moves. In closing, I must say that I believe this has been a very constructive process, but it is only one small step. There is much to be done. The responsibility is on us all, and I hope that all members will join with those people who seek to improve the accessibility of women into this place and the lives of women who enter it, because they have a positive and constructive role to play in our democracy. Finally, I thank all those who made submissions to the committee. I thank the Secretary, Chris Schwarz, who worked tirelessly, and Dr Carol Bradley, our research officer.

Motion carried.

WEST TORRENS SIGNS

The Hon. R.D. LAWSON: I move:

That the corporation of West Torrens by-law No. 2 concerning movable signs, made on 16 January 1996 and laid on the table of this council on 15 February 1996, be disallowed.

This motion concerns a by-law which, like many by-laws made by councils in recent times relating to the subject of movable signs, has been couched in a way that does not comply with the provisions of the Local Government Act. The matter was drawn to the attention of the Legislative Review Committee, which resolved that a motion for disallowance be moved. The matter was also drawn by that committee to the attention of the council, which agreed with the infirmity in its by-law and agreed to amend it.

Subsequently, the council made a new by-law on this subject and has repealed the offensive by-law which is the subject of this motion. In these circumstances, having advised the Council of those facts, I seek leave to withdraw the motion.

Leave granted; motion withdrawn.

PARKS HIGH SCHOOL

Adjourned debate on motion of Hon. Carolyn Pickles:

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 caregivers, 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 caregivers;

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.

(Continued from 3 July. Page 1620.)

The Hon. CAROLYN PICKLES (Leader of the Opposition): I thank members for their contribution to this debate and the Australian Democrats for their indication of support. On 15 March, the Education Minister announced that The Parks High School would close at the end of the year. Let me remind members about the kind of community that will suffer because of this arrogant decision of the Minister. The Parks is in one of the most disadvantaged communities in South Australia with 33 per cent unemployment; 57 per cent of people living in Housing Trust homes; 60 per cent of people are low income earners; 30 per cent of households do not own a car; 26 per cent of residents are from a non-English speaking birthplace; and 19 per cent are single parent households. So we are not talking about an affluent community.

As I said during this debate in March, these are South Australia's real battlers. This school is of special significance to the surrounding community as well as the students who learn there and the teachers and support staff who work there. The school is all the more significant because of the successful programs run for children with disabilities and adult re-entry students. For those with disabilities—and this includes adults—the school has provided a life of active learning which might otherwise have been denied to these people. For those who have gone back to school as adults, there have been many positive outcomes in terms of continuing studies or successful career transitions.

The Minister has callously decreed that the community will lost its school. More than 500 students (full-time and part-time) will lose their chance to make a better life for themselves and their family. Not enough thought went into the options for current Parks students prior to the Minister's decision. For many of these students, closure of The Parks will mean the end of their education altogether. In his response to this motion, the Minister staunchly defended the consultation process put in place before he made his unilateral decision to close the school. The Minister set up a review group consisting of people with genuine concern for educational opportunities in the local area. When the review group backed the continuation of The Parks High School for good reasons, the Minister simply overruled its point of view. It seems that the Minister is happy to consult with people as long as he does not have to listen to them or take their advice.

While trying to defend his decision, he said that it was understandable that in a consultation process such as this the review team would that the school should remain open, made up as it is of members of the local school community. If this is what the Minister really believes, why on earth did he bother at all with the review? If he refused to heed the recommendations of The Parks review as he did the recommendations of the Sturt Street-Gilles Street-Parkside review, why put people through the hard slog and anxiety of a review process only to humiliate them ultimately by discounting their views? What led the Minister to think that he knew best when he overruled The Parks review group? With the local and personal knowledge of the review group members, were they not in the best position to appreciate the needs of the young people and the people wanting to go into adult re-entry in the area?

One could be forgiven for cynically coming to the conclusion that the Minister had made up his mind even before the review process began. There is some evidence of this. The Minister has claimed that he was concerned about the cost per student in relation to this school, yet one of the significant factors, apart from the special needs of some of the students, was the amount of rent being paid for the school premises. I have been advised that the owner of the land (the local council) has been prepared to negotiate rental for some time. To the despair of those who care for the school and its community, pleas to the Education Department to seek reduced rental fell on deaf ears. It was as though the Minister did not want to help.

The Minister also strained to justify the wording of the hastily cobbled together letter which was sent home with students on the day on which the announcement of the school closure was made. I might add that it was hastily cobbled together because of the shortage of time given to the Principal to prepare it. The six sentence letter was clearly inadequate, and the timing of the notification on a Friday afternoon was all about stifling debate on this issue in the staffroom and in the streets of the community. The Minister announced The Parks review in 1995 when the Principal was overseas on long service leave. She found out about it a month later.

The Minister is arrogant enough to stand in this Chamber and declare to us all the wisdom of closing this high school, yet he does not have the moral courage to go down to that school and talk to staff and students. I have been there as have other members of the Labor Party. I have talked to staff and students. They are bewildered and distraught. A staff member told me that the Minister had never formally visited the school during the period of the review or since and that he had met with neither the school council or the Principal at

the school. There have been letters to the Premier and the Minister from the school council which have not received a response. The only contact from the department's Chief Executive was a telephone call to the Principal at the end of term 1, almost a full month after the closure was announced. I do not believe that is good enough. I believe that is a very callous attitude.

This Party and, I understand, members of the Australian Democrats will continue their fight together with the school community, parents, teachers and students to try to make the Minister see that he has made a mistake. One can but hope that he will be man enough to declare that he has made a mistake and keep open this school, which is so sorely needed by people who live in this area. I urge members to support the motion.

The Council divided on the motion:

AYES (9)

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

NOES (8)

Griffin, K. T.	Irwin, J. C.
Laidlaw, D. V.	Lawson, R. D.
Lucas, R. I. (teller)	Pfitzner, B. S. L.
Redford, A. J.	Schaefer, C. V.

PAIRS

Roberts, R. R.	Davis, L. H.
Nocella, P.	Stefani, J. F.

Majority of 1 for the Ayes.

Motion thus carried.

ROADS (OPENING AND CLOSING) (PARLIAMENTARY DISALLOWANCE OF CLOSURES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 29 May. Page 1453.)

The Hon. T.G. ROBERTS: I support the Bill. The contribution made in support of the Bill by the Hon. Mr Elliott explained the interpretation of the Act and the way in which the Bill would broaden out the discussion process for the parliamentary disallowance of road closures. The Government's view was that it would add another process by which road openings and closures would be frustrated in a process that was already overly bureaucratic and consultative. With those contributions, the Opposition looked at what the Bill was trying to achieve and whether it was going to be unnecessarily unwieldy in application. Our conclusion is that it is not an overly interfering process to have the Act looked at by Parliament because already a whole range of consultations take place. Our information is that approximately 140 openings and closures are looked at in a year and that a very small proportion attract the attention of the community generally because most are dealt with through the processes without any arguments.

Over the years I have been brought in on some of the road closures that have occurred in the South-East more as a mediator than a facilitator of any processes where councils have made decisions in isolation or through the democratic process but have not been able to satisfy the requirements of those who had a vested interest in the outcome. People in the South-East were seen as having some sort of status in relation to the process and were from time to time consulted. It is in that sort of frame that I was brought in on a couple of closures that were dividing and causing unnecessary arguments within communities. Bitterness still remains with regard to one closure. It may not be a major issue in the metropolitan or outer metropolitan area, but in the Mount Lofty Ranges and beyond the outer metropolitan area these arguments occur within communities.

