## HOUSE OF ASSEMBLY

Wednesday 19 September 1984

**The SPEAKER (Hon. T.M. McRae)** took the Chair at 2 p.m. and read prayers.

### PETITION: KINDERGARTEN UNION

A petition signed by 10 residents of South Australia praying that the House urge the Government to reconsider its intentions to disestablish the Kindergarten Union and to allow it to remain under the care and control of the Minister of Education was presented by Ms Lenehan.

Petition received.

### PETITION: VOLUNTARY SERVICE AGENCIES

A petition signed by 74 residents of South Australia praying that the House urge the Government to subsidise charges to voluntary services agencies and to keep any price increases within the parameters of wage indexation was presented by the Hon. H. Allison.

Petition received.

## QUESTION

**The SPEAKER:** I direct that a written answer to a question, as detailed in the schedule that I now table, be distributed and printed in *Hansard.*

### FRITZ VAN BEELEN

In reply to **Hon. D.C. WOTTON** (26 August).

**The Hon. G.F. KENEALLY:** The cost to the Government of providing supervision so as to allow Fritz Van Beelen to run in a marathon on 26 August was $147.

### MINISTERIAL STATEMENT: MOTOR CYCLE GANGS

**The Hon. J.D. WRIGHT (Deputy Premier):** I seek leave to make a statement.

Leave granted.

**The Hon. J.D. WRIGHT:** Yesterday, in answer to a question from the Leader of the Opposition, I said I would provide full details of a report to me from the Commissioner of Police on the relationship of some motor cycle gangs and organised crime in South Australia. At the outset I would like to appeal to people to keep this issue in perspective.

The Commissioner of Police advised me in a minute which I received last week that motor cycle gangs are known to be involved in criminal activities in South Australia. However, he has subsequently advised me that only three or four groups have been identified as being involved in regular criminal activities. Many motor cycle gangs or groups which operate in South Australia are not involved in any organised criminal activity, and they should not be stigmatised as being criminals simply because of their association with motor cycle groups. The Commissioner of Police advises me that the involvement of motor cycle gangs in organised crime in this State is not on the same scale as that interstate. He says that the motor cycle gang involvement is only one aspect of organised crime and by no means the most serious aspect of organised crime in South Australia.

In his report to me last week, the Commissioner said that police had been aware since the mid 1970s that some motor cycle groups were involved in various forms of serious criminal activities. The police accordingly committed investigation resources to continue inquiries. In early 1982 a specialist investigative group was formed with the objective of investigating organised criminal groups, which included motor cycle groups known to have involvement in drug manufacture and distribution in South Australia. This conclusion was reached after intelligence from this State had been combined with that from interstate and overseas. To get some idea of the scale of involvement in South Australia I will quote some figures.

In 1982, members of motor cycle gangs were charged with and convicted of 38 offences, 19 of which were drug related, four firearm related, and the remainder concerned with various miscellaneous criminal activities. In 1983, 39 members of motor cycle gangs were charged and convicted of various offences. Only nine were drug related while two were related to breaches of firearms laws. So far this year 18 motor cycle gang members have been charged and convicted, and 13 of those offences have been drug related. It can therefore be seen that, although the involvement of motor cycle gangs in crime in South Australia is an area for concern and will continue to be investigated by police, it may not be as serious as some of the more sensational reports of the past week would have us believe. The Commissioner of Police states that the Police Force will continue to investigate the involvement of motor cycle gangs in criminal activities, but only as part of its continuing investigations against organised crime generally.

### PAPER TABLED

The following paper was laid on the table:

By the Minister of Community Welfare (Hon. G.J. Crafter)—

*Pursuant to Statute—*

1. Trade Standards Act, 1979—Report upon the Administration of the Act, 1981-1982.

## QUESTION TIME

### ELECTRICITY TARIFFS

**Mr OLSEN:** Will the Premier say how many consumers will pay lower electricity tariffs following the restructuring of tariffs foreshadowed yesterday, and whether the Government has reviewed its tax on the Electricity Trust to minimise tariff increases, as he promised to do last year? I assume that the Government has an estimate of how many consumers are likely to be paying lower tariffs under the proposed restructuring, given that an announcement is very close. Since the Trust first introduced a system of inverted tariffs in 1978, its earnings from sales to domestic consumers have increased by 136 per cent, suggesting that consumers generally have not received any benefit. A Government spokesman is quoted in this morning's *Advertiser* as saying that the main factor behind the next rise in tariffs is the imminent increase in natural gas prices. However, a tariff increase of 4 per cent would cover the full cost of the gas price rise.

Further, the Trust's higher insurance premiums will be the equivalent of a 1¼ per cent tariff increase. More than offsetting these components is the Government's tax on the Trust, estimated to bring in more than $24 million this financial year, which, measured in terms of the Trust's operating costs, is the equivalent of a 6 per cent tariff

increase, and the increased interest bill that the Trust now has to pay under this Government's financing arrangements, will be equivalent to a 3 per cent tariff increase. Last November, the Premier said that the Government was considering a reduction in its tax on the Trust as a means of minimising further tariff increases. Will the Government take this action in view of the impending 14 per cent rise in tariffs, which will mean a total rise of 43 per cent in two years?

**The Hon. J.C. BANNON:** I am glad indeed that the Leader of the Opposition has asked me a question about electricity tariffs, because it allows me to place on record facts that the public should know about electricity tariffs and the reasons for their increase, as well as how and when they have increased over recent years. I suggest that this information, which I will put before the House in response to the Leader of the Opposition's question, will make quite clear that the Opposition ranks is the last place from which there should be any kind of criticism of the structure and nature of electricity prices in South Australia. Let me begin by saying—

**Mr Olsen:** How many will be better off?

**The SPEAKER:** Order!

**Mr Olsen:** How many will be better off?

**The SPEAKER:** Order! I ask the honourable Leader to come to order.

**The Hon. J.C. BANNON:** The number in the restructuring that my colleague the Minister of Mines and Energy referred to yesterday is still to be determined. In fact, a substantial exercise is under way at the moment. That exercise has been forced on us because of what has been happening with electricity tariffs and, despite the introduction of an extended concession scheme (we were the first Government in this State to introduce such a scheme of concessions), there have been problems for lower and middle income earners in relation to their electricity prices. That is something that we are addressing as a matter of urgency in conjunction with the Trust. As my colleague indicated, we are waiting for the Trust to come back to us with the results of its investigation, and in turn it will advise us on the numbers concerned.

Let me say something about electricity tariffs generally. This question of the levy is absolute nonsense and is a red herring in terms of electricity tariffs. The levy itself has been in our tax base since 1971. If it is removed from there it will simply have to be shifted elsewhere. The fact is that it is having no impact on the proposed increase in tariffs that the Trust is looking at at the moment. In regard to electricity tariff increases, let us look at the record of the former Government of which present members of the Opposition were members and at which time the present Deputy Leader of the Opposition was in charge of the Electricity Trust in this State. On 1 July 1980, some few months after the Liberal Government's coming to office, and following the normal annual increase that had occurred at the end of September and October of the previous year, it raised tariffs by 12.5 per cent; in other words, six months ahead of the time when the increase should have been made.

*Mr Olsen interjecting:*

**The SPEAKER:** Order!

**The Hon. J.C. BANNON:** I have not finished the answer yet. The honourable member should interject at the end if he wishes. Twelve months later (having already cribbed six months on the tariff increases), on 1 July 1981 it went up by 19.8 per cent. That was on top of the 12.5 per cent. On 1 May 1982—and again it had cribbed another couple of months in relation to the time of the increase—it went up by a further 16 per cent. Therefore, in the course of a period from 1 July 1980 to 1 May 1982—a period of 22 months, or less than two years—the price of electricity in this State had risen by 48.3 per cent. Yet members opposite stand on their feet and ask questions about electricity tariffs.

For a time the Leader of the Opposition was a member of the Cabinet which approved those increases. His colleague the Deputy Leader of the Opposition was Minister in charge of these quite extraordinary increases. In addition to that 48.3 per cent increase, when the present Government came into office one of the first notes that my colleague the Minister of Mines and Energy received from the Trust contained the advice that, as there had not been an increase since 1 May 1982, a 12 per cent increase was in train, had been approved, and was to be put into operation immediately. So, added to the 48.3 per cent that gives an electricity increase record which had occurred under the previous Government, that resulted in an increase of over 60 per cent having occurred.

I now refer to the question of fixing the figure. The impact of the previous Government and its Minister did not relate just to the actual increases that had been imposed when the Deputy Leader of the Opposition was a Minister. The dead hand of the Goldsworthy agreement, the agreement of the former Minister of Mines and Energy, now the Deputy Leader, is with us to this very day. In fact, it is the major component in the increase that we face now.

Let me just remind the House of the circumstances here. On 10 September 1982 (and that date is significant because it is a couple of months before the Government intended to have an election, and was a month before it was announced) the arbitrator on the PASA Cooper Gas Producers Agreement (Mr Lucas) brought down a price of $1.10 a gigajoule which was to be retrospective to 1 July 1982. Honourable members can immediately see the very difficult dilemma with which the previous Government was faced—an election coming up, this horrendous arbitration decision which had been brought into operation, and the need to keep things quiet so that not too much happened to electricity tariffs in the short term.

If the previous Government had the luck to be re-elected (and I guess at that stage they realised that it was probably fairly unlikely), it would try to do something about it. But, in the event that it was not elected, that would be something that the succeeding Government would have to clean up and it could point the finger at us and blame us for it. The facts are that, after that judgment came down in a flurry to try to save the political embarrassment which that would cause, instead of appealing against it or taking any other action, a deal was done (a very favourable short-term deal and a very unfavourable long-term deal), with the cost of which this Government and the community of South Australia is coping at this very moment.

The short-term deal was this: to multiply the $1.10 increase until the calendar year 1983, or in fact from 8 September 1982 onwards, and to make the retrospective increase an amount of 85c; in other words, to sharply reduce the arbitrated amount. That meant that there was no immediate pressure on tariffs. But, here is the catch: there were two further steps that a successive Government would inherit—an increase in the calendar year of 1984, with which we are coping at the moment and which put the price up to $1.21, and then a further increase of $1.62, which was agreed ahead and which will come into operation on 1 January 1985.

These are quite remarkable increases with which we have to cope and for which ETSA has to pay. When I say that the Government's electricity pricing policies have pursued us into Government, they are the real facts, clearly laid out before honourable members. Even worse, having agreed this $1.33—a 21 per cent increase in the first calendar year and in 1985—

**The Hon. E.R. Goldsworthy:** In 1983.

**The Hon. J.C. BANNON:** No, the increase in 1983 operated from September 1982; we copped an extra three months in relation to 1983. That having been done, and the price having been increased by 22 per cent again in 1985 to $1.62, AGL in the meantime was having its own particular arbitration. Just think of those figures: we copped $1.10 with no appeals and no action—a short-term deal which resulted in our paying $1.62 from 1 January 1985 and $1.33 all this year. What happened with the AGL arbitration? The figure brought down then on 12 September 1983—12 months after the arbitration of Mr Lucas on which this Government did the deal—was $1.01. That is what consumers in New South Wales are paying.

We have gone through the various agreements and looked at the position in depth, and we certainly have not come to the end of the line yet. But, it is very difficult for us to find some way of equalising the position as between New South Wales and South Australia. So, that is what we have copped and that is what we are dealing with at the moment. Having put those increases in perspective, I refer again to the reasons why ETSA must look at an increase at the moment and, unless we want to be totally irresponsible about it, why some increase must occur.

There is a 22 per cent increase as a result of the Goldsworthy agreement in the price of natural gas. There is a requirement for the provision of up to $7 million for depreciation on the first unit of the northern power station when it is commissioned and, bearing in mind that the Trust has been undergoing massive capital outlay on the development of its power stations, as soon as they come into commission, provision must be made for their depreciation and replacement. That costs big money: that is coming in this year.

I refer finally (and every member would know about this) to the cost of fire precaution and the very great increase in fire insurance premiums, which have gone from $56 000 to an annual average cost of $5 million. That is the difference in the increases in necessary expenditure on fire safety precautions, which means, for instance, that the Trust's tree trimming programme this year will cost $6.1 million. Confronted with all those things, honourable members can understand that the only way in which we can tackle the tariff problem that we have is the way that my colleague is doing it, by attempting to lighten the burden on those who can least afford it, and my Government will do that.

## SUPER NATIONAL FOOTBALL LEAGUE

**Mr HAMILTON:** Will the Minister of Recreation and Sport inform the House of the latest information on the proposal for a super national football league and the likely implementation of such a proposal? In the *News* of Tuesday 18 September—

*Members interjecting:*

**Mr HAMILTON:** It is rather surprising if the Opposition thinks that it is a joke, but I certainly do not, nor do my constituents.