The Federation of Australian Walking Clubs approached me, as the shadow Minister for the Environment and Natural Resources, and put a couple of issues before me relating to uncertainty about roads linking to the Heysen Trail and other roads that could be used by communities for sport, recreation, pony clubs and such activities. In such instances it would have liked to have made approaches to local government to secure those roads for the use of those communities for sport and recreational purposes, but it found that it was not getting a very good hearing or, if it was, the outcomes were not easy to obtain.

Vested interests within communities manifest themselves through local government and often do not lead to outcomes with which everybody agrees. As members who are brought in to mediate would know, not everybody's requirements can be satisfied when it comes to the transfer of land from State or Commonwealth Governments or local government because many vested interests want outcomes which are suited to their own needs and requirements. Although the Act contains a whole list of procedures that have to be followed before a transfer can take place with regard to an opening or closure, the real criticisms that come through communities are that not too many people read the *Gazette*, that councils tend not to debate the issues in open forums or, if they do, local residents do not pay a lot of attention to the outcomes of the deliberations of councils. That problem may be one for the citizens rather than for the councils themselves. I know that some councils go out of their way to advertise meeting times and dates and set particular times when people can gain access to them. In other cases, councils meet at awkward times and do not advertise their agendas, so local citizens have trouble finding out what items are up for discussion and, by the time they find out about road openings and closures, they have already occurred.

The Hon. A.J. Redford interjecting:

The Hon. T.G. ROBERTS: That is right. There are ways to go about it so that communities do not find out about these openings and closures before it is too late. I know that the Hon. Angus Redford has a rural background and knows that in some cases valuable pieces of real estate run at close proximity to some people's properties and, when the access to those properties is denied to other rural owners of land within those vicinities, it becomes awkward and in some cases power plays that cause a lot of bad feeling start within communities.

When the Bill was presented to us for consideration, the Opposition did not see that one further process of disallowance through Parliament would hurt as a final appeal process for those who were caught, either through inactivity or inattention to the democratic process that operates within our communities, or where there was a real attempt at subterfuge to prevent communities examining those issues.

The Opposition believes that Parliament is the appropriate place for the final arbitration of these issues and has indicated in the second reading the number of road closures and openings that would come before Parliament over any given period; it would be very small. I cannot see that the time of

the Parliament would be taken up too often with those issues, and 98 to 99 per cent of them will be settled within local government and local communities themselves. Where one does get off the track, Parliament can become the final arbiter, so we support the Bill.

The Hon. A.J. REDFORD: I indicated to the Minister this morning that I would speak on this matter, and my contribution is so small that I will do it now. I support the sentiments expressed in this Bill. I have had some problems and difficulties associated with roads opening and closing, including situations where councils have sought to avoid the effect of the Roads (Opening and Closing) Act by avoiding advertising at all through the use of the Local Government Act. That Act is currently under review, and that involves quite a public process at the moment. As a member of the policy committee, I will have a number of things to say to the Minister about ensuring that ordinary people's rights are protected in relation to ensuring that roads are kept open.

In rural areas it is not just a matter of roads and giving access to vehicular traffic. It also involves the movement of stock on foot. There is great comfort in having these areas in terms of fire breaks that can be controlled by the public as opposed to imposing regulations on the private sector. There is a whole range of issues with which I will not bore members at the moment. However, I have a great deal of sympathy with this and know that the Government is looking at this matter seriously and is quite genuine in addressing this issue.

I also know that a process of parliamentary scrutiny through the Legislative Review Committee would enhance the accountability of certain local councils in relation to the role they play in this area. I await with some interest the Government's response to either this Bill or, as I suspect, additional legislation. I am not saying that I will vote for this Bill, but I agree entirely with the sentiments that have been expressed in relation thereto.

The Hon. SANDRA KANCK secured the adjournment of the debate.

PARLIAMENTARY COMMITTEES

Adjourned debate on motion of Hon. M.J. Elliott:

That the Legislative Council notes that—

1. under the Parliamentary Committees Act 1991—
   (a) meetings are usually open to the public; and
   (b) members of Committees are not precluded from comment on subject matter which is raised during public hearings;
2. the practice of the Council for a number of years has been, in the establishment of Select Committees, to permit them to hold public inquiries and to disclose evidence and documents presented to Committees and for the Committees to resolve to take up this authority given to them by the Council.

Therefore, Council resolves that members are permitted to make fair and accurate comment on evidence given at public inquiries of Select Committees.

(Continued from 22 November. Page 523.)

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I move to amend the motion as follows:

1. Delete the words 'notes that' after 'Legislative Council' in the first line.
2. Paragraph 1—Insert the words 'notes that' before 'under the Parliamentary Committees Act'.
3. Paragraph 2—Leave out the words 'the practice of the Council for a number of years has been, in the establishment of most Select Committees,'.
4. Insert new Paragraph 3 as follows:
   '3. resolves that if Select Committees exercise this authority by passing motions in the following form:
      'That this Committee exercise the authority granted to it by the Council and make available for public disclosure all written and oral submissions received, and that the media and public be admitted to all future meetings of the Committee when evidence is being submitted. However, the Committee reserves the right to hear evidence in camera and to grant confidentiality to written submissions upon request.'
5. Leave out the words 'Therefore, Council resolves that' in the final paragraph and insert the word 'Then'.

I say at the outset that we have had a very important convention in this Council whereby, without exception (although there have been a couple of attempts to breach it), when we make changes to the Standing Orders of the Legislative Council we do so with the agreement of all Parties. That is not a convention that is shared by our colleagues in another place. Those with the numbers on any particular day or year can crunch through the Standing Orders of the choice of the majority, and there may well be, as has been the case on a number of occasions in my 20 years experience in this Parliament, strong opposition from the minority Party or the Opposition in the House of Assembly to changes to Standing Orders.

Therefore, I have continued jealously to guard that convention, as it is an eminently sensible one. On occasions the majority of members in this Chamber may be tempted to crunch the numbers and impose the views of the majority on the minority, but every dog has its day and every majority at one stage is a minority at another stage and, once the convention is breached, it is open slather for all potential future majorities in relation to the operations of the Standing Orders.

The Hon. T.G. Roberts: I cannot remember when anyone had the numbers up here.

The Hon. R.I. LUCAS: When I talk of the numbers, I am talking about an aggregation of interests or an amalgamation or combination of Parties or groups. In this case it may well be Labor and Democrat or Liberal and Democrat or, on occasions, Labor and Liberal, putting something which the Democrats oppose.

The Hon. Sandra Kanck interjecting:

The Hon. R.I. LUCAS: Not on Standing Orders—it never has. We can have our politics in relation to motions and Bills, but as individual members of Parliament—whether Democrat, Labor or Liberal—we ought to speak as members of the Legislative Council in relation to Standing Orders issues, and we ought to have agreements between all the Parties. Whilst this does not involve a change to a Standing Order, it is in effect an interpretation of the Standing Orders and practices of the Legislative Council.

I put to the Leader of the Labor Party, but more particularly to the Leader of the Australian Democrats and to the Deputy Leader (who can represent my views to the Leader on this issue), that I would like to see an agreed form of words on this motion between the Democrats, the Labor Party and Government members so that there can be agreement as to how we will interpret our Standing Orders.