**The SPEAKER:** Yes, I ask the honourable member to proceed with his question.

**Mr HAMILTON:** An article in the *News* on Tuesday 18 September headed 'Super League Sunday games here' stated:

> Minor round games would be played in Adelaide every Sunday under plans unveiled today for the proposed super national football league.

The article continued:

> Mr John Elliott—

I do not know who he is—

> a prominent business man . . . is the driving force behind the national push which is rapidly becoming a reality.

On the last page of that issue of the *News* it is reported that the President of the South Australian National Football League (Mr Don Roach) was unaware of this proposal, and that is not unusual for the Victorians, I might add. Finally, for a multiplicity of obvious reasons on which I do not intend to elaborate today, residents adjacent to and patrons of Football Park headquarters have sought more information on the possible introduction of this national football league.

**The Hon. J.W. SLATER:** I advise the Opposition not to interject because it certainly does not have a grand final side over there. I do not think that it would even make a B-grade side. The reported formation of a national football league competition has in my personal view (that is the proposal which the member for Albert Park has suggested and which is reported in the press) considerable dangers not only for football generally but also particularly for the South Australian and Western Australian competitions. If a national competition is to be established using the formula suggested, it should not be solely for the benefit of the Victorian competition.

Of course, the proposal involves the present 12 competitors in the Victorian league, plus an additional two teams from South Australia and indeed perhaps two teams from the Western Australian competition. One of the things which intrigues me and which ought to intrigue the Opposition is that no consultation, as I understand it, has been undertaken with the South Australian National Football League on this proposed format.

**The Hon. E.R. Goldsworthy:** I think you'd better check that out.

**The Hon. J.W. SLATER:** I said 'under my understanding'. One of the *de facto* shadow Ministers of Recreation and Sport might know more than I do because he might have obtained information that I do not have. On the press report, it appears to me that no consultation has taken place on this proposal with the South Australian National Football League or the Western Australian league, and that is an intriguing aspect of the whole proposal. I agree with the comments that have been made by some of the directors of the South Australian National Football League that, if two teams from South Australia are to join the Victorian league, it is only an extension of the Victorian Football League competition: it is not truly a national competition.

For the benefit of members, I will read some comments made by my counterpart in Victoria, the Minister of Youth, Sport and Recreation (Mr Neil Trezise), who said during Question Time in State Parliament last week that:

> . . . the VFL should 'leave the idea alone' because 90 per cent of the Victorian public wanted to retain the 12-team competition. On Wednesday VFL directors formed a special eight-man subcommittee to evaluate a proposal for a national competition next season. The move came after Carlton president John Elliott addressed directors for about an hour on the proposal. It was revealed that 11 Presidents were in favour. Mr Trezise said a national league complete with TV coverage would reduce crowd sizes.

Attendances at Australian Rules Football in Western Australia, South Australia and Victoria have declined in the past few years, and this is certainly cause for concern amongst the competition. A national league must truly be a national league, and I believe that real discussions should occur concerning this matter. I suggest that it is necessary to undertake a complete and unbiased feasibility study into all aspects of a national competition before it ever comes to fruition.

Everyone in South Australia has been concerned by the drain of top players from South Australia and Western Australia which has significantly reduced the competition. It has also had an effect on attendances in those States. The VFL has felt the consequences of this action in relation to costs involved in transfer fees. Consequently, the viability

of the VFL clubs has suffered. A national competition must not be just Victorian oriented; it must be a truly national competition. The best suggestion that I can make, as Minister of Recreation and Sport, on behalf of the sport in South Australia, is that a complete, unbiased feasibility study should be carried out into all aspects of a national competition.

*Mr Becker interjecting:*

**The Hon. J.W. SLATER:** The member for Hanson interjects and I am unable to pick up the interjection.

*Mr Hamilton interjecting:*

**The Hon. J.W. SLATER:** Well, the member for Albert Park has said it for me. It is the old Australian term: he would not get a kick in a street fight. If we are to have a national competition, it would need to be administered and conducted not by the Victorian VFL but by a truly national body, where South Australia and Western Australia have a say in the conduct and administration of the sport. It should not be Victorian oriented only. For the benefit of the Opposition I refer to a sporting saying but it has political application: when that umpire in the sky comes down to take your name he will not ask whether you have won or lost but how you have played the game.

## NATURAL GAS

**The Hon. E.R. GOLDSWORTHY:** As it is exactly a year since he said that he expected to renegotiate South Australia's natural gas supply contracts with New South Wales within a fortnight, will the Premier say what progress has been made and whether the Government is still considering the imposition of an overriding royalty to equalise South Australia and New South Wales gas prices?

**The Hon. D.C. Brown:** It has been a long fortnight!

**The Hon. E.R. GOLDSWORTHY:** A long fortnight indeed. On coming to Government the Liberal Party inherited the most disastrous contracts ever written for the supply of fuel to and from this State. The Dunstan-Hudson agreement sold off gas to New South Wales to the year 2006 but assured supplies to our State only to the year 1987. Likewise, the price arrangements were equally disastrously disadvantageous to South Australia in that an annual negotiation of price was catered for in South Australia whereby triennially (every three years) there would be arbitration if agreement could not be reached in New South Wales. Moreover, in the case of South Australia any price rise awarded after litigation would be retrospective to 1 January of that year every year but not in the case of New South Wales, where, if the negotiations were protracted, it was to the advantage of the purchasers. Having inherited this situation, in 1982 agreement was not reached—

*An honourable member interjecting:*

**The Hon. E.R. GOLDSWORTHY:** This is not comment; it is background to the agreement which has led to this difficult situation with which this Government cannot cope. In 1982, agreement was not reached. Under this disastrous contract in relation to price, agreement could not be reached on who the arbitrator should be, so Justice Roma Mitchell appointed an arbitrator from Queensland in the event and that arbitrator, after long litigation, came down on 9 September with an arbitrated increase, under this disastrous agreement, of 80 per cent (no less) in the price of gas in one hit retrospective to 1 January 1982. The then Government of which I was a Minister was faced with this situation of an 80 per cent increase retrospective to 1 January.

As a result of some fairly strenuous negotiations, a court challenge was mounted with little hope of success as we were advised. To give some strength to our arm we were able to negotiate half the increase retrospective to 1 January, with no increase in the following year 1983, and an increase from $1.10 in the following year. There were three steps for agreed increases, and this was agreed by all major consumers in South Australia, who welcomed bringing in some sanity and sureness to the negotiations.

**The Hon. J.C. Bannon:** It got you through the election, of course.

**The Hon. E.R. GOLDSWORTHY:** All major consumers involved in those negotiations were happy that this annual haggle had been removed. In that context the Electricity Trust and others could plan what the cost of natural gas would be in terms of the cost of their operations. The Liberal Party was well aware of the fact that under these far superior contracts available to New South Wales an arbitration was imminent, and we had visualised the possibility of two arbitrators (one chosen by each side) awarding an increase which might be less than the South Australian price, in which case we had set in train arrangements to equalise the price. We had reached agreement with the producers and had a letter to that effect that they would co-operate with the Government to impose an overriding royalty to equalise the price, and we were well down that track. A year ago the Premier said that he would fix it within a fortnight. A year down the track, despite all we have heard today, including the misleading complexion the Premier has put on these disastrous contracts—

**The SPEAKER:** Order! That is comment.

**The Hon. E.R. GOLDSWORTHY:** —the Premier has done exactly nothing, when a year ago he said he would fix it in a fortnight. It is in this context that I ask the question.

**The Hon. J.C. BANNON:** I am not surprised at the elaborate twisting attempt at self-justification by the honourable member. It was a good try but really I think it probably wasted the time of the House. The facts are firmly on the record. I am not sure of the origin of the fortnight concept. The equalisation question is a complex one, as the member who asked the question well knows. A number of avenues are being explored on that, and it is caught up in the current gas price negotiations which are going on with the producers at the moment. I appreciate the attempt at self-justification but I repeat that the facts speak for themselves: the escalation of prices of over 60 per cent in two years and a gas price agreement that haunts us to this very day.

**Mr KLUNDER:** Can the Minister of Mines and Energy give the House additional information on the significance of the latest two Cooper Basin gas discoveries announced by Santos on Monday last?

**The Hon. R.G. PAYNE:** Yes. I thank the honourable member for giving me an opportunity to pass on information which I have obtained from my Department and which I believe will be of extreme interest to members, especially in relation to the Big Lake discovery. The Department believes that the Big Lake 33 discovery is especially encouraging for a number of reasons, although it cautions, as Santos has already done, that much work remains to be done. This is the important aspect of this find. In the past, the Big Lake field has been generally regarded as a very big resource but one limited by the fact that the gas reservoirs were of low permeability: in other words, tight gas.

Members will recall the massive hydraulic fracturing experiments undertaken by the South Australian Oil and Gas Corporation, on a sole risk basis, in the Big Lake field in an effort to improve the flow from these tight structures. The sum of several million dollars was involved and success was achieved, although not the degree of success that one would wish from the expenditure of such a sum. What is

now becoming apparent is that the Big Lake field, in addition to tight gas, has an important component of free-flow gas—a fact supported by the excellent flow from Big Lake 33. In addition, Big Lake 33 is being drilled in the southern sector of the Big Lake field, which has been more lightly drilled than the north.

**The Hon. E.R. Goldsworthy:** Those gas reserves you quoted a year ago—

**The SPEAKER:** Order!

**The Hon. R.G. PAYNE:** The importance of free flow gas is the fact that its production is very much cheaper than the very expensive process involved in fraccing. Although the Department believes that much more drilling will be required before the Big Lake picture is completely clear, it certainly supports the latest discovery as very encouraging and one that could lead to a significant improvement in reserves. In reply to the Deputy Leader's interjection, may I say that the gas reserve figures provided for the House have been provided by the producers so, if the Deputy Leader has any quarrel with those figures, he should take up the matter with the producers.

The Kidman 3 discovery is also encouraging, coming as it does from a field which has been lightly drilled to this stage. The important point that needs to be made is that the Cooper and Eromanga Basins have in world terms been lightly explored. Every time further exploration takes place there is an improvement in the understanding of the geology involved and the make-up of the fields, and this is likely to lead to further important discoveries being made.

## TAPEROO PRIMARY SCHOOL PRINCIPAL

**The Hon. MICHAEL WILSON:** Will the Premier say whether the Government has a policy on the appointment of Australian Labor Party candidates to Government departmental jobs located in electoral districts for which they have been endorsed? I ask this question because the Labor candidate for the seat of Semaphore at the next election (Mr R. Sawford) has just been promoted to the position of Class A Principal at Taperoo Primary School.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. MICHAEL WILSON:** I cast no aspersions on Mr Sawford's professional ability. Whatever the means of appointment, this promotion places Mr Sawford as head of a school in the electoral district he has been endorsed to contest at the next election. I have also been told that there were 15 applicants for the position, including the present Principal of the school. I have been further informed that parents of pupils at the school are concerned about the political connotations of the appointment and believe that it affects the Government's credibility.

**The Hon. J.C. BANNON:** It is pretty scurrilous, although fairly consistent, of the honourable member to raise this. It is odd that this matter has been raised on the very day after the member for Semaphore has made certain pointed remarks, some of them appropriate remarks, about this sort of behaviour being evinced by Opposition members. It is interesting that the member who asked the question once did not have a reputation for this sort of thing, but he is rapidly descending to that level. As I understand the procedures (I imagine that the shadow Minister of Education would know what they are), the appointments are made by panels within the Education Department.

It is not a matter of Government policy. Indeed, if it were I imagine that members opposite would make very loud complaints. It is an individual's right to stand as a member for election to Parliament and to be a candidate. Indeed, there are members on both sides of the House who have held positions in the Public Service as teachers, and so on. In fact, one of the members opposite was in the Public Service and working for a previous Minister at the time when he was a candidate. Did we get up and raise objections and suggest that he should be transferred out of sensitive policy areas into the E&WS Department, or something like that? No, that did not occur. He was on the personal staff of a Minister.

*The Hon. D.C. Brown interjecting:*

**The Hon. J.C. BANNON:** I am also aware of other behaviour of this kind. All I can say is that, if this is yet another attempt to get into some kind of muck-raking, it is pretty outrageous. The professional work of the Labor Party candidate for the Semaphore electorate is not connected to his candidacy for the seat, and I am sure that the present member for Semaphore in this place will be fighting fairly vigorously and will not be too concerned about that sort of thing. I think it was demeaning for the member for Torrens to raise the matter.

## LAW SIMPLIFICATION

**Mr FERGUSON:** I direct my question to the Minister of Community Welfare, representing the Attorney-General in another place. Has the Attorney-General's attention been drawn to the statement made by the President of the South Australian Law Society, Mr David Wicks, who has urged politicians to make the law simpler? Mr Wicks stated in the *Sunday Mail* of 9 September:

> I would like a great more attention paid to making laws simpler. Unnecessary rules and regulations should be got rid of. So should a heap of little exceptions of common law rules.
>
> Politicians will pick up points that are politically attractive. Nobody gets any marks for tidying up the nuts and bolts.
>
> They don't get rid of the useless rules and exceptions and the tricks and traps of which the law is full. They represent a thousand years of accumulated humbug which takes a lot of money, a lot of time and a lot of effort to tidy up.

**The Hon. G.J. CRAFTER:** I have seen the article to which the honourable member referred. I will refer the honourable member's question to my colleague in another place for detailed consideration. I noted that the heading of that *Sunday Mail* story was 'Law chief hits "legal humbug" ', which most certainly insults the body politic. The President of the Law Society has complained that he must stay up on just about every night of the week to keep up with his reading on the new laws that are made by Parliament. He has stated that, contrary to general public opinion, the legal profession is not a lucrative profession, and he has joined the present members of Parliament with those who have passed before us for a thousand years in creating this morass of humbug, which he says it befalls the legal profession to interpret. He complains that that is a very onerous task indeed.

They most certainly are serious criticisms. I think they arose as a result of the honourable member's previous question in this House some weeks ago. Obviously, great responsibilities do fall upon us as law makers to write the law as simply as we can. But, as I have said on a number of other occasions, we also have great responsibilities to bring about a degree of certainty and to provide the protections that the community demands of us in our law making. With those few comments, I will refer the matter to the Attorney. But, I can assure the House that the Attorney is proceeding with a substantial programme of reform of lawyers law. We have already experienced that in the past two years in this House and it will continue.

## POLICE COMMUNICATION TOWER

**The Hon. D.C. WOTTON:** Will the Minister of Emergency Services accept total responsibility for danger to life and property as a result of his clear neglect in supporting the police and in intervening in strike action which has stopped the construction of the communication tower on the summit of Mount Barker, the only effective site for such a communication tower in the Adelaide Hills? The answer to my question on this subject yesterday provided by the Minister makes quite clear that he does not care about the urgency or the seriousness—

**The SPEAKER:** Order! The honourable member is commenting.

**The Hon. D.C. WOTTON:** It has been made quite clear that the Minister is not serious about the situation.

**The SPEAKER:** Order! The honourable member is commenting again. I ask him to refrain from doing so.

**The Hon. D.C. WOTTON:** As I indicated yesterday, I have received numerous communications from people; I received further communications this morning from people within my district who understand that the Minister is refusing to take this situation seriously.

Also, it has been pointed out and made very clear by constituents that it is obvious that the Deputy Premier does not want to get off side with the unions, which are acting irresponsibly in this matter. A number of reports and statements have been released recently, including that of the Coroner, which have drawn attention to the absolute need for an improved communication system in the Adelaide Hills, particularly in emergency situations.

**The Hon. J.D. WRIGHT:** I say to the honourable member that I accept no responsibility for the tower not having been commenced, but if there is any responsibility in this matter and if anyone has inflamed it and caused further trouble about it, it is the honourable member himself.

*Members interjecting:*

**The Hon. J.D. WRIGHT:** Honourable members do not like it when it has turned bad; they can dish it out but they cannot take it. They are like some football teams I know; they can dish it out but they cannot take it. But, the facts of the matter clearly are that this is the third or fourth question in which the honourable member has tried to inflame this situation. Yesterday, from memory, he blamed the unions; today he is blaming me; tomorrow he will blame someone else. It is pretty clear, to my mind, that the honourable member is not supporting the police at all: if anyone is disturbing this situation, it his he; if anyone is keeping the pot boiling in this matter, it is the honourable member himself.

The Minister for Environment and Planning, the Cabinet and I, have been trying to get this tower erected for some weeks. Every time that we get somewhere near conclusion the honourable member opens his big trap and again causes some further trouble. It is either one of two things in respect of repeated questions on this matter—that is that the honourable member does not want the tower built but wants to keep the pot boiling and to stir people up and/or he is trying to please someone who lives in the Hills. It is one or the other.

**The Hon. D.C. Wotton:** Of course, I am. I am looking after—

**The Hon. J.D. WRIGHT:** So, it is not the police. We now have an admission from the member that he is not supporting the police. Now it is clear; it will be very clear in *Hansard.*

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. WRIGHT:** The honourable member has just admitted that he is supporting sectional interests. On his own admission, the honourable member just said so. I invite the member for Coles to read *Hansard.* I apologise to the member for Coles if she happens to be deaf, but surely she can read. So, I suggest that she read *Hansard* to see what the honourable member said when he interjected. He agreed with me that he was supporting sectional interests, so it is not a matter of coming behind the police to help them with their communications at all. The whole trouble has now been identified: the honourable member is supporting some sectional interests in the Adelaide Hills. That is as clear as crystal. Let that be on the record and let that be understood. From my point of view—

*Members interjecting:*

**The Hon. J.D. WRIGHT:** Mr Speaker, do you intend to give me any protection here or do you not?

**The SPEAKER:** Order! I have called the House to order continuously. The honourable member for Murray was heard in relative silence, and I ask that the Deputy Premier be afforded the same courtesy.

**The Hon. J.D. WRIGHT:** Thank you, Mr Speaker. It appears that every time I get up in this House I am subjected to interjections, standover tactics, yelling and bellowing, and I think it is about time that someone took notice of the member for Semaphore and started to behave in this place. That is what I think ought to be done about this matter.

To put this thing in its proper perspective, as I said yesterday, the Minister for Environment and Planning and I have had negotiations about this matter. The Minister for Environment and Planning is continuing negotiations with the Mount Barker council, and we hope to be in a position to make a final announcement in the near future. I told the honourable member that yesterday.

## SELECTION PROCEDURES FOR PROMOTION

**Mr KLUNDER:** Will the Minister of Education explain to the House the selection procedures for promotion to Principal A?

**The Hon. LYNN ARNOLD:** I am happy to take this opportunity to edify the House on what actually happens with the appointment of positions to Principal class A. The Premier quite correctly summarised the position before with regard to the situation about which the member for Torrens asked in his most unworthy question. Before I go on to describe the situation, I cast members' minds back to the time when I answered a question from the member for Albert Park on a similar issue last year which affected a Principal class A position. I quite clearly went through at that time what the appropriate procedures were and what the relative roles of the Director-General of Education and of the Minister of Education were in this kind of situation.

I also personally explained that situation in conversations with the member for Torrens and I should have thought that he could recall exactly what the situation is. The situation is that at one particular point in time each year—about July of each year—officers of the Education Department come to me with some recommendations for schools to be declared for certain kinds of Principal appointment positions in the following year. I am asked to approve whether or not those schools should be included on that list. Once that happens, we then set about creating selection panels for the appointment of Principals in each case. I then invite the Institute of Teachers to put forward nominees for the selection panel process, and the Education Department nominates people for the selection panel process, which this year also included representatives nominated by the equal opportunities section.

Those panels then receive applications from particular schools, consider them and call in for interview some of

the people as they deem appropriate. They interview the applicants and then make recommendations to the Director-General, who makes recommendations to me, and I approve the appointments. If I am unhappy or the Director-General is unhappy about how that process has taken place, or if we have questions about the names that have come forward, we cannot (and I want that point made absolutely clear in this House) not approve the recommendation.

What must happen is that we refer the matter back to the panel asking why this person was chosen or why that person was not chosen. If the panel then answers those questions and we send it back saying that we are still unhappy the only course of action open to me or the Director-General is to dissolve that panel, recreate it and call again for applications for that position.

This is clearly to stop political interference in that process, and that tradition has been handled with Principal A positions ever since they were created. My predecessor, the member for Mount Gambier, would concur in that. He would know how that process works, and I should have thought that the member for Torrens knew better in this regard. It is in line with other issues in the Education Department where we endeavour to make absolutely clear that there is no political interference in the appointment of people in the Education Department.

From time to time a number of people approach members of Parliament asking if they can get them jobs as teachers, and we have had built into regulations in South Australia, with my full support and I hope with that of every member in this House, a quite clear statement that is not only inappropriate but also that it cannot be accepted and that it is a breach of regulations to try to use political favour to gain a position in the Education Department. That is the kind of philosophy that applies and that philosophy is built into Principal A positions as well. It is the kind of philosophy that we should be trying to maintain.

There were problems last year with one high school—not in regard to political accusation, innuendo or maligning—where it was clear that some of the review processes needed to be looked at again. A committee has been looking at that situation, and this year some changes were made to the selection process. However, it is not my intention to breach the tradition of resisting political interference in those kinds of appointment. Anyone who would suggest otherwise is trying to design a system that is more typical of a banana republic or some dictatorship rather than a democracy, which we are.

From time to time I get letters, calls or mentions privately about certain people in the Education Department saying, 'Oh, so and so is a member of this Party or that Party.' A number are members of that Party on the other side of the House, I might say: people who are candidates or relatives of candidates or members of Parliament. I have insinuations made about those people. I regard those insinuations as being the same unworthy approach as that we have had today, because I am quite confident in the capacity of officers and teachers in the education system to perform their duties as they are required to do, and that they will not use their positions for promoting political purposes. I have not taken the opportunity to become involved in those positions and say, 'Why is so and so appointed there?' or 'What can I do about moving so and so out of there?' because I believe that that would be gross political interference in response to what is nothing other than political maligning or insinuation.

If the member for Torrens has any credibility in this area, he will recall what I said last year on this matter, he will listen to what I am saying this year, he will not attempt to impugn the reputation of a person who has been selected by a panel for appointment to a school and he will not undermine his capacity to serve that community. What will be the outcome of this kind of question in this House? The honourable member is endeavouring to endanger the capacity of that Principal to work in that school next year. He is endeavouring to make the situation intolerable for that Principal. How will that benefit the kids of that school and the teachers and parents of that school community? I fail to see how it will. Perhaps the honourable member, if he had any credibility, should have said privately, 'I am a bit worried about this and I have a few questions to ask.'

The member for Davenport laughs at that. When the member for Torrens had some concerns about one situation, he had the courtesy to talk about that matter privately, and that was appreciated. But, this is different: this is the kind of political gamesmanship that is being shown to us by the Federal Leader of the Opposition, because the rules are now off. To serve the children, the parents and the teachers of that school well, I ask that we do not pursue this line of approach.

**The Hon. D.C. Brown:** Why didn't you practise this in Opposition?

**The Hon. LYNN ARNOLD:** The member for Davenport asks why did I not practise this in Opposition: I suggest that he go back to the public and private records of my correspondence with my predecessor and look very closely at the kind of track record that I followed regarding appointments to schools. He will find that the record is squeaky clean. But that is not the situation that we are seeing from the shadow Minister on this occasion. I hope that the Opposition has the courtesy, goodwill and faith to be able to drop this issue.

## SHOW BAGS

**Mr MEIER:** Will the Minister of Community Welfare, representing the Minister of Consumer Affairs, acknowledge that the Department of Public and Consumer Affairs and, in turn, the Minister of Consumer Affairs have failed to carry out their duties effectively and that the Minister has misled the Parliament? In yesterday's *Advertiser* a report headed 'Cheap Show cameras "spoil films" ' quoted a statement by the Director of Fotomart Film Laboratories, Mr C.J. Lowden, that his laboratory had processed more than 50 cartridges which had been exposed in cameras sold in 'Barbie', 'The A-Team' and 'Space Adventure' show bags. He is reported as saying:

> Virtually all the films were spoiled, and even when we obtained one of the cameras and put a film through it under laboratory conditions we only just got a usuable film out of it.

On 28 August in this House the Minister of Community Welfare said:

> It is now established practice for the Department of Public and Consumer Affairs to examine the contents of all show bags each year. This assessment is currently—

**Mr Ferguson:** They weren't in show bags.

**Mr MEIER:** Yes, they were in show bags. The Minister continued:

> This assessment is currently taking place to ensure that contents of show bags are safe, appropriate and good value for money. I suggest that this is a very valuable service and one that will be widely appreciated by the community.

The article in yesterday's *Advertiser* suggests that this has not been done, and the Minister's statement on 28 August can be shown as being a sham.

**The Hon. G.J. CRAFTER:** I myself certainly did not inspect every show bag sold at the Royal Show yet that is the logical conclusion that the honourable member is drawing, and I am quite sure that my colleague the Minister of Consumer Affairs did not do so either. I was interested to

read that not only does the Department of Public and Consumer Affairs carry out (as I explained, I would have thought, to the House) a sample check of sample bags—not every bag at the Royal Show, which would be several millions, no doubt—but the Chamber of Commerce acts similarly. There is an internal checking procedure within industry and commerce in South Australia that applies at show time, and that was mentioned in the *Advertiser* on the day that that question was raised in the Chamber during the week prior to show week.

I most certainly will refer the question to my colleague for further investigation, but I can assure the honourable member that a random check was made of show bags, as I have explained to the House, not only by the Department of Public and Consumer Affairs, I understand, but also by a committee or some other structure set up within the Chamber of Commerce in this State. I am not sure whether much more can be done to protect consumers than that, but obviously this matter can be further investigated.