I have moved in the Council today an amendment to the motion that was moved by the Hon. Mr Elliott, but personally I do not believe that I have changed the intention or general direction involved. However, the motion is now in a form with which Government members can be comfortable.

However, I am the first to concede that the Hon. Mr Elliott or members of the Labor Party may not similarly interpret my

amendments and, therefore, if there is a problem with our amendments and we do not proceed to a vote tonight, I hope we can agree to have further discussions between the three Parties in order to come up with a form of words acceptable to all Parties. That is my wish. I will now speak to the amendments to further explain why, as Leader of the Government, I am moving them. As to the first paragraph of the motion, there has been no substantive change. It merely notes provisions of the Parliamentary Committees Act, that meetings are usually open to the public and members of committees are not precluded from comment on subject matter which is raised during public hearings.

Again, that may be an issue of interpretation by some members of committees but, as we understand it, it is a statement of proceedings under the Parliamentary Committees Act. The second paragraph of the motion would be changed marginally. It describes the practice of the Council and I am indebted to my colleague the Attorney-General, who has had a longer period in the Council than I have and who has suggested that we should amend the words to say in effect, 'notes that the usual practice of the Council for some time has been in the establishment of most select committees'. The words 'usual' and 'most select committees' have been suggested by the Attorney-General and I agree with him. The Attorney has indicated that he is aware of a number of select committees where we have not actually moved these motions for the reason that the Council may have decided at any point of time. Other members with whom I have spoken have indicated that they have had experience with the odd Legislative Council select committee where we have not actually moved those motions. The only change to the second paragraph is to cover that aspect.

I do not believe that substantively the amendments change the intention of the motion but I believe they further clarify it. I now want to move through an explanation of the way in which we see the Standing Orders of the Legislative Council operating and how they might relate to some of the proceedings in parliamentary committees. Committees appointed under the Legislative Council Standing Orders are subject to Legislative Council Standing Order 396, which states:

> When a committee is examining witnesses, strangers may be admitted, but they shall be excluded at the request of any member or at the discretion of the Chairman, and shall always be excluded when the committee is deliberating.

We are told that in earlier days this Standing Order allowed for interested members of Parliament and strangers such as Parliamentary Counsel to attend when witnesses were being examined. However, for some years there has been a practice of equating 'strangers' in these Standing Orders to be the public at large. In recent years when appointing select committees the Council resolves:

> That Standing Order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves that they shall be excluded when the committee is deliberating.

The substantive changes are that there is an agreement that, when the committee is deliberating, the public or strangers shall be excluded but, in terms of whether or not strangers should be excluded at other meetings of the committee, the decision is taken by the committee. It is not a decision taken at the request of any one member or at the discretion of the Chair of the committee. Therefore, we resolve that Standing Order 396 be suspended.

In relation to the Parliamentary Committees Act 1991, section 26 refers to the Environment, Resources and Development Committee and states:

> Except where the committee otherwise determines, members of the public may be present at meetings of the committee while the committee is examining witnesses but may not be present while the committee is deliberating.

In essence, through suspending a Standing Order it brings us broadly into line with the provisions of the Parliamentary Committees Act. In earlier years when it was determined that Legislative Council select committees be opened up to the public, there was another problem with the Legislative Council Standing Order 398, which states:

> The evidence taken by any committee and documents presented to such committee, which have not been reported to the Council, shall not be disclosed or published by any member of such committee or by any other person, without the permission of the Council.

The Standing Order makes it clear that anyone who might be there in terms of members of the media would not have been in a position to disclose or publish, and neither would members of such committees be in a position to disclose or publish, even though people might have been allowed to attend a committee hearing. Therefore, our usual practice these days in the motion setting up committees, which exercises the authority to conduct public hearings, is as follows:

> That this Council permits a select committee to authorise the disclosure or publication, as it thinks fit, of any evidence or documents presented to the committee prior to such evidence being reported to the Council.

Members of committees will know that select committees generally, following up that permission from the Council, exercise this authority by passing the following motion:

> That this committee exercise the authority granted to it by the Council and make available for public disclosure all written and oral submissions received, and that the media and public be admitted to all future meetings of the committee when evidence is being submitted. However, the committee reserves the right to hear evidence *in camera* and to grant confidentiality to written submissions upon request.

Therefore, that motion of the Council and the committee is required in relation to any potential problems that Standing Order 398 might have for members in terms of the operation of the committee.

In terms of the operation of the Parliamentary Committees Act, the Act was amended in 1994 and clause 24 provides:

> (5) Subject to this Act and any other Act, the committee is to conduct its business—
>
> (a) to the extent that the Standing Orders of its appointing House were Joint Standing Orders (as the case may be) apply—in accordance with those orders; and
>
> (b) otherwise in such manner as the committee thinks fit.

For any joint committees the Joint Standing Orders apply, particularly Joint Standing Order 9, which states:

> The procedure of every joint committee shall, except where herein otherwise ordered, be regulated by the Standing Orders of the Legislative Council relating to select committees.

In essence, while there are separate Standing Orders for the House of Assembly and Legislative Council, if there are any questions in terms of the operation of joint committees, Legislative Council Standing Orders prevail on any questions that need to be pursued which are not otherwise resolved by their own Act.

Hence the Legislative Council Select Committee Standing Orders apply. However, the committee is to conduct its business, 'to the extent. . . that the Joint Standing Or-

ders. . . apply'. As most select committees set up by the Legislative Council since the early 1970s have been held in public and therefore the Council has authorised the disclosure or publication of evidence and documents, it would seem—not that this is directly the matter of this particular issue, but it is a related issue—that the operations of the parliamentary committees under the Parliamentary Committees Act will allow for the public to be admitted to meetings, and allows for the public disclosure or publication of evidence and documents.

May's *Parliamentary Practice* (Twenty-First Edition) states at page 124:

> The 1837 Resolution. . . was usually not enforced when the public were admitted to select committee meetings, and more recently this exception, together with others, has been put on a more substantial footing. Standing Order No. 117 permits all select committees having power to send for persons, papers and records to authorise the publication by their witnesses or otherwise of memoranda of the evidence submitted by them, and Standing Order No. 118 adds that the House will not entertain any complaint of contempt or breach of privilege in respect of publication of evidence given at public sittings of select committees before such evidence has been reported to the House. The publication or disclosure of debates or proceedings of committees conducted with closed doors or in private, or in publications expressly forbidden by the House, or of draft reports of committees before they have been reported to the House will, however, constitute a breach of privilege or contempt.

House of Representatives Practice (Second Edition) states at page 606:

> The confidentiality made possible by a committee's power to meet in private is bolstered by the provision in the Standing Orders that no member of the committee nor any other person, unless authorised by the House, may disclose or publish proceedings of the committee. This provision covers private committee deliberations, the minutes which record them and committee files. Any unauthorised breach of this confidentiality may be dealt with by the House as a breach of privilege or a contempt.

Likewise, I am advised that reference to Odgers' *Australian Senate Practice* (Seventh Edition) indicates at page 448 that restrictions to publication of evidence applies only to evidence taken *in camera* and not at public hearings. I have gone through the parliamentary references to place on the public record this issue. I am aware of some differing views in the Parliament as to the appropriateness of the procedures in relation to members' conduct in committees, whether they be select committees or standing committees. It may well be that the procedures adopted and supported by the House of Assembly are different from the procedures and practices adopted and supported by the Legislative Council. As I indicated earlier, certainly their conventions in relation to the changing of their own Standing Orders is significantly different from the conventions that have prevailed in the Legislative Council.