## WALKWAYS

**Mr GREGORY:** Will the Minister of Local Government say what action he can take to assist residents who live adjacent to walkways which create a nuisance to them? I have been contacted by a number of residents in my district who live adjacent to walkways and who have advised me that they are constantly having rubbish thrown in their back yards, that there is rubbish in the walkways, that damage is done to their properties and fencing, that bottles are thrown over fences in a most dangerous way (several residents having found broken Coke bottles in their swimming pools), and that bad language occurs. To cap it all off, on Monday evening one resident was assaulted by two youths when she was remonstrating with them because they were damaging her fence.

**The Hon. G.F. KENEALLY:** I want to thank the member for Florey for giving me some notice that he intended to ask this question in the House, because it gave my officers an opportunity to speak to one of the councils that has expressed a similar concern about what happens in and around walkways. I refer to the Salisbury council, which has told my Department that throughout this area walkways which had been designed to provide convenient pedestrian circulation when the subdivision was originally planned have frequently been the scene of social problems especially when groups of young people congregate in them. I understand that the council makes every effort to reconcile the conflicting situation between the circulation and social problem and has closed a number of walkways during the years.

I think all members would well appreciate the conflict: on the one hand, there is a need to provide appropriate opportunities for people to move and circulate and, on the other hand, there is the need to ensure that social problems do not ensue from these walkways. When problems are brought to the attention of the Salisbury council, it treats each case on its merits. It notes the pedestrians' accounts, seeks the opinion of nearby residents and sometimes looks for an alternative route for pedestrian traffic before making any decision on closing a walkway.

I know that the honourable member has made approaches to the councils in his district in whose areas these problems are occurring. Here again, the Acting Town Clerk of the Salisbury council has informed my office that residents and the local member have approached the council to close certain walkways which feed pedestrians across, I think, Wright Road, a crossing which links up with the school. The Acting Town Clerk has advised that the council will be considering the matter again as a result of the honourable member's representations. I think that we can all appreciate that it is a very difficult issue to solve as that particular walkway does carry much pedestrian traffic.

**The Hon. Ted Chapman:** Do you get the feeling you're being ignored?

**The Hon. G.F. KENEALLY:** The honourable member may feel that I am being ignored but many people outside this House, particularly in the member for Florey's district, are vitally concerned about the issue and are vitally concerned about what I as Minister and the Department may be able to do about it. The member for Alexandra's flippant treatment of this question probably will not serve him well in the District of Florey, although that probably does not concern him too much.

The difficulty we have here in respect of the walkway to which I have referred and about which the member for Florey is concerned is that the school is not in favour of closing the walkway. At the same time, the residents who live close to that walkway are being subjected to considerable inconvenience and a number of social problems. I think that at this stage all I can do for the honourable member is ask the Salisbury council to address this matter as one of urgency, and I am sure that we will be able to reach a conclusion.

The general question of walkways is a vexed one. The Department does not have a policy controlling individual walkways, but when problems are brought to our attention we will use whatever influence we can to resolve the issue, and that will be done in the matter raised by the honourable member.

## PERSONAL EXPLANATION: WORLD PEACE COUNCIL

**The Hon. PETER DUNCAN (Elizabeth):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. PETER DUNCAN:** Yesterday, in a grievance debate, the member for Coles made a series of grossly libellous allegations against me in a piece of political smearing the equal of which we have not seen since the days when she and others were spreading malicious falsehoods against Don Dunstan. The roorback on this occasion was that I am involved in the World Peace Council which, according to the member for Coles, is a wellknown instrument of Soviet foreign policy. This smear is totally false, and the honourable member knew that before she spoke in this place. I am not, nor have I ever been, a member of the World Peace Council. In fact, although I have twice been invited to become a member (as I imagine have other members), I declined both times. The basis of the scuttlebutt set out in the honourable member's speech was an article in a recent edition of the Adelaide University student publication *On Dit* and certain alleged documents fed to the honourable member. That article is a fabrication and a fairy tale. When the article and its contents were drawn to my attention, I immediately had my solicitors write to the editors pointing out the lies and inaccuracies and demanding—

*The Hon. Jennifer Adamson interjecting:*

**The Hon. PETER DUNCAN:** Will you hold your tongue! When the article and its contents were drawn to my attention I immediately had my solicitors write to the editors pointing out the lies and inaccuracies and demanding a withdrawal and apology within seven days. By what she said last night the honourable member indicated that she knew the contents of my solicitors' letter and therefore that the article was false, yet she chose in a grotesque act of irresponsibility to repeat these libels under privilege. Of course, it was necessary to repeat them under privilege if the smear and the slur

were to have any wider publication. I do not suppose that any member was particularly surprised to see the slur reported in this morning's *Advertiser* under the byline of Matt Abraham.

*An honourable member interjecting:*

**The Hon. PETER DUNCAN:** I am not critical of the *Advertiser* for publishing the report, but I am extremely annoyed and critical of Abraham for failing to act ethically and failing to put my side of the story by seeking my comment. He did not do so even though I was in the building, and he clearly could therefore have conveniently sought comment. This is not the first time that he has failed to seek comment from me before writing news stories involving me, and I have this day contacted his Editor and complained about this unethical conduct. As to the story in *On Dit*, I now inform you, Mr Speaker, that a summons has been issued out of the Local Court seeking damages for libel. As to the member for Coles, she is well known as the main exponent in this House of the perjurious or the Peacock approach to politics.

**The SPEAKER:** Order! Call on the business of the day.

## LEAVE OF ABSENCE: Mr TRAINER

**Mrs APPLEBY (Brighton):** I move:

That six weeks leave of absence be granted to the honourable member for Ascot Park (Mr J.P. Trainer) on account of absence overseas on Commonwealth Parliamentary Association business.

Motion carried.

## COUNTRY FIRES ACT AMENDMENT BILL

**The Hon. B.C. EASTICK (Light):** I move:

That the Country Fires Act Amendment Bill, 1984, be restored to the Notice Paper as a lapsed Bill, pursuant to section 57 of the Constitution Act, 1934.

Motion carried.

**The Hon. B.C. EASTICK:** I move:

*That this Bill be now read a second time.*

It was received from another place on 9 May this year, having been passed unanimously by that place. The Bill was initiated in the other place by the Hon. Mr Griffin, who reported that for some time there had been concern that the penalties awarded by the courts for arson and breaches of the Country Fires Act had been inadequate. There are two possible solutions: the first is for the Crown to appeal when penalties are inadequate and where the penalty is manifestly lenient; the second is to increase the penalties where appropriate.

Arson is the major offence under the Criminal Law Consolidation Act, and in certain cases the penalty is life imprisonment and in other cases a maximum of 14 years. Although there is concern about the law of arson, particularly within the insurance industry, this Bill does not deal with that crime, although it should be said that a Liberal Government will undertake a comprehensive review of the law relating to arson. Concern about low penalties being imposed for arson and for offences under the Country Fires Act have been expressed by many people in the community, including the District Council of Spalding and northern councils and ratepayers. The Country Fires Act was passed in 1976 and the penalties have not been reviewed since that time. Recent bush fires throughout South Australia, particularly the Ash Wednesday fires of February 1983, have focused community concern upon the devastation, loss of life, injury and damage which can result from either accidental or deliberate breaches of the law or carelessness with fire.

In view of that community concern, it is now appropriate to review the penalties imposed by the Country Fires Act and to increase them, not just by the amount of inflation since 1976 but by a sufficient degree to focus greater attention on the offences, to express the community's concern at irresponsible or illegal activity involving fires and to act more as a deterrent. It is for these reasons that this Bill generally increases penalties by 10 times. Section 39 of the Act, for example, makes it an offence to light or maintain a fire in the open during the fire danger season and imposes a maximum penalty of $500 for the first offence and $1 000 for a subsequent offence. Under the proposal in this Bill that maximum penalty for a first offence will be increased to $5 000 and for a subsequent offence to $10 000.

Section 41 makes it an offence to light or maintain fires in the open in a portion of the State specified in an order of the Country Fire Services, Board during the fire danger season except in certain circumstances specified in the order. Again, the penalty of $500 maximum fine for a first offence is increased to $5 000, and the maximum fine of $1 000 for a subsequent offence is increased to $10 000. On days of extreme fire danger, section 42 makes it an offence to light or maintain a fire in the open contrary to a warning broadcast under that section. The present penalty is $1 000 maximum fine for a first offence and $2 000 for a subsequent offence. This is to be increased to $10 000 maximum fine for a first offence and $20 000 for a subsequent offence.

Section 48 prescribes a maximum penalty of $200 for throwing any burning material from a vehicle during a fire danger season. How often have people travelling on the road seen others flicking the ash from a cigarette out the window rather than using the ash try provided in the vehicle? There is no excuse for that blatant disregard of common sense of other people and the law. The present penalty is $200 maximum. This Bill provides an increase to $2 000. The only penalty which is not increased tenfold is that relating to the maximum penalty which may be imposed by regulations. This is increased from $500 in section 68 to $1 000 on the basis that where any offence is created by regulation only modest penalties should be imposed because of the lack of Parliamentary scrutiny of the offence which is created by the regulations.

Any major offence should be established by the Statute itself and the penalty fixed for that offence in the Statute by Parliament. By increasing the penalties under the Country Fires Act the real concern of the community for breaches of the Act will be more clearly expressed by the Parliament, and there will be a clear direction to the courts to impose higher penalties as punishment as well as acting as a greater deterrent to would-be offenders. Of course, the courts will still retain discretion as to the penalty which should be imposed in any particular case. The Bill only seeks to increase the maximum penalties which may be imposed by a court.

Following the passage of this measure in another place there was a considerable amount of community interest in the matter. A number of country newspapers—indeed the press Statewide—indicated that this measure had been introduced, and it was lauded as a tangible, sensible and reasonable course of action. However, it should not be regarded as the only action that is necessary for the future. In introducing this Bill in another place my colleague indicated very clearly that the committing of the offence of arson was a particularly damaging and unfortunate action on the Statute Book and that it was a matter that should receive the attention of Parliament to bring it out of the early twentieth century into the latter part of the twentieth century.

A number of deaths have occurred in recent times in bush fires with which an element of arson has been associated. As members of the House would know, at times this

has even led to the laying of a charge of murder, subsequently reduced to manslaughter, in relation to a person who had admitted to lighting a fire on Ash Wednesday. It is because of the potential fear and therefore the nervousness generated within families or within a community, more particularly in the country regions, that the matter is yet to be addressed. Together with my colleagues I am giving that matter attention at the moment. However, as a first step the measure currently before the House has been accepted by members of all political persuasions in the other place. It was passed on 9 May this year, but, regrettably, because of Standing Orders and House procedures, the measure did not progress to this place. I trust that members will now give the Bill ready passage. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

**Explanation of Clauses**

Clause 1 is formal. Clause 2 amends section 32 of the principal Act, increasing the penalty provided to $5 000. Clause 3 amends section 39 of the principal Act, increasing the penalty provided in subsection (1) to $5 000 for a first offence and $10 000 for a subsequent offence. Clause 4 amends section 40 of the principal Act, increasing the penalty provided in subsection (1) to $5 000 for a first offence and $10 000 for a subsequent offence. Clause 5 amends section 41 of the principal Act, increasing the penalty provided in subsection (4) to $5 000 for a first offence and $10 000 for a subsequent offence.

Clause 6 amends section 42 of the principal Act, increasing the penalty provided in subsection (3) to $10 000 for a first offence and $20 000 for a subsequent offence. Clause 7 amends section 43 of the principal Act, increasing the penalty provided to $2 000 for a first offence and $4 000 for a subsequent offence. Clause 8 amends section 44 of the principal Act, increasing the penalty provided to $2 000 for a first offence and $4 000 for a subsequent offence. Clause 9 amends section 46 of the principal Act, increasing the penalty provided in subsection (1) to $1 000.

Clause 10 amends section 47 of the principal Act, increasing the penalty provided in subsection (1) to $1 000. Clause 11 amends section 48 of the principal Act, increasing the penalty provided to $2 000. Clause 12 amends section 49 of the principal Act, increasing the penalty provided in subsection (4) to $10 000.

Clause 13 amends section 50 of the principal Act, increasing the penalty provided in subsection (1) to $5 000. Clause 14 amends section 51 of the principal Act, increasing the penalty provided in subsection (6) to $2 000. Clause 15 amends section 53 of the principal Act, increasing the penalty provided in subsection (3) to $5 000 for a first offence and $10 000 for a subsequent offence.

Clause 16 amends section 54 of the principal Act, increasing the penalty provided in subsection (3) to $5 000 for a first offence and $10 000 for a subsequent offence. Clause 17 amends section 55 of the principal Act, increasing the penalty provided in subsection (2) to $5 000. Clause 18 amends section 57 of the principal Act, increasing the penalty provided in subsections (1) and (2) to $5 000 in each case. Clause 19 amends section 58 of the principal Act, increasing the penalty provided in subsection (2) to $5 000. Clause 20 amends section 61 of the principal Act, increasing the penalty provided to $5 000.

Clause 21 amends section 62 of the principal Act, increasing the penalty provided in subsections (1) and (3) to $10 000 in each case. Clause 22 amends section 68 of the principal Act, increasing the penalty that may be prescribed for breach of any regulation to $1 000.

**The Hon. G.J. CRAFTER** secured the adjournment of the debate.

## COUNCIL PROCEEDINGS

**The Hon. B.C. EASTICK (Light):** I move:

That the regulations under the Local Government Act, 1934, relating to proceedings of councils, made on 2 August 1984 and laid on the table of this House on 7 August 1984, be disallowed.

I seek the support of all members of the House to correct an anomalous situation that has arisen due to the introduction of what one might call truncated regulations. Members of the House would certainly not deny the fact that the general purpose of the regulations under the Local Government Act presented to this House on 2 August is beneficial to the conduct of council meetings. However, they contain a major flaw. The procedures of this House do not allow for amendment of regulations that have been laid before the House and require that before rectifying a deficiency that may be found to exist the total set of regulations be disallowed. Subsequent to its being advised last week that this matter would be addressed in this House and in another place the Local Government Department has reassessed the provisions contained in these regulations. I expect that, in the not too distant future, amendments to the regulations will be put forward by the Government and will be presented to Executive Council. Clause 24 of the proposed regulations provides that:

No member may speak twice to a motion before the meeting except—

*(a)* to explain himself in regard to some material part of his speech, but shall not introduce any new matter; or

*(b)* as the mover in reply,

and no member who has spoken to a motion may move or second an amendment thereto.

That must be read in conjunction with clause 3 of the regulations which provides:

The provisions of these regulations shall unless otherwise provided apply to every meeting of a council and council committee.

In clauses 44 to 52 specific directions are given in respect of the conduct of committee meetings, but there is no provision for what is the normal expectation of a committee situation, namely, that a subject is debated around the table, with members being able to contribute as frequently as they wish when called by the Chairman so that a consensus opinion on the subject matter under discussion is eventually determined.

The provisions contained within these regulations would tend to stultify normal committee procedures as they would permit a member to speak only once. That is totally a formality which clearly would be at variance with the normal committee structure procedures, whether operating in the Parliamentary, local government, or any other sense, elsewhere. There is a need for several opportunities to be given when discussing an issue to formulate a positive and final answer. It is admitted that the intent was to allow for such a provision for the committee structure operating within local government. That was the original intent, but for some reason the documentation failed to deliver that expectation, and thus I raise the matter on behalf of local government generally, and specifically on behalf of the Central Metropolitan Region of local government which addressed this matter at its recent meeting at Mitcham, where unanimous approval of member councils was obtained.

I believe that the Government would want to correct this matter at the earliest possible moment. From advice that I have received it is conceivable that by the time this matter next comes before the House a new set of regulations will have been processed. However, it is important that local government recognises that we are responding to its needs,

and it is important that the Government be made aware of this deficiency in the regulations.

I reiterate that the purpose of these regulations is to be lauded. They go a long way towards providing an answer to a vacuum which has existed for a long time. The model by-laws for local government meeting procedures are quite archaic. If one enters into local government chambers during the course of a council or committee meeting, one finds a tremendous number of variable interpretations of meeting procedure but, at long last, there is a general direction which local government is prepared to accept. However, it does need the flexibility within its committee structure, which is the norm. I commend the motion to the House.

**The Hon. G.J. CRAFTER** secured the adjournment of the debate.

## STATE GOVERNMENT BUILDING MAINTENANCE FUNDS

**The Hon. D.C. BROWN (Davenport):** I move:

That this House deplores the inadequate funds for maintenance of State Government buildings, and, in particular, school buildings and facilities throughout the State, and calls on the Treasurer to increase substantially the allocation of funds to ensure adequate maintenance of these buildings.

In moving this motion, I am concerned to see that the basic maintenance of Government buildings throughout schools has been sadly neglected and that the situation is getting worse. I would like to give evidence about that worsening situation and the responsibility that I believe this Government has in trying to reverse the position.

Although inadequate maintenance has been carried out for many years, the situation is becoming critical. Last year the Bannon Government cut maintenance funds by $2.1 million for school buildings, Technical and Further Education and other Government buildings, as well as the Police Department and Law Courts. That was a cut of 18 per cent in real terms and I am afraid to say that this year funds are being further reduced in real terms—that is, in the latest 1984-85 Budget. With the help of my colleagues I have carried out a survey of more than 60 schools across the State, revealing serious neglect of buildings and surrounds.

Some of the school buildings and toilets are a public disgrace. It is time that the Government took notice of the concern of school councils. The main complaints include overdue painting, leaking gutters, asphalt with holes and in a dangerous condition, broken windows, blocked toilets, leaking taps, and worn floor coverings. A typical example of the lack of maintenance is the Cleve Area School. The school council and staff have complained of an increase in lack of respect being shown to the school due to the poor conditions. Some students, as a result of this, now refer to the school as 'the prison'. That was revealed in a letter from the school council signed by the Chairperson (J. Ranford), the President of the Staff Association, the Principal, the Deputy Principal and a staff senior sent to a number of people, but principally to the Minister of Public Works.

Amongst the complaints of the Cleve Area School are rotting wood, leaking ceilings, blocked and leaking toilets, blocked drains and peeling paint. I would like to go through in some detail some of the material sent to me as one of those who received information from the Cleve Area School. The letter reads:

This poor condition—

and I quote only in part from a very lengthy document from the school—

has not occurred overnight but has been progressively made worse by the inability of the Public Buildings Department to do any more than essential maintenance and often the quality of these repairs is poor, e.g:

(1) Regular breakdowns of taps, door handles, water coolers, toilets, urinals, incinerators after being repaired;
(2) repairs are not painted;
(3) glass replaced by glass/louvres with different pattern.

The letter continues:

We believe there are two curriculums operating at Cleve Area School at the moment—the overt curriculum which we control and the hidden curriculum over which we have considerably less control. The bulk of our students are required to learn in sub-standard conditions, e.g.:

(1) Our senior students learn in areas where noise travels easily and as such up to four groups of senior secondary students suffer interruptions from each other.
(2) A number of rooms/corridors have torn carpet at the entrance ways.
(3) Entrance ways to corridors have ripped carpet which is both ugly and dangerous.

These poor conditions are part of the hidden curriculum which suggests to our students that we do not care about the environment that is provided for them. As a direct result we are having difficulty encouraging our students to look after these facilities. There is an increase in the lack of respect being shown towards the school which, in part, is almost understandable given that facilities provided for them look like a gaol and, in fact, some of the students refer to the place as 'the prison'.

The letter continues a little further on:

There are five 'general' areas that would, in the short term, considerably improve the learning environment of Cleve Area School if they were attended to:

(1) Interior painting—with the exception of the home economics centre and multi-purpose hall, all the teaching areas need to be painted in pleasant and interesting colours.
(2) Exterior painting—much of the outside areas need to be painted urgently, otherwise, apart from just the ugly appearance that they now have, the timber will rot and will then need to be replaced.
(3) Extensive repairs—these are outlined in the detailed lists attached at the end of this letter.
(4) Security—while every effort is made to secure the buildings, the committee found numerous windows, sheds and rooms which were unlockable and unsatisfactory.
(5) Floor coverings in some of the rooms need to be replaced as a matter of urgency, as they not only look disgusting, but they are in fact dangerous. Teachers, students, parents and other visitors to the school could easily trip on them and sustain serious injury. Some floor coverings were used as trials and these have proven to be completely inadequate.

That letter highlights other complaints. Attached is a series of about 20 photographs of various aspects of the school that are totally unmaintained, inappropriate or in a dangerous state. The letter attaches a further nine pages listing in detail what is wrong with the school and what urgent repair work is necessary, as at 27 June 1984. That is from one school, the Cleve Area School.

I now take an example in the metropolitan area: the Hawthorndene Primary School, which will be in my new district. It is complained that the interior of the school has not been repainted since it was built in 1965—19 years ago.

**Mr Hamilton:** You were Minister of Public Works then.

**The Hon. D.C. BROWN:** I will come to that in a moment. I am glad that the honourable member has interjected. Yes, I was Minister of Public Works for three years and I will outline what has happened. That school has not been repainted since it was built in 1965. Requests for painting over the past four years have been ignored. One school in the South-East has complained that no painting has been done since it was opened 14 years ago; so one school has had no painting in the last 19 years and another school has not been painted in the last 14 years.

Peeling paint, as we all know, leads to dry rot in timber. Delays in painting maintenance lead to expensive replacement of timber, so the actual cost of maintenance soars alarmingly. Maintenance funds to one region in the State were cut by 40 per cent last year—40 per cent, for the member for Albert Park who interjected a moment ago. That was last year alone. In other words, that is a reduction of 40 per cent over what the Liberal Government previously supplied. Eighty buildings in that region need urgent painting. That represents 70 per cent of all Government buildings within that area—within one region alone—which are in need of an urgent repaint. That is how critical the situation is out here.

**Mr Baker:** What's the Government doing about it?

**The Hon. D.C. BROWN:** Its record last year was an 18 per cent cut in real terms in maintenance funds, according to the Auditor-General (I will table his figures in a moment) and this year it would appear that there is another real cut in maintenance funds allocated by this Bannon Labor Government. I take up the case of a school immediately north of Adelaide. I will not identify the school, but a teacher was injured at that school near Adelaide when she stepped into a hole in the asphalt of the schoolyard. That school wrote to its local member of Parliament (the member for Light), stating:

> Cyclic and civil maintenance in this school is very much in arrears. I have been at this school for over nine years. If I remember correctly, exterior painting was done soon after I arrived but almost all parts of the school are in need of painting and associated repairs. Interior painting has not been done in that period, and an inspection of the school soon causes this to be apparent. The untidy appearance of buildings seems to cause people to be untidier than they would ordinarily be.
>
> The asphalt around the school is deteriorating badly and with increasing rapidity. A temporary relieving teacher once injured her leg when stepping into a hole in the yard and the asphalt is becoming so gravelly that I am anticipating that more and more children will suffer gravel rash and lacerations. Should we have a wet winter, I expect the yard will be in a very dangerous state by the end of the year.

That letter was written to the member for Light on 19 March 1984. The member for Light, being an astute member of Parliament, immediately took up the matter with the Minister of Education and has been kind enough to give me further correspondence. I find that the Minister of Education wrote back to that school on 10 September 1984 with this information:

> I refer to your letter of 25 July 1984 regarding the condition of the asphalt play areas at Evanston Primary School.
>
> I am also very concerned at the number and extent of injuries to students in the schoolyard. The maintenance of asphalt play areas is the responsibility of Public Buildings Department, who finance the programme from revenue funds. They are also responsible for establishing priorities which are based on technical assessments. As yet, they have not completed the State-wide priority list to indicate which schools can receive attention this financial year. It is expected that this will be available by the end of September, following which advice will be made available to schools through the Area Directors of Education.
>
> I can advise you, however, that funds for civil works are limited and that existing areas which are in excess of the standard provision will not be renewed as bitumen surface. Nevertheless, I can assure you that I will continue to press for increased levels of funding for such matters.

Even the Minister of Education has indicated that the level of funding is inadequate, that holes are appearing in asphalt areas in schoolyards, that the number of injuries is increasing and that he will try to get additional funds. However, the fact, as indicated by the State Budget, is that the Minister of Education is failing to obtain additional funds. That letter from the Minister of Education was in response to a list of injuries that occurred at that school in the first six months of 1984. I think that I should quickly count the number of injuries that occurred in that schoolyard in that period. All these injuries occurred on the asphalt due to the broken nature of the surface. Forty-nine injuries have occurred at that school because of kids tripping over the broken asphalt surface in the first six months of this year. That is how serious the situation is.

Although I have talked about that school in the electorate of Light, it is not a special or an unusual example: examples like this are occurring throughout the State. I take up an example, for instance, in the electorate of the member for Coles. At Thorndon High School tennis courts have deteriorated to such a condition that the community will no longer use them. I think that it is appropriate that I read to the House a report of what has occurred in the honourable member's area. At Thorndon High School the tennis courts are for the joint use of the school and the community but, under an agreement that has been reached, they will be maintained by the Public Buildings Department.

The Town Clerk of Campbelltown initially took up the matter with the member for Coles, who then took it up with the Minister of Education in an effort to have those courts repaired. A letter dated 14 February 1984 from the Town Clerk to the member for Coles states in part:

> In recent years the courts have deteriorated to a condition which has caused concern to both the school and the community users. Clause 6 of the agreement provides that the Minister shall use his best endeavours to maintain the courts in good and substantial repair and condition at all times during the said term. Attempts by the school to have the courts resurfaced through normal Public Buildings Department channels have not been successful. More recently the courts have deteriorated to such an extent that the council's Recreation Officer has been unable to arrange community use for the past 12 months.