It certainly would not be the first occasion where there was a difference of opinion or interpretation in relation to Standing Orders and the procedures and conduct of members of our parliamentary committees. I must say, having spent most of my parliamentary life in Opposition, whether I was working with members who were on the committees or as a member myself representing the Opposition on select committees, the practice, in my experience, in the Legislative Council select committees has generally been that members of all colours and persuasion have spoken publicly in relation to proceedings that have eventuated within select committees of the Legislative Council.

According to some members of the House of Assembly, the practice in the House of Assembly may be different, but I am sure that all members in this Chamber can think of examples, both personal and otherwise, where members of the Legislative Council, both present and past, have spoken publicly on a range of issues. I spent many delightful hours with the Hon. Terry Roberts on the SATCO select committee many years ago when we investigated Scrimber, Africar, and a variety of other most important—

The Hon. Carolyn Pickles interjecting:

The Hon. R.I. LUCAS: The Hon. Carolyn Pickles, too, was a fellow traveller to New Zealand for three days when we looked at the APL plant, or whatever it was.

The Hon. Caroline Schaefer interjecting:

The Hon. R.I. LUCAS: Times are much tougher these days under a more stringent Liberal Government, as ought to be the case.

The Hon. Carolyn Pickles: It was hardly a tourist resort.

The Hon. R.I. LUCAS: It was not a tourist resort. The hotel accommodation was flooded out when we got there. The carpets were hanging in the car park to drain, smelling of must, and whatever else, because the floods had just been through. Nevertheless, I will not be—

The Hon. T. Crothers: Was that the time we were washed out in Greymouth?

The Hon. R.I. LUCAS: In Greymouth, yes. The Hon. Mr Crothers was also a member of that committee. We are very well represented here with four members of that select committee.

The Hon. T. Crothers interjecting:

The Hon. R.I. LUCAS: We have survived. We only need the Hon. Mr Davis, who had a starring role on that select committee, to fill it all out. I think the Hon. Mr Elliott was the number six on that select committee. There were a number of examples in relation to the operation of that select committee and others when, after evidence had been presented, the media in effect commented upon written articles, interpreted the evidence of various witnesses, and representatives of the Australian Democrats, the Liberal Opposition and the Government commented publicly in relation to the proceedings of that particular committee.

In recent times a select committee was looking into statutory authorities, which involved an issue close to the Hon. Mr Davis's heart. SGIC, ASER, and a variety of other authorities such as those have been more recent examples of that particular practice in the Legislative Council. Whilst I have quoted the formal parliamentary Standing Orders and also quoted learned interpretations of parliamentary procedures that have been provided to me, which do support, as I said, the continuation of the Legislative Council practice, I indicate that the practice in relation to the Legislative Council, in my judgment any way, has been one of long standing, both when we were in Opposition and it continues today whilst we are in Government.

I have asked the Deputy Leader of the Australian Democrats to convey my thoughts to the Leader of the Australian Democrats on these issues. In conclusion, I would ask members whether we can come to some agreement, whether it be on the amendments I have circulated or perhaps another form of words that might be acceptable to the Democrats, the Labor Party and the members of the Government.

The Hon. CAROLYN PICKLES secured the adjournment of the debate.

ELECTRICITY CORPORATIONS (GENERATION CORPORATION) AMENDMENT BILL

In Committee.

(Continued from 23 July. Page 1764.)

Clause 2—'Commencement.'

The Hon. R.I. LUCAS: I move:

Page 1, after line 14—Insert subclause as follows:

(2) the different provisions of this Act must be brought into operation on the same day.

At the outset, I thank the Deputy Leader of the Australian Democrats (the Hon. Sandra Kanck) for what I understand is a most constructive suggestion that she made yesterday afternoon in relation to the proceedings of this Committee. The honourable member suggested that perhaps it might be appropriate for discussions among all interested parties to see whether there might be some way through the differing views between the parties on this issue. I am advised—and I am sure the Hon. Sandra Kanck will be able to enlighten us as to the proceedings and processes that have ensued in the past 24 hours or so—that there has been an agreement between the Government, the Opposition and the Australian Democrats on a package of amendments.

On behalf of the Government, I have now circulated a package of amendments which, as I indicated yesterday, I can see our discussing as a package, and we could have a test on the first one to see whether my understanding is correct that there has been agreement. Should that be the case, then the others could follow consequentially.

I do not intend to delay the proceedings of the Committee unless an issue needs to be raised by the Hon. Sandra Kanck or the Hon. Terry Roberts speaking on behalf of the Opposition. On behalf of the Minister for Infrastructure, I indicated yesterday the Government's position. I understand that the Minister has met with the shadow Minister and the Deputy Leader of the Australian Democrats to discuss the Government's concerns and, equally, the concerns held by the Labor Opposition in relation to the Government's legislation.

As a result of that and the involvement also of the Hon. Sandra Kanck, I am now reliably informed that I am moving a series of amendments which may well have agreement of all members in this Chamber. The Hon. Terry Roberts may well have to withdraw amendments standing in the name of the Hon. Ron Roberts so that we can consider this package of amendments.

The Hon. T.G. ROBERTS: I am reliably informed, as is the Leader, that as a result of negotiations that have occurred in the past 24 hours agreement has been reached around a set of amendments that take into account the positions being put by the Government, the Opposition and the Democrats yesterday. We can proceed on the basis that we will test the first amendment moved by the Hon. Mr Lucas. I therefore seek leave to withdraw the amendments moved yesterday by the Hon. Ron Roberts.

Leave granted; amendments withdrawn.

The Hon. SANDRA KANCK: In a way, it was rather ironic to hear the comments at the beginning that we had yesterday reported that we had made progress, and at that stage we had made a little progress in that there had been an agreement to talk. The Minister for Infrastructure, the shadow Minister and I met this morning for about three quarters of an hour, and one would probably describe it as the deadlock conference that one has when one is not having a deadlock conference.

There has certainly been a breakdown in communication, and the Minister for Infrastructure made very clear at that time that he has no intention at all of privatising this generation corporation or any other parts of ETSA. He made that statement in the utmost sincerity, and the shadow Minister also accepted that. Having accepted that, we were able to progress a great deal. We agreed that the Minister would look at the page of amendments that the Opposition had put on file on 11 July, with ETSA's legal advisers and Parliamentary Counsel, and see whether something could be arrived at that addressed everyone's concerns—the concern of the Opposition and the Democrats being that the leaked document, which had come into the Opposition's hands, did leave a lot of doubt in our minds that the path was being paved to allow privatisation.

The amendment that the Hon. Mr Lucas has now moved will settle people's minds. Obviously, what has happened in the past 24 hours shows that it makes a difference if we can get together and talk things out with not just one and then the other but all three, as I said previously.

The Hon. M.J. Elliott interjecting:

The Hon. SANDRA KANCK: Well, the Minister for Infrastructure did, and it was very productive. Although I am not a supporter of the Bill, I am pleased that we have been able to come to some sort of agreement on this.

Amendment carried; clause as amended passed.

New clauses 2A and 2B.

The Hon. T.G. ROBERTS: I move:

Page 1, after line 14—Insert new clauses as follows:

2A. The long title of the principal Act is amended by inserting after 'purpose;' 'to provide for the assets of electricity corporations to remain in public ownership;'.