The letter continued:

> At its meeting held on 6 February 1984 council considered Mr Wright's advice that the project had been listed as one of the top priorities in the Public Buildings Department's civil maintenance programme and that he was confident that the work would be completed within the coming 12 months. Council viewed this advice as being most unsatisfactory and directed me to refer the matter to you with a request that you use your best endeavours to have the work expedited.

The member for Coles, as she does so enthusiastically, took up this matter with the Minister of Education and asked for action to be taken. I refer to a letter sent by the Town Clerk to the Minister of Education on 6 September. The first letter was written on 14 February, so this is now some eight months later. The letter states:

> At its meeting held on 3 September 1984, council directed me to again draw your attention to the fact that the tennis courts at Thorndon High School are still not able to be used . . . Your letter to the member for Coles dated 3 April 1984 advised that the work was listed in a group of civil maintenance projects which were expected to be completed by June 1984. However, the work has not been completed to date and council is dismayed that it has been deprived of its right to make the courts available for community use under the joint use agreement. Already pressure is being received from one of the tennis clubs in the area which had been assured that the courts would be available for the coming season.

I have not read the whole letter, but it is signed by Mr Morrissey, Town Clerk of the Corporation of the City of Campbelltown. There we have the Minister of Education saying that the work will be finished by June this year, but we are now well into September and the work still has not been finished.

In other words, not only are funds not available but the Government is not even able to meet its firm commitments that it made last financial year in terms of maintenance of asphalt areas. They are some of the cases that have been brought to my attention.

At the Nailsworth High School the interior and external paintwork has broken down; there are large pot holes in the asphalt yard, as there are at other schools. Internal windows are broken and there is dry rot in external timber. The

Public Buildings Department will not give any promise when the work will be carried out.

Staff facilities at a number of schools also appear to be totally inadequate. At the Wilmington Primary School, water leaks into the staff room, yet a mere $2 500 is not available to solve the problem. At another school staff are required to use a toilet block which was constructed over 100 years ago. Although there are certain things which we would class as heritage items and which should be preserved, I do not think that toilets for everyday use come into that category. It is a disgrace that this Government is willing to allow the staff of schools to continue to use toilets that are over 100 years old. I make clear that I am not attempting to lay all the blame at the feet of the Bannon Government, although it must be strongly criticised for cutting the maintenance funds last financial year by 18 per cent with a further cut in funds this financial year in real terms. The backlog of maintenance has been building up for many years.

I am pleased that the member for Albert Park is here because I take up his point that I was Minister of Public Works for three years, during which funds for maintenance were increased by 26 per cent. In addition, surplus employees within the PBD were allocated to a crash maintenance programme within the schools under the name of the visiting tradesmen schemes. Under that programme, $3.9 million was spent in 1980-81; in 1981-82 the figure was $3.6 million; and in 1982-83, the sum of $2.4 million was spent.

**Mr Hamilton:** How many outstanding programmes are there?

**The Hon. D.C. BROWN:** The honourable member should listen to this. That programme, which was starting to meet some of the urgent maintenance needs in the metropolitan area, was stopped by the Bannon Government. In 1981, the Liberal Government made a special allocation of $4 million, over and above the normal allocation, to the Public Buildings Department, to be spent on maintenance and minor works. This was an additional effort to reduce the maintenance backlog.

The Liberal Government also established an asset register of all Government buildings to enable it to develop a programme of cyclical maintenance. It appears that little or no progress has been made since then. I can assure the honourable member, as the former Minister of Public Works, that we put considerable resources (in terms of money) into establishing that complete list of Government assets. We established for each asset the material from which it was constructed, the area and size of the asset, when it was constructed, when it was last painted or repaired, and what further cyclical maintenance should be carried out on a regular basis.

**Mr Hamilton:** How much money was required?

**The Hon. D.C. BROWN:** I am coming to that in a moment, if the honourable member will listen. The problem is an immediate one that this Government has failed to combat. In fact, it has exacerbated it by cutting maintenance funds by 18 per cent, with a further cut this year.

The problem is also that in the 1970s, maintenance funds were cut in real terms to help balance the State Budget. I remind honourable members that in 11 years of the past 14 years we have had Labor Governments in this State. Therefore, the main responsibility—in fact, one could almost say the entire responsibility—must lie with Labor Governments, particularly in the light of the excellent record of the three years of Liberal Government, where funds were increased by 26 per cent and special programmes were initiated, putting an extra $14 million into school maintenance over that period. However, the problem is that for successive years in the 1970s maintenance funds were cut in real terms to help balance Budgets.

At the same time many new Government buildings were completed (we know of the building boom of the 1970s in Governments throughout Australia), and these have now increased the need for additional maintenance funds. In other words, the number of assets that need repairing has increased substantially. However, this Government has cut back on those funds. In fact, successive Labor Governments have cut back in real terms.

That is the crux of this matter. The member for Albert Park asked how bad the backlog was. One report prepared for me as Minister of Public Works indicated a backlog of about $27 million worth of maintenance that was urgently needed within the Public Buildings Department's responsibility. For that reason, I initiated a number of these projects and programmes, including the visiting tradesmen schemes. What interests me is that, despite the fact that I initiated those programmes throughout our period in Government, this Labor Government criticised that scheme that we initiated (the visiting tradesmen scheme), even though it was pumping extra millions of dollars into school maintenance.

I wish to seek leave to insert in *Hansard* a statistical chart which shows the maintenance funds that have been spent by successive Governments in this State since 1977. The figures, taken from the Auditor-General's Report, list in millions of dollars the funds spent on maintenance. It is broken down into the areas of the Education Department, Technical and Further Education, Police and Courts, and other Government buildings, and there is a total at the end. The three Budgets prepared by Liberal Governments are marked, but I have excluded from the list hospital maintenance, because from about 1980 to 1982 that was gradually transferred across to become part of the hospital budget. To include those details would completely compound the figures. I seek leave to have the table inserted in *Hansard* without my reading it.

Leave granted.

MAINTENANCE FUNDS
(Source: Auditor-General's Report) (Figures in millions of dollars)

| Government Facilities | 1977-78 | 1978-79 | 1979-80 | 1980-81* | 1981-82* | 1982-83* | 1983-84 |
|---|---|---|---|---|---|---|---|
| Education Department | 12.0 | 12.8 | 13.6 | 15.0 | 15.6 | 16.0 | 14.8 |
| Technical and Further Education | — | — | — | 0.8 | 1.0 | 1.1 | 1.2 |
| Police and Courts | 1.4 | 1.5 | 1.7 | 1.5 | 1.6 | 2.1 | 1.6 |
| Other Government Buildings | 4.5 | 4.7 | 4.4 | 5.1 | 5.7 | 5.8 | 5.1 |
| Total | 18.0 | 18.9 | 19.8 | 22.6 | 24.1 | 24.9 | 22.8 |

N.B. Hospital maintenance excluded, as that was transferred to individual hospital budgets.
* Liberal Government Budgets.

**The Hon. D.C. BROWN:** I read to the House the final figures from that table: 1977-78, $18 million for maintenance; 1978-79, $18.9 million; 1979-80, $19.8 million; then the first Liberal Government Budget in 1980-81, $22.6 million (a substantial increase); 1981-82 (the next Liberal Government), a further substantial increase to $24.1 million; the

next Liberal Government Budget for 1982-83 involved an increase to $24.9 million; and then came the disastrous 1983-84 year, when funds for maintenance were cut to $22.8 million, a cut in real terms of about 18 per cent.

I would like to cite further examples to show how this maintenance problem is widespread throughout the State. I am not saying that every school is affected, because some schools have no problems at all. However, it is widespread throughout the State and it is certainly complained about by dozens of school councils. My next example is the Linden Park Primary School. I am pleased the Minister of Education is in the Chamber, because he would know that for some time I have been trying to get a deputation from that school to come to see him about the redevelopment of that school, which is in a deplorable state.

I am disappointed that so far the Minister's staff has refused to allow a deputation to come and put a case to the Government. I am hoping that the Minister will reverse that decision, otherwise I am sure that I will have to raise it within the electorate to highlight the fact that this Minister has not even been prepared to listen to the public. I have received a letter which has been signed by all the staff at the Linden Park Primary School. I was hoping to be able to present this letter when the deputation met the Minister but so far, as I have said, the Minister—

**The Hon. Peter Duncan:** Don't waste our time by reading all the letter.

**The Hon. D.C. BROWN:** I will not read the whole of the letter but I will read some of the complaints because I cannot insert the letter in *Hansard*. In this seven-page letter the staff list the complaints they have about the condition of the school on maintenance grounds alone, and I emphasise that they are looking for a complete replacement of the school. They are complaining that there are many immediate problems which include the following details:

Portable buildings:
- (1) Air-conditioning.
- (2) Carpeting.
- (3) Relocate some existing power points and add as required.
- (4) Convert classroom porches for use as wet areas for art and craft activities.
- (5) Refurbish interiors.
- (6) Paint inside and out.

Resource Centre:
- Build a shelter over doorway to prevent rain getting in and to provide a cover for classes entering and leaving.
- Air-condition.
- Replace the only power point in the office with several power points in more suitable locations.
- Provide some means of darkening at least part of the building so that films/slides may be shown.

Administration, staff facilities, teacher aides area, sick bay:
- Carpet staffroom.
- Provide lounge-type seating.
- Air-condition.
- Install hot water and showers in staff toilets.

Other problems:
- Replace all rusty water pipes.
- Resurface yard to remove ruts, potholes, etc., which are a safety hazard.
- Install water coolers.
- Increase the number of accessible drinking taps.
- Provide seating under shelter.
- Install hard paving from the oval classrooms to meet existing concrete path as the present track is slippery, muddy and dangerous.

That is only part of what is sought to be done immediately as maintenance: a complete redevelopment of that school is required.

I next take up the cause of a number of schools in the district of the Leader of the Opposition (Rocky River). He has given me a comprehensive list of urgently needed repairs to schools in his district, some of which are detailed as follows:

Gladstone:
- Requires painting.
- Some fascia boards rotting.
- P.B.D. have inspected the school and have advised them that this maintenance will definitely be done this year.

Laura:
- The whole school is in need of repair.
- It is two years overdue for a paint—it will have to be cut back as it has gone so far.
- The guttering of the toilets has holes up to 3 feet long in it and needs replacing.
- Decayed wooden parts of school buildings need replacing.
- Possibility of soaking wells needing replacement.

Wallaroo Mines:
- Overdue for painting.
- Pinboards in the classrooms have holes in them.
- Guttering has holes in it.
- Asphalt in a dangerous condition. It has large holes in it.

Yet another school is complaining about dangerous asphalt. The list continues:

Booleroo Centre:
- Whole school requires painting.
- Dry rot in the woodwork of the school buildings.
- Yard needs upgrading.

Melrose:
- PBD were informed of the following problems at least 12 months ago, as yet they have had no action.
- Fence posts are either broken or very loose on the boundary fence.
- Holes in the asbestos wall of the sports shed.
- One wall in the library very badly damaged by white ants.

White ants, mind you, and this is not the only case I will quote this afternoon where white ants are attacking school facilities. The list continues:

- Square of carpet missing in Principal's office, where a bench was removed. Breather tops for sewerage (200 mm) have been ordered for quite a while; still have not received them.

Wilmington Primary School:
- Very urgent leaking drain problem.
- Water leaks into the Staff Room . . . as yet nothing has been done.
- Second drainage problem was repaired, but was unsatisfactory. Principal ringing PBD to get this rectified.

Those are just a few of the examples of problems in the District of the member for Rocky River, the Leader of the Opposition. I know of another case in the country where in one member's district it is reported that various houses occupied by the police and by officers of the Agriculture Department, National Parks and Wildlife Division and the Department of Community Welfare are in urgent need of repairs to cracks, internal painting and upgrading and guttering replacement.

I am pleased that the Minister of Community Welfare is here, because I am sure that he also has received complaints from his departmental officers about the appalling conditions in which they are required to live in Government houses in country areas. I take up the example in the member for Hanson's district of the Plympton Primary School. That school council has taken up with that member, who in turn has taken up with the Government, the need for urgent repairs at that school. The following items were requiring attention as at March of this year: repainting of woodwork on the northern and western sides of the main and old site buildings; adequate preparation was not carried out before the last repainting; ongoing blockage problems at the old site toilet block (which was erected in 1927 and, during the redevelopment, instead of replacement only cosmetic treatment was given); lifting of lino tiles in the junior primary boys toilet; and leaking plumbing has allowed water to get beneath the tiles (this has been treated but the problem recurs). The list goes on and on, but some obvious facts come out of it. The first is that blocked toilets can cause health and hygiene problems and a health hazard if we are not careful. It is amazing to see how many references are made, in the lists I have read out, to blocked toilets or tiles lifting in a toilet, inadequate facilities, or old and decrepit toilets still in use throughout the State.

I mentioned earlier the Hawthorndene Primary School, where no repainting has been done since the school was opened 19 years ago. The member for Mitcham has complained about a number of problems in schools in his area. I am delighted to say that as a result of his energies in getting the Minister out to the school he managed to get all the schools in his district repainted. The member for Mitcham has also complained that railway stations in his district are falling down, that they are an eyesore and that it is time action was taken to arrest the decline of those railway stations.

In another country district the assessment is that exterior maintenance at schools is just managing to keep up but interiors are not being maintained at all. Similarly, the maintenance on teacher housing is restricted to emergency maintenance only. In other words (and I do not believe that this is unique), throughout the State only external maintenance is being carried out and no interior maintenance at all. Indeed, interior painting has the lowest priority: it has not been carried out throughout the State. That statement is borne out by maintenance conditions not only in my district and in the district of Fisher but also in many other country districts: no internal painting is being done.

Concerning the Nailsworth High School, where the member for Torrens is on the school committee, he has given me the following assessment of the urgent maintenance required there:

The following items have been brought to the attention of Public Buildings Department officers, but no date or promise can be given for them being attended to, due to the current financial situation in this area:

(1) Repainting the exterior of timber buildings on site.
(2) Repair of large pot holes and uneven areas in the bitumen in the school yard.
(3) Grading and sealing the access areas to a triple timber block placed on site last year. These are a potential hazard and poor drainage could eventually result in the sinking of the support pylons under the building.
(4) Repair or removal and replacement of two dual timber buildings with uneven flooring and considerable dry rot in external timbers.
(5) Replacement of internal windows which are broken.
(6) The repaint and repair of the interior of the original main brick building on site. This has not received attention to the best of our knowledge in the last 10 years.

The member for Torrens has given me his permission to list those complaints of that school. I could go on and on and on. Concerning a high school in the District of Light, the member for that district has listed the following work that needs to be done:

The following is an incomplete list of work needed on the main building:

complete white ant treatment and repair of white ant damage which has been treated, but not repaired;
fixing a salt damp problem;
chimney repairs;
repair of water damage foyer and Principal's office due to burst pipe in the ceiling. (This has been repaired once but paint has lifted and wall stained again.)
renovation of enclosed verandah areas;
replacement of worn carpet in library, corridor, general office and Principal's office;
repainting;
addition of security lighting.

So the list goes on and on. I do not intend to take up any more time detailing the problems that schools are facing throughout the State, except to make a few final remarks. I do not blame the Public Buildings Department. Having been the Minister of Works for three years, I know that the Department does an excellent job and the extent to which it suffers through lack of funds. My criticism is levelled at successive Labor Governments in this State that have cut back in real terms the money for maintenance. I criticise especially the Bannon Government, which slashed the funds for maintenance of Government buildings by 18 per cent last year in real terms and has further reduced them in real terms this financial year. We will not know the exact amount of that reduction until the end of the year.

From the list I have read, it is obvious that the painting of schools and other Government assets is required urgently. The paint is breaking down, with the result that the timber is rotting. Once the lack of maintenance is allowed to get to that point the cost of repairs is three or four times the cost of carrying out a cyclical routine painting job. The House has been given some alarming facts this afternoon about the inadequate and unsafe nature of asphalt areas on school grounds: 49 injuries at one school alone in the first six months of this year. Even the Minister of Education acknowledges the inadequacy of funds provided for this work and, by default, also acknowledges that he has failed to get the additional funds to meet the needs. The facts that I have given to the House highlight the unsafe nature of many toilets that are not fit to be used either because they are so old or because adequate maintenance has not been carried out, with the result that the toilets block regularly or leak. It is disgusting that we should expect our children to use such facilities in our schools in the 1980s. Such conditions might have been acceptable or even necessary earlier this century, but such conditions are not necessary today, nor should such toilets be allowed to remain in the affluent 1980s.

My concern is one which I have held for many years and which required me, when Minister for three years, to ensure that additional funds were allocated for this purpose. I can at least be proud, when considering my record in terms of money allocated for maintenance, that our Government increased the effort in this area considerably over what had been done previously. Although I still believe that we needed more funds and although I used to argue the case regularly in Cabinet, our record during three years in Government shines out as a star in the sky compared to the record of Labor Governments over the past 14 years whereby funds for maintenance have been reduced. Even if the present Government had maintained the effort of the previous Liberal Government, I doubt whether it could have been criticised, but to have maintenance funds slashed by over 18 per cent in real terms is a deplorable state of affairs. As this motion affects every member and virtually every school in the State (although some schools do not have a problem), I ask the House to support it and to put pressure on the Premier, the Treasurer of this State, and his Cabinet to ensure that at long last a decent and adequate allocation of funds is made for the maintenance of Government assets.

**The Hon. G.J. CRAFTER** secured the adjournment of the debate.

## COORONG CARAVAN PARK

Adjourned debate on motion of Hon. Jennifer Adamson:

That this House condemn the payment of $194 000 to the Storemen and Packers Union for the redevelopment of the Coorong Caravan Park on the recommendation of the Federal and State Governments, overriding the priorities for approval of grants for the development of regional tourism resorts as laid down by the Department of Tourism and breaching the undertaking of the Minister of Tourism given in the 1983-84 Estimates Committee that Commonwealth job creation funds would be used to augment the inadequate Department of Tourism funds allocated for the purpose of assisting approved projects.

(Continued from 29 August. Page 635.)

**Mr GREGORY (Florey):** On 29 August, I listened with amazement to the member for Coles speaking to her motion. As she spoke, it became evident that she does not like trade

unions. She confuses the Community Employment Programme with grants for tourism and she alleges that there has been a pay-off and that the grant to the Storemen and Packers Union has disadvantaged the South-East. However, the money that has been granted by the Commonwealth Employment Programme for payment to areas that were canvassed by the member for Coles as being disadvantaged totals $4 366 688, which includes the $192 927 granted to the union. Indeed, that is out of a total of $44 919 979 that has been spent on that programme in South Australia so far.

The member for Coles made certain assertions, but we should examine the guidelines for the projects sponsored by people under the Community Employment Programme, as it is called. In regard to the types of projects to be funded the provision is made that:

> Eligible project activities are those which conform to the following criteria:
> provide additional employment to that which otherwise would have occurred;
> are labour intensive;
> provide services of public and community value;
> provide worthwhile work experience and/or training.

I emphasise that provision is made for services of public or community value. On that test alone, the grant to the Storemen and Packers Union stands. It goes on to describe what sort of activities should be engaged in, and then in regard to projects which involve activity the stipulation is made that:

> Projects which involve activities that are revenue raising may be funded on the condition that no private appropriation of revenue occurs.

If members opposite cared to listen and learn, they would find that a trade union is not a profit making organisation and that it does not disburse any of its profits or the revenue that it obtains.

*Mr Baker interjecting:*

**Mr GREGORY:** In regard to eligibility of sponsors, it refers to:

> State/Territory Government departments and statutory authorities;
> local government authorities and instrumentalities;
> community and other non-government organisations.

It goes on to describe that except for South Australia and the Australian Capital Territory organisations are required to be incorporated. The Federal Storemen and Packers Union is incorporated as a Federal body and is a State body; so, it has quite a good legal identity. It is not made up of a group of people with sinister motives in South Australia or anywhere else in Australia. It is quite a large trade union. It has 70 000 members nationally with 3 400 members in South Australia. The union has bought the caravan park for the benefit of its members who, its Secretary says, earn up to 25 per cent less than the average weekly wage earner. I think it is marvellous that a trade union has seen fit to use some of its funds to purchase a caravan park which its members can use at a discount and which it is also offering to other trade unionists at a discount rate. The member for Coles complained about that. If she wanted to enjoy that discount, the honourable member could join a trade union. The opportunity is there for other people to join a trade union. Her denigration of the Storemen and Packers Union and other unionists is not consistent with the facts.

There are over 2.5 million trade unionists in Australia who can benefit from this. All the organisations are voluntary. They have very restricted rules; they are supervised very strictly. The audited accounts are very strictly supervised and are distributed to their members, as I am sure the member for Mitcham would know.

**Mr Baker:** The member for Mitcham knows that many trade unions have very poor control over their own resources. He can also tell you that—

**The DEPUTY SPEAKER:** Order! It is very difficult for the Chair to work out who is speaking in this debate.

**Mr GREGORY:** I just thought that the member for Mitcham was thinking aloud. I cannot understand why the Federated Storemen and Packers Union, or indeed any other trade union or group of unions, should be discriminated against. They are no different from any other incorporated association, such as a racing, football or bowling club or a church or welfare organisation. All those organisations have applied for Community Employment Programme subsidies and funds, and some have received them. A number of organisations have made applications and are waiting for approval so that, as soon as money is available, and if their schemes measure up to the guidelines (and I understand that new guidelines will be issued shortly), funds will be made available to them. What is the difference between providing $284 000 to the Baptist Church for renovation of its church in Brougham Place, and providing money to any other organisation? There is no difference at all.

In regard to looking after certain areas, I refer to the District Council of Burnside, in which area the member for Coles lives. The Corporation of the City of Burnside received $18 000 to construct wheelchair ramps at various intersections. That shows a lack of planning and care for the disabled people. It wanted a grant from the Commonwealth Government for a pavement condition survey of Burnside to cost $49 702. To redevelop the Chelsea Theatre the council wanted $342 819, but under no circumstances will it offer residents or ratepayers at Burnside a discount on theatre tickets. They are not as generous as is the Storemen and Packers Union. The local history information collation is to cost $11 571. An indoor sporting complex construction grant of $1 007 300 was sought. I suppose that one will have to pay to get in there.

**The Hon. D.C. Brown:** That was done with the full support of your own Premier.

**Mr GREGORY:** I am not complaining about that at all. The honourable member does not seem to understand. I am pointing out that the people who live in the Burnside area have benefited from these facilities, but they are saying that other people who are in other associations should not benefit in a similar way. That is a dog in the manger attitude on the part of people living in a better area of Adelaide, wanting all the money for themselves and wanting to deny the working class people that amount of money. A Country Fire Services Station was constructed at Mount Osmond from a grant of $51 382. A grant of $41 148 for a community outreach project was requested. The grant for the Italian clubrooms at Beulah Park is $110 550. Also, grants were requested for the Hills reafforestation ($31 255), the urban development strategy study ($16 333), and the Kensington Gardens Bowling and Tennis Club extensions ($56 040). All those amounts add up to $1 536 100, and the residents of Burnside have benefited by the scheme.

**The Hon. D.C. Brown:** Why has the honourable member picked on Burnside?

**The DEPUTY SPEAKER:** Order!

**The Hon. D.C. Brown:** What he is implying is that the people of Mount Osmond should burn again.

**The DEPUTY SPEAKER:** Order! What the Chair is saying is that interjections are out of order.

**Mr GREGORY:** On 29 August the member for Coles stated the following in this House:

> The taxpayer will be subsidising the holidays of unionists while the general public will continue to pay full fees at the park. I understand that members of the Storemen and Packers Union

will get a 20 per cent discount and members of other unions a 10 per cent discount.

As I said earlier, the honourable member's understanding was quite correct. But the member is complaining because taxpayers are subsidising some of these people. The point I am making in referring to the expenditure of about $1.5 million is that—

**An honourable member:** Where? Burnside?

**Mr GREGORY:** Yes, I think it is the Corporation of the City of Burnside.

**An honourable member:** Whose electorate is that in?

**Mr GREGORY:** The projects involved are being subsidised by the taxpayer, and, as the honourable member lives in that area, she will benefit from them. I point out that I agree with the Community Employment Programme because it provides a lot of useful amenities for residents of South Australia and Australia. Although members opposite and their Federal counterparts do not like it, decry it and say that it should not exist because it is not overcoming the problems, I notice that in the areas in which they live they are not shy of hopping in to get their chop, as the saying goes. The member for Coles went on to say that:

> It is important to look at the financial position of the Storemen and Packers Union. It is not as though the union is a mendicant body.

That is quite true. But, then again, none of the other organisations that applied for grants and received them is a mendicant body, either, and the honourable member has not criticised any of the grants that they have received. She is being very selective in this. The honourable member goes on to say that they have some money for shares in 5AA. That illustrates the attitude which is held by members opposite and which has been enunciated by the member for Coles: they believe that a trade union should not receive anything, should not benefit at all and should be treated entirely differently from any other organisation that is eligible to claim money under the programme.

That illustrates one of the things that I find most strange about the people opposite, because I thought that they would start to come along and say that employers should not get this, either. However, they have done nothing about the grant of $55 000 to the Chamber of Commerce and Industry so that it could have its corporate fun runs—no complaints at all!