2B. Section 3 of the principal Act is repealed and the following section is substituted:

Objects

3. The objects of this Act are—

(a) to establish corporations for the generation, transmission and distribution of electricity for the benefit of the people and economy of the State; and

(b) to provide for the assets of electricity corporations to remain in public ownership.

The Hon. SANDRA KANCK: This is the amendment to which the Hon. Mr Lucas referred last night when he said in Committee that an agreement had been reached between the Government and the Opposition. This is the amendment that was agreed to. The matter was resolved some time ago between, I believe, the Minister for Infrastructure and the shadow Minister for Infrastructure. It was an attempt by including this wording to give reassurance that the Government did not intend to privatise ETSA. Therefore, I am happy to support the amendment.

The Hon. R.I. LUCAS: The Hon. Terry Roberts' passionate and powerful exposition of this amendment has convinced the Government to support it. The Government therefore supports the amendment.

New clauses inserted.

Clauses 3 to 18 passed.

Clause 19—'Limitation of power to dispose of certain assets.'

The Hon. R.I. LUCAS: I move:

Page 4, line 10—Leave out 'for the disposal of assets'.

The Hon. SANDRA KANCK: I support the amendment.

Amendment carried.

The Hon. R.I. LUCAS: I move:

Page 4, lines 12 to 18—Leave out subclause (2) and insert—

(2) This section applies to a transaction if—
(a) the transaction—
(i) is a sale of assets of an electricity corporation consisting of electricity generation facilities or the whole or part of an electricity transmission system or electricity distribution system; and
(ii) is negotiated with a view to the operation of the assets as part of the South Australian electricity supply system by a person or body other than an electricity corporation; or
(b) the transaction involves the issuing, sale or other disposal of shares in a company that is a subsidiary of an electricity corporation to a person or body other than an electricity corporation or officer or agency of the Crown and assets consisting of the whole or a major part of an electricity transmission system have been or are being transferred to the company by an electricity corporation; or
(c) the transaction involves the transfer by an electricity corporation of assets consisting of the whole or a major part of an electricity transmission system to a company that is a subsidiary of an electricity corporation and shares in that company have been or are being issued, sold or otherwise disposed of to a person or body other than an electricity corporation or officer or agency of the Crown

The Hon. SANDRA KANCK: I support the amendment.

Amendment carried; clause as amended passed.

Remaining clauses (20 and 21) and title passed.

Bill read a third time and passed.

ROAD TRAFFIC (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 10 July. Page 1713.)

The Hon. SANDRA KANCK: In essence, this Bill seeks to improve the safety of country roadwork sites by introducing graded reduction in speed limits and extending exemptions for non-compliance with the Road Traffic Act to military ambulances, fire fighting appliances, military police and road workers. I had not seen this Bill as having any far-reaching consequences, but the contribution of the Hon. Mr Terry Cameron to the debate has raised a few questions in my mind. While I certainly concur that the amendments to sections 40 and 134 in relation to non-compliance with the Road Traffic Act do not seem to cause too much indigestion, I am not sure about the Hon. Mr Cameron's concerns about proposed amendments to section 20.

The honourable member seemed to be implying that the maximum speed limits specified by the Bill in work sites and work areas would rise from 25 km/h to 40 km/h and from 60 km/h to 80 km/h, respectively. I must say that this is not how I read the Bill at all. I interpret the Bill as enabling maximum speed limits near roadworks to be set at different levels: up to 40 km/h in the case of a work site and up to 80 km/h in the case of a work area. The magic words in the Bill are probably 'not exceeding'.

I see much value in what is contained in that provision, because it seems to me to be putting in almost an automatic requirement to gradually slow down when approaching any roadwork that is occurring so that motorists do not find themselves driving along at 110 km/h and suddenly having to slow down to 25 km/h. This provision allows a series of speed signs to be put in place, as I understand it, so that the motorist would gradually move down to the appropriate speed. Section 20 of the Road Traffic Act empowers appropriate public authorities to set these maximum speed limits. This would mean that unions with members who work on the roads and their employers would be able to exert more influence than they currently do over speed limits at or near roadworks.

I would have thought that that might have satisfied the Hon. Mr Cameron. As a consequence of his contribution, my office contacted the Australian Workers' Union which confirmed that it was disappointed that it had not been consulted. Mr Bob Sneath of the Australian Workers' Union would have preferred to have the opportunity to put the matter to his members, who are the people who potentially will be most affected by the amendment. Mr Sneath raised with me his concern that a number of private roadworks contractors, who have become more prevalent in country areas since the 1993 election, have been less than diligent in erecting adequate signage around roadworks, and he suggested that the Bill should put the onus on private contractors to ensure that such signage is erected. I shall be putting on file an amendment which I hope will address this matter.

I also raise the issue of having some flexibility regarding speed limits depending on conditions. For example, last week I was travelling through a suburb where paving bricks were being put on the footpath. There were signs on the road indicating 25 kilometres per hour so that they could put paving bricks on the footpath. That seemed a little unnecessary. I accept that as some workers get close to the road they might be concerned for their safety. However, I felt it might be more sensible in those circumstances to consider a limit of 40 kilometres per hour. I have instructed Parliamentary Counsel to draft an amendment to add to this so that, where roadworks are being carried on more than a metre from the edge of the carriageway, that limit could be raised to 40 kilometres per hour.

I should also be interested to know whether the Minister has consulted workers in local government, Sagasco, ETSA, SA Water and others who might be involved in roadside work and, if so, what their reaction has been. I support the second reading on the basis that my understanding of the Bill is correct and the interpretation by the Hon. Mr Cameron is incorrect. I shall wait to see what that turns out to be.

The Hon. J.F. STEFANI secured the adjournment of the debate.

GOVERNMENT BUSINESS ENTERPRISES (COMPETITION) BILL

Adjourned debate on second reading.

(Continued from 23 July. Page 1752.)

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I thank honourable members for their contributions and indications of support for the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 11 passed.

Clause 12—'Matters to be considered by Commissioner in carrying out investigation.'

The Hon. R.I. LUCAS: I move:

Page 5, lines 18 to 23—Leave out subclause (1) and insert—

(1) The prime objective of a Commissioner in carrying out an investigation and making a pricing recommendation is—
(a) to achieve prices that reflect, in the Commissioner's opinion, the cost of efficient production and supply; and
(b) through that means to achieve efficient resource allocation,

so far as that objective is consistent with explicitly identified and defined community service obligations imposed on the relevant GBE by Act of Parliament or by the Government.

Amendment carried; clause as amended passed.

Remaining clauses (13 to 22) and title passed.

Bill read a third time and passed.

CRIMINAL INJURIES COMPENSATION (LEVY) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 23 July. Page 1766.)

The Hon. M.J. ELLIOTT: I support the second reading of the Bill. I understand that this Bill has emanated from a report by a parliamentary committee with a term of reference which originally came from this place on a motion moved by me. The last amendments to the Act were proclaimed on 12 August 1993 and had the effect of substantially decreasing awards of damages for pain and suffering paid to victims of crime. I understand that the general opinion amongst members of the profession who practise in the area is that the awards were decreased to about one-fifth of the previous award.

The Hon. R.D. Lawson interjecting:

The Hon. M.J. ELLIOTT: I understand from my learned colleague that it is one-third. Under the arrangements introduced in August 1993, damages for pain and suffering have been assessed on a sliding scale of 0 to 50, with $1 000 being paid for each unit on the scale.

In the leading decision of *State of South Australia v. Bole*, the Full Court of the Supreme Court reduced on appeal an award of $18 000 to $12 000 for a woman who had been raped in her own home and was suffering chronic post-traumatic stress disorder for a period in excess of three years.

The general effect of the amendments is that most victims of crime now receive an award between $1 000 and $5 000 for all but the most serious forms of injury. I understand that the average award may be slightly higher than this, but this is a trick of statistics brought about by the award of $50 000 to a few people who suffer severe physical injury and substantial loss of income—economic loss.

The sliding scale of 0 to 50 for non-economic loss is similar in principle to a scale used in the Wrongs Act to assess damages for pain and suffering for victims of motor vehicle accidents. The Act was proclaimed in 1988, but the award of compensation under that Act was linked to the consumer price index. The initial award of $1 000 per unit has, with the passage of time, risen to about $1 600 per unit today. There is no similar provision in the Criminal Injuries Compensation Act for indexing the awards of compensation to inflation. Consequently, the true value of the awards has been decreasing over time.

A case could perhaps be made for a substantial increase in awards of compensation above the levels now being offered, but it is unlikely that that will be considered by the present Government. I cannot see any justification for not linking the awards of compensation to inflation if the Government is proposing to link the criminal injuries compensation levy to inflation.

With respect to the amendments to section 7, amendments (a) to (d) are an adjustment of the awards for pain and suffering awarded to near relatives of deceased persons. Again, I consider these awards to be low and that indexing them to inflation is the very least that should be done.

The proposed amendment to section 7(2)(b) part (e) is a different class of amendment. Under the present Act the minimum award is $1 000. This is a positive disincentive to many people with injuries not to commence proceedings on the basis that they may not reach the threshold. I support this amendment.

The proposed amendment to section 8 relates to proof and evidence and will assist victims who previously missed out on compensation because of their inability to prove a matter beyond reasonable doubt. It is not certain that this brings our Act into line with the law in every other State. It is consistent with the onus of proof in every other civil claim such as motor vehicle accidents and workers compensation claims. It is particularly important in the cases of infant victims of sexual assault and cases of self-defence.

Under the present law there may be no doubt that a person was actual attacked. However, an offender may escape conviction if the prosecution is unable to satisfy the court beyond reasonable doubt that the victim believed that he was defending himself. I am advised that that area is causing some concern as we changed the law recently in terms of what defence a person might put forward. That defence is such that people who clearly should not be getting off are getting off. That is not being addressed by this Bill.

The other case of relevance is in the case of a victim of sexual assault where the question for determination is one of consent—date rape. I am aware of many cases where, on the balance of probabilities, the victim would have been believed, but a jury acquits people because they have some doubt that the accused may just be telling the truth. Under the existing law all these people are denied compensation.

The Hon. A.J. Redford: Under this scheme.

The Hon. M.J. ELLIOTT: That is right. I support the Bill and the amendments being moved by the Hon. Carolyn Pickles as they are taking what is a serious attempt to solve some problems in the law, and the amendments are a further improvement upon it.

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

LOCAL GOVERNMENT (WARD QUOTAS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 11 July. Page 1728.)

The Hon. A.J. REDFORD: I support the Bill. At the outset I congratulate and acknowledge the very good job that the Minister is doing in local government and local government reform. Last year we passed some significant legislation concerning the reduction in the number of councils which necessarily leads to a change in council boundaries. No doubt all members of this place, including the Australian Democrats and the Australian Labor Party, have had various comments from various people about proposals concerning local government boundary changes, and we have all had discussions about them on various occasions.

In one of the earlier discussions I had, after the legislation was passed, was at a meeting at Gumeracha, where I was approached by one of the councillors from a smaller council that was subject to an amalgamation proposal, and she said that she did not think there would be any problem with a council amalgamation. After a few basic facts were explained to me, it seemed that it was a very logical move, but that the

major opposition would come from those councillors in her small council who would be overwhelmed by the one vote one value principle as applied when the two larger councils which were the subject of that amalgamation were put into that one council.

The Hon. T.G. Roberts: Penola or Lucindale?

The Hon. A.J. REDFORD: As I understand what is happening at Penola and Lucindale, it is typical of people in the South-East: they have an eye for the main chance, they are adding up their numbers both financially and in a democratic way, and I am sure, given their good breeding and good education, that if they get down they will come up with the right result. However, I was talking of places further afield such as Gumeracha.

When I was approached by that councillor I thought that it would be a dreadful shame if some councils amalgamations, which would lead to benefits to ratepayers, should be put on hold, stopped, hindered, prevented or protested against because of a sectional interest by an individual councillor or group of individual councillors from a small council.

In that respect, when one looks at it one realises that the greater good might apply by having a transitional provision, which this piece of legislation is designed to effect. However, there is a more important issue: these small local government councillors will have an important role to play in the transition process. Every member would agree that the transition process does not simply end when Cabinet approves a particular council amalgamation. In fact, that is really the commencement of the amalgamation process, and there needs to be a great deal of management in terms of staff, resource and rate issues, all of which are necessarily to be looked at by the new council.

It seems only proper that the old councils, as constituted prior to any amalgamation, should have the ability to oversee the amalgamation initiative. It is my view that they should have the ability to ensure that undertakings and business and financial plans that were projected prior to the amalgamation are seen through to the end and—

The Hon. T.G. Roberts: Assets.

The Hon. A.J. REDFORD: And assets. Not only should they be held responsible for determining on behalf of their electors whether or not an amalgamation takes place but also at the same time those very same people ought to be intrinsically involved in the process leading to the amalgamation. At the end of the day it is a very important democratic principle.

The Hon. Paul Holloway talked about the hoary old chestnut of one vote one value, whatever that might mean, and said that the Labor Party will put aside this principle (and it is a hoary old principle) to enable this higher objective to be achieved. That probably puts that principle of one vote one value in its proper perspective. We all know that we can have a one vote one value system and have a series of electorates with similar numbers of people and have the greatest gerrymander of all time. If I were given the opportunity I could draft a set of electoral boundaries for the next State election that would ensure that the Labor Party got four members and the Liberal Party got the other 43. Given an opportunity to do it prior to every election following, I could ensure that that system was maintained whilst ensuring that the same numbers of people comprised each electorate.

The Hon. T.G. Roberts: Martin Cameron wouldn't let you get away with it.

The Hon. A.J. REDFORD: The honourable member says that Martin Cameron would not let me get away with it. Given his position now, I am not sure that he would not be tempted by that option. So we all know that the term one vote, one value has been a hoary old political chestnut, which is still trotted out by hoary old warhorses in politics in the 1970s, whether it be Don Dunstan or Martin Cameron, as the honourable member interjected, or whether it be the Hon. Ren De Garis. I must say at this point while we are on this topic that I have often wondered at the value of this one vote, one value. I will give an example.

Members interjecting:

The Hon. A.J. REDFORD: I am being provoked, but one wonders at the value of democracy when one looks at a fellow like Barry Wakelin MP, who has one vote one value, that is, the same number of members in his electorate, as has the member for Adelaide, Trish Worth—and I will just pick Liberals, as that is easier to do in the current political climate. When you look at this one vote, one value, really what we are talking about is access to the political process. I would suggest to every member in this place that no-one could argue that a person in Adelaide has greater political access to their political representative than those people who live in the north of this State. I use that as one example of why this principle of one vote, one value, which seems to have been enshrined by some of those old warhorses such as Don Dunstan, is in some respects quite anti-democratic, when taken to an illogical extreme, which is what is happening in this State. In some respects I would like to see a more enlightened debate on the topic in the absence of that old warhorse, Don Dunstan.

In any event, I also think that, when you are looking at this sort of transitional process, this one vote, one value really depends very much on the perspective from which you look at it. In you are in the old council you will say, 'I have one vote, one value, my vote counts the same as the fellow in the next ward,' and when it shifts into the new council I think there has to be a transition process, whichever way you look at it. So in some respects I think the begrudging concession made by the Opposition is exactly that—begrudging. In the circumstances, I support the Bill. I congratulate the Minister. I note that council amalgamations are proceeding apace. I know that extraordinary amounts of work have been done, and I want to go on record as congratulating the Chairman of that board, Annette Eiffe, who is the current Mayor of Prospect. I commend the Bill.

The Hon. M.J. ELLIOTT: I rise to support the Bill. I received correspondence at the time that the Bill was being drafted from the Local Government Association, which made it quite plain that they supported the principle of the Bill and made it clear at that stage that as long as the provisions were transitional they would be satisfied, and more recently they have said that they are happy with the Bill as drafted. In fact the President of the LGA commended the Minister on his speedy response to the needs expressed by councils. I must say that they have been a lot more happy with him on this matter than they have been on the handling of the Development Bill so far; but that is another story that we will get to handle next week. So we have a Bill here which has not proved contentious, that the Local Government Association, representing local government, is happy with, and so I am more than happy to support the Bill.

The Hon. DIANA LAIDLAW (Minister for Transport): I thank all honourable members who have contributed this debate. One issue was raised by the Hon. Anne Levy regarding the Government proclaiming a date that

is beyond the second election, and I would like to make the following comments. The Government is committed to the principle of one vote, one value and is determined to minimise the impact of this amendment by limiting its application only to proposals lodged under Division X of the Local Government Act. Also, the Local Government Boundary Reform Board staff are actively encouraging councils in forming their own structural reform proposals to aim to establish complying ward structures or to move to a governance mechanism without wards. Use of this amendment will therefore only be applied in a few cases where structural reform would not occur without this option. The Government's intent is to administer the amendment in such a way that the date of the second general election is the maximum period available to establish complying ward structures. Therefore, the Government will set a date by proclamation which provides for a shorter period to comply, rather than a longer period.

I am advised that the current proposed amendment is adequate, given the Government's policy and intent in administering it and also given that the entire Local Government Act is under review. Notwithstanding that advice, we understand that the Hon. Anne Levy is keen to move an amendment, and has one on file, and the Government is prepared to accept that amendment. It does clarify the issue, although I repeat that it was always the Government's intention in administering the provisions in this Bill to do so in the manner outlined by the Hon. Ms Levy, but clarification is proper if there is any doubt about the Government's administration or intentions in this regard.

I would just add briefly that the principle of one vote, one value will underpin the revised Local Government Act, a draft of which is expected to be available by the end of this year. This current amendment will therefore be considered in the overall context of the new Local Government Act and in relation to provisions that may be introduced to replace the Local Government Boundary Reform Board (Division X), given its sunset date of 30 September 1997. This amendment has been proposed at this time to offer reassurance to councils and to encourage the maximum number of structural reform proposals to be initiated by councils within the September 1997 time frame.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Formation, alteration or abolition of wards.'

The Hon. ANNE LEVY: I move:

Page 1, lines 21 to 23—Leave out all words in these lines after 'to take effect' in line 21 and insert 'on or before the date of the second general election of the council after the proposal takes effect or, if an earlier date is fixed by proclamation, on or before that date'.

I am certainly reassured by what the Minister said in reply that the Government has no intention that abrogation of the one vote, one value principle should apply for more than one election, in the circumstances which she outlined. I think my amendment makes that quite clear and, while I appreciate the Government's intentions, Ministers do change, Governments do change, and I think it is better to not have any possible ambiguity in the legislation with which the Parliament is dealing, and my amendment clarifies the situation and makes it crystal clear.

The Hon. DIANA LAIDLAW: The Government supports the amendment.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

INDUSTRIAL AND EMPLOYEE RELATIONS (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 11 July. Page 1726.)

The Hon. M.J. ELLIOTT: I support the second reading, and I simply indicate that, having consulted with representatives of both employee and employer groups, they have all expressed satisfaction with this legislation. They have expressed no concerns, and the Democrats will be supporting it.

The Hon. T.G. ROBERTS: I rise to indicate that, following negotiations and discussions, an agreement has been reached on this matter and the Opposition will be supporting the Bill.

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

DE FACTO RELATIONSHIPS BILL

The House of Assembly intimated that it had agreed to the recommendations of the conference.

EDUCATION SERVICES

Adjourned debate on motion of Hon. Carolyn Pickles:

1. That a select committee of the Legislative Council be established to consider and report on the following matters of importance to primary and secondary education in South Australia:
   - (a) the fall in the retention rate of year 12 to 71.4 per cent, including the reasons for fewer students completing year 12, for example—the introduction of SACE, curriculum choice and economic factors.
   - (b) the effect of the reduction of 250 full-time equivalent school service officers on the operation of schools and the delivery of programs.
   - (c) the practice of State schools charging fees including—
     - (i) the level of school fees;
     - (ii) the purposes for which fees are charged;
     - (iii) inequities between schools in the level of fees;
     - (iv) whether fees limit curriculum choice for some students;
     - (v) the effect of new regulations empowering schools to charge fees;
     - (vi) the availability and level of schoolcard; and
   - (d) any other related matter.
2. That Standing Order No. 389 be suspended as to enable the Chairperson of the committee to have a deliberative vote only.
3. That this Council permits the select committee to authorise the disclosure or publication, as it thinks fit, of any evidence or documents presented to the committee prior to such evidence being presented to the Council.
4. That Standing Order No. 396 be suspended as to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

(Continued from 15 February. Page 947.)

The Hon. M.J. ELLIOTT: I support the motion and I move:

Insert new subparagraphs as follows:

(ca) the effect of school closures on the delivery of quality

education services;

(cb) the role of middle and upper schooling.

In supporting this motion for a select committee I note that, as a person who taught in the State education system from 1976 through to 1985 inclusive, until about 1982 being a teacher was a good and satisfying job in all regards. You went to the school; you felt that you were being valued as a teacher; you had the resources to do your job, and you got on with it. It was a job that was indeed highly satisfying.

After about 1982, the rot set in. I must say that it was a gradual process of attrition, but it went on progressively from that period. I certainly noticed it during the further three years that I taught after that time. I still have many friends and acquaintances teaching in the State schools, and they assure me—and have assured me continuously—that this process has continued and unfortunately has accelerated over recent time. The schools are surviving on the goodwill of people who are being asked to do the impossible. You can do the impossible for a while, but you simply cannot sustain it. That indeed is most unfortunate.

It is not my intention to try to debate the individual components of this motion. If one accepts that the issues raised within it are all of significance—and I believe that they are—and that the further amendments I have moved are of significance—I believe they are, and that is why I moved them—it is best that the detailed analysis be done by the committee itself. The point I really wanted to make is that I do know from first-hand knowledge—as a teacher, as a parent, as a member of schools and with many close friends still teaching in the State schools—that we have some very real problems. Although when these problems get raised in Question Time—and they get handled in a very professional manner, might I say—the problems are still there. They are not fixed up by the answer to the question in this place; they are real problems, and they are not being addressed. There is a continued deterioration which we in this State should not be tolerating. I will leave it to the committee to look at those individual issues, and I look forward to the committee's reporting back to this place in the fullness of time. I hope that it does recommend that real action is necessary in a number of places—and I do not doubt that there is—and I further hope that the Government will react to such recommendations.

The Hon. ANNE LEVY secured the adjournment of the debate.

AUSTUDY

The Hon. M.J. ELLIOTT: I move:

That the Legislative Council condemns proposals to abolish Austudy payments for all secondary students and to replace Austudy payments to tertiary students by an expanded loan scheme.

This motion is a recognition of the erosion of support for education in this country. The Australian Democrats are steadfast in their opposition to proposals to abolish Austudy or to erode the amounts paid and are presently circulating a petition reminding the Federal Coalition Government of its promise to maintain Austudy. When the Federal Government went to the March Federal election it promised: to maintain funding levels to universities in terms of operating grants; to maintain the Higher Education Contribution Scheme; and to maintain the number of university places.

However, the Government has so far refused to guarantee that any of these promises will be kept. The Coalition's youth policy document, entitled 'Giving Hope to our Young People', promised to 'maintain Austudy in real terms and introduce fairer arrangements in the assets test for farm families and self-employed people'.

Now for the facts. Austudy is paid to 469 000 secondary and tertiary students and cost the Commonwealth about $1.56 billion last year. The maximum amount of Austudy—$126 per week—is equivalent to 68 per cent of the poverty line, with most people on Austudy living on around 38 per cent of the poverty line. Research has proven that Austudy has helped disadvantaged groups to enter into and pursue secondary and higher education.

In the Federal Government's options paper of 1992, the architect of the loans scheme (Dr Bruce Chapman) acknowledges that 45 per cent of parents on low incomes said that their children would not be able to continue secondary studies if Austudy was cut. Abolishing the payments scheme would cause long-term harm to Australia's economic, cultural and intellectual framework. Austudy has had a demonstrable impact on increasing access and equity in our secondary education and higher education systems.

Australian Bureau of Statistics figures released by Minister Vanstone's own department last month reveal that people without post school qualifications represent 68 per cent of long-term job seekers. In the five years to May 1990, people who dropped out of high school accounted for almost half the long-term job seekers.

A total of almost $120 million was spent on Austudy in South Australia in the 1993-94 financial year. Almost $50 million went on secondary education, while more than $70 million went to the tertiary sector. In South Australia alone, 40 400 students were assisted by Austudy in the 1994 calendar year. Retention rates of full-time secondary students to year 12 in South Australia have already reduced dramatically, from a high of 92.7 per cent in 1992 to 71.4 per cent in 1995. The retention rate was 62.9 per cent in the Government sector, compared to 71.4 per cent in the non-government sector. This is a disturbing trend which must not be exacerbated by a slashing of financial support. My figure for the non-government sector must be wrong; it must be higher than that; otherwise, we would not get an average of 71.4 per cent. I will return with the correct figure.

The Australian Council of Social Service has warned that the abolition of Austudy for secondary school students will impact greatly on family incomes. In its 1996 Federal budget impact fact sheet, ACOSS says:

There will be little incentive to study if the family can't afford it. If Austudy is abolished for secondary students, unemployment benefits will be the only other income support option available to young people and their families.

The Austudy parental income test is already tight. A secondary school student living at home will only receive full rate Austudy ($70 per week) if their adjusted family income is below $22 650 (where there are no other dependent children in the family). In this case, Austudy cuts out totally when parental income reaches $37 314.

Most dependent Austudy students aged under 18 come from very low income families. December 1994 departmental data indicates that 60 per cent of these students had an adjusted family income of less than $7 800 per annum.

On tertiary Austudy, ACOSS says:

There is a perception that Austudy is paid to 'middle class' students at university. It is worth noting that in 1993 only one-third of Austudy students were attending university; 38.4 per cent were attending Government schools; 16.3 per cent TAFE colleges; and 10 per cent non-government schools.

It is naive in the extreme to expect students, who don't wish to be further indebted, to survive on around $43 a week for dependent tertiary students or $64 a week for independent tertiary students.

The National Commission of Audit recommended that operating grants for tertiary institutions be replaced by student scholarships where school leavers have to vie for places at university or TAFE. The institutions would be responsible for their operations within funding limits set by the scholarships, students fees, a HECS-based loan arrangement and other measures. One option raised to better target support for secondary students is replacing Austudy with the Family Allowance Scheme. The Options 92 paper has already discounted this option for several reasons. It states:

The savings to be achieved by making secondary Austudy effectively a higher rate of the family allowance scheme would be only modest, and the problem of applying different arrangements for secondary and tertiary students, sometimes of the same age, would not be trivial. Without knowing the effects of abolition, it would be a very risky step to reduce the incomes of tens of thousands of individuals and families by as much as $60 per week. . . The major disadvantage would be that the very people for whom Austudy seems to be effective—the most disadvantaged students—are the ones who would have their levels of support most lowered by the conversion of Austudy into the family allowance scheme.

It is also worth looking at the impact on country students of the abolition of Austudy. It would be far-reaching and yet another example of how this present Government is turning its back on rural Australia. Isolated students have been neglected for far too long. Austudy payments are already inadequate to meet the needs of rural students due to the scheme's discriminatory means testing of farm assets when calculating assistance levels for family farmers. Eight times in the past five years, the Democrats in the Senate have moved amendments to exempt family farms from the Austudy assets test. Each time the Coalition and Labor voted against the bush kids.

Rural communities are already on the edge. ABARE figures show that in 1995-96 only 39 per cent of Australian farms showed a profit. In South Australia, this was only marginally higher with 52 per cent of farms in the black. We can expect that rural campuses will be the hardest hit by rumoured cuts of 12 per cent, which is the equivalent to the closure of five or six medium-sized university campuses with an added impact on staff numbers, course reductions and student load numbers. Not only would a new family payments scheme to replace Austudy be detrimental because it would not be a recognition of support for education but it would remain discriminatory against farm families to incorporate the value of farm assets from the Social Security assets test. Already rural students are 14 per cent less likely to complete year 12 than their urban counterparts according to the 1993 National Report on Schooling in Australia.

In South Australia, rural students are also grappling with the State Government's withdrawal of funding for the Open Access College. The Isolated Children and Parents' Association says that the cuts have enormous implications for all students enrolled at the college. The Federal Government will not detail plans for higher education until the Federal Budget is delivered on 20 August. There is no doubt that speculation about the future of this scheme is rife. The *Australian* newspaper last month published a report that the Government's razor gang had discussed abolishing Austudy and cutting university funding by 2 per cent in 1996-97 and by 3.5 per cent in 1999-2000. The Federal Liberal Government's threatened cuts, the cuts that could come which are currently being discussed, would set back education in Australia and South Australia by 20 years.

The Hon. CAROLYN PICKLES secured the adjournment of the debate.

ADJOURNMENT

At 11.4 p.m. the Council adjourned until Thursday 25 July at 2.15 p.m.