*Members interjecting:*

**Mr GREGORY:** That is another attitude that really surprises me when I hear the member for Mitcham carrying on. However, he does not know what he is talking about.

One of the grants from the Commonwealth Government was made available for manpower development. No-one says that we should not have grants for manpower development, because it is a good idea. It means that people who work in trade groups, and so on, can be brought up to the latest technological standards and business practices and can be involved in training programmes. I recall that when I talked to Peter Cook (then Secretary of the Western Australian Trades and Labor Council) he told me that its application for a manpower development officer had been rejected by the Fraser Government because Charlie Court (then Premier of Western Australia) had said that under no circumstances was the Federal Government to give any of those grants to the Western Australian Trades and Labor Council, despite the employer bodies in Western Australia at that time having manpower development officers funded totally by the Australian Government.

Indeed, such was the position here in South Australia that employer organisations—such as the Chamber of Commerce and Industry, the Master Builders Association and, I believe, a number of other small employer groups—all had manpower development officers totally funded by the Commonwealth Government. There were no complaints about that. The United Trades and Labor Council was able to get in and get a little bit—not much, just one bit. It shows that in this area there are double standards: if the unions get a grant, someone has hopped the line and should not get it but, if the employers get it, it is good luck.

We then look at what I think was the most despicable part of what the honourable member had to say. This part interested me the most. I did not interrupt at the time because I wanted to make sure that I was hearing all these amazing things from her. Members should just listen to this:

> Does the Minister think that we on this side of the House and those in the tourism industry in the South-East are fools? Does he think that $93 000 of taxpayers money can be given to a union?

The union was eligible, like any other organisation, for Community Employment Programme money, which it received, like the City of Mount Gambier, which received $1.8 million and Millicent, which received $1.2 million. Who are the fools? I think the fool is the member for Coles, because she could not differentiate between a tourist industry development grant and community employment programmes. She went on to the part that I find most distasteful—that no doubt there had been a pay-off to the unions and a joint matter. She was talking about the Commonwealth and State Government approving these grants.

On that basis, and applying the attitude of the member for Coles in this matter, it would appear that in those circumstances anyone who showed the slightest resemblance to or association with anyone on this side of the House should get nothing. This also shows a total turnaround from the time of the employment of the current Agent-General in London (Mr John Rundle), who led a campaign in the Chamber of Commerce and Industry in the 1979 election on saving jobs in South Australia. That was a fairly vicious campaign which was organised out of Industry House. It seems that it is all right there, but one cannot do it when a Labor Government is in power, which shows the mentality, lack of understanding and foresight of people opposite. The honourable member goes on to say:

> We will just stuff with gold the pockets of our mates in the union.

I challenge the honourable member to say that outside the House in respect of anyone involved in this matter, because she, as well as anyone else, knows that no-one, let alone any of our mates in the union, will receive a cent of this. The money will go to the union which will manage this park. It will be strictly controlled, and the union will have to account for every cent that is spent. The honourable member and people opposite should know that union finances are closely checked and scrutinised.

*Mr Baker interjecting:*

**Mr GREGORY:** The honourable member would not know; he has no understanding of what happens in unions. He says that he does, but he would not know.

*Members interjecting:*

**Mr GREGORY:** The honourable member refers to the *Advertiser*, which has a similar attitude to that of people opposite, in that, if a trade union got some funds in this way to enable it to develop a recreational facility for its members, it should not get it. The honourable member also said in the speech that she delivered on 29 August:

> . . . but the union mates of the Minister and his colleagues on the Government side of the House have been made richer by $193 000.

As I said earlier, none of the union mates has been made richer by a cent. This illustrates what I think is a complete lack of understanding and charity in this matter. The Storemen and Packers Union has very honourable reasons for

buying this caravan park. One of the things that amazes me is that it really hurts people opposite when they find out that people in the trade union can be fairly smart and understanding and can get grants, like the residents of Burnside who got $1.5 million and people in the South-East who got $4 million-odd. The union said that it bought its caravan park for a sum of money. It bought additional land for more money and advertised amongst its membership of 70 000-odd people advising them where the park was and how and for what rates it could be used. The union has advised me that it has plans to upgrade the caravan park, and it is obvious that, when the union put in its submission for a Community Employment Programme project, it had to be properly funded and feasible; otherwise it would not have got the money.

To illustrate an attitude of the management of this caravan park, I inform the House that the manager was telephoned in June this year by a youth who was going to work in one of the national parks on work experience with a National Parks and Wildlife ranger. He indicated to the park manager that he was from a poor working class family and would not receive any wages while he was with the ranger. The manager rang the Secretary of the Storemen and Packers Union, who advised him not to charge anything for the accommodation. The youth later advised the manager that he had contacted several parks in that area regarding accommodation, the cheapest being $80 and the dearest $100.

Earlier, the member for Coles referred to how people in the South-East had not received grants in this area. I thought that it would be good to read to the House what has actually happened in relation to Community Employment Programme grants in the South-East. Beachport District Council has received $108 194; Coonalpyn Downs, which is on the extremity of the area that was canvassed by the member for Coles, received $18 000; Lacepede received $40 920; Meningie received $26 541; Millicent (to which I referred earlier) $1 209 382; Mount Gambier city $1 829 360; Naracoorte District Council $60 092; Naracoorte corporation $41 083; Penola National Trust $54 199; Penola District Council $109 100; Port MacDonnell $18 000; Robe $52 834; and the Tatiara District Council $179 711.

Grants to the Woods and Forests Department were in two bites: the work in the forests area, which would have provided considerable employment in the South-East received one grant of $190 000 and another of $174 992. Grants to the YMCA at Mount Gambier amounted to $27 901; and to the Lucindale District Council, $43 450. As I said earlier, that makes quite a respectable total of $4.173 million. So, it seems that the residents of the South-East of South Australia have received considerable money in this area—nearly 10 per cent—and I cannot understand or appreciate why the member for Coles adopted such a dog in the manger attitude in respect of an organisation of workers who are quite respectable, who work very hard for the limited amounts of money they get, and whose national organisation will own the caravan park because it is a federally registered body and all properties under those circumstances are held by the Federal body.

It bought a caravan park and had the good sense to apply, as any other body has to, when it wants help under the Community Employment Programme. The trade unions certainly fit the criteria of bodies of people, as do bowling clubs, racing clubs, tennis clubs, and any other incorporated associations or groups of people who get together. I find it amazing that members opposite should think that a trade union should not be in a position to apply, particularly when they saw fit then to try to allude to some means test. I am of the view that, if some of the bodies that have been able to get money from the Community Employment Programme were means tested, one would find that money would not be available if one were to do that, and it never has been.

The whole concept of this programme is to provide work for people who are unemployed and now we are having squabbles over who should be the recipients. The very important thing to consider is that not one member of the Federated Storemen and Packers Union will benefit from this financially unless they happen to go there for a holiday. They will not get any financial capital gains from it because in the trade unions funds are not disbursed that way.

In conclusion, it is my view that the member for Coles has deliberately confused the House and the people with whom she has communicated about this matter. She has deliberately confused the Community Employment Programme with tourist development grants. If she has not deliberately done that, it means that she does not understand and know the difference, and I find that appalling, too. If she does not understand the difference I think that she should explain to the people concerned that she was mistaken and that there is a difference: that people who want tourist development grants are not able to get those grants through the Community Employment Programme. I indicate to you, Mr Speaker, and the House that I will not be supporting the motion of the member for Coles.

**Mr LEWIS** secured the adjournment of the debate.

## EDUCATION DEPARTMENT STAFFING

Adjourned debate on motion of the Hon. E.R. Goldsworthy:

That this House deplores the lack of action by the Minister of Education in not bringing schools which are under their quota of ancillary staff up to the allocation which has been notified to them for 1984, thus causing particular hardship and lack of educational opportunity in affected schools.

(Continued from 29 August. Page 633.)

**The Hon. LYNN ARNOLD (Minister of Education):** I wish to oppose the motion moved by the Deputy Leader of the Opposition. In so doing, I want to canvass for some moments the history of the ancillary staffing issue not only under this Government but indeed some of the episodes that relate to the former Government, because I think that a little useful edification would not go astray. I also want to make a few comments about the way in which the Deputy Leader of the Opposition has dealt with this matter in the remarks he made in this House on 29 August, because I think that they bear some close examination as well.

Before I do so, I indicate the alarm that I feel about the style of approach being followed by the Opposition with regard to a number of matters. I find that members opposite are prepared to forget what happened in former days. They are prepared to fabricate what they wish us to believe happened in former days and they are prepared to dip into fairly scurrilous activities if it will suit some short-term political purposes. There are a number of things that are well worth bearing in mind in this regard.

We had earlier this afternoon an outrageous question from the shadow Minister of Education, which was most unworthy and I hope that he is living in shame about that question. Then at the end of it, by way of interjection the member for Davenport made a comment that was also absolutely scurrilous, suggesting that I had received $80 000 from the Institute of Teachers before the last election. I give him the benefit of the doubt and I presume that he did not mean that I personally had received a cheque for $80 000, but that is what he said. Let us take it that he even meant that the Labor Party had received a cheque for

$80 000. I have one comment to make: that, if he is prepared to make that statement outside the House, we can take appropriate action, because I can say without any hesitation at all that the Labor Party received no money from the South Australian Institute of Teachers before the last election.

Members opposite would have wished that it would have been so, but that was without any foundation at all. That is the kind of scurrilous thing which they know to be untrue and on which they are building their present activities as an Opposition. I repeat: if the honourable member is prepared to stand outside this House and make those assertions again, then we will see what appropriate courses of action can be taken.

That relates to many other aspects concerning members of the Opposition. Later, when the member for Davenport was speaking to the motion he has before this House, he made some comment about deputations. He happened to say that he had requested a deputation and that the Minister had not answered this request to see a deputation. In fact, I have informed my office that I will not see that deputation because I visited the school when I was in the shadow Ministry. I have indicated that I am well aware of the circumstances of the school and I take that into account when we are trying to work out the priority for redevelopment in this State; so, there is little purpose in going over that ground. However, what intrigued me was the implication in his comment that, for some reason or other, it was unreasonable that I might not see the deputation.

I ask him to go back to when he and the former Minister of Education were in Government and do a quick tally of how many requests for deputations came from the then Opposition to the then Minister of Education and how many of those deputations were received. In the entire time that I was in Opposition in this Parliament and through all the requests I put to the former Minister of Education, I was received in a deputation only once, and that was within 10 days of my being appointed to the shadow Ministry. I never again succeeded in having a deputation received by the former Minister of Education, and I know that the same can be said about any member on this side of the House: the number of times they were seen by the then Minister of Education can be counted on one hand. The number of deputations I have received from members on both sides of this House shows (and I have been through the record) an equality between members on both sides of the House.

I have received as many deputations from members of the Opposition as I have members of the Government, and I believe that that point needs to be borne in mind, so that when criticisms are made about a reluctance to see a deputation it ought to be borne against that track record that I endeavour, where possible, to accommodate requests whenever they come. However, that is the style of operation of this Opposition: it chooses to forget how life was from 1979 to 1982. Let it be known that here is one Minister and a Government that will not allow the Stalinist re-creation of history by members of the present Opposition.

**Mr Lewis:** How many deputations have you seen?

**The Hon. LYNN ARNOLD:** The member for Mallee asks how many deputations have I seen. I have been through the diaries for the number of deputations that I have seen and it exceeds many fold the number of total deputations my predecessor saw from Government members or whatever. I cannot remember the exact figure but I think it was about 50 in 1983 and it must be close to that in 1984.

**Mr Ferguson:** One a week.

**The Hon. LYNN ARNOLD:** Yes, one a week. That is not counting the visits to schools, many of which have been made at the request of members. I have visited over 180 educational institutions, many of which visits were requested by members on both sides of this House: they are points worth remembering.

Turning to the motion moved by the Deputy Leader of the Opposition, who wants to have this House deplore an apparent lack of action by myself in not bringing schools under their quota of ancillary staff up to the allocation notified to them for 1984, I ask members to note that last clause of his motion:

. . . thus causing particular hardship and lack of educational opportunity in affected schools.

One might, on reading that dispassionately, pick up the last phrase and note or imagine perhaps a tear of sincerity coming from the eyes of the Deputy Leader of the Opposition as he said that last phrase. I have gone through his speech in this House and I notice something remarkable for its absence: there is no reference at all to the formula that he used to determine the entitlement of schools with regard to school assistants—not one single reference was made.

What is the significance of that? Going back through history and outlining the purpose of that, the former Government, in its desire to cut expenditure in various areas, went into the education bucket and looked for things it could cut. The first area it came up with, with the least damage, it thought, was ancillary staffing. So, it modified the formula—a nice way of saying it cut the formula—by 4 per cent. Where then was the Deputy Leader of the Opposition, worried about the fact that that 4 per cent cut would cause particular hardship and lack of educational opportunity in affected schools? I do not recall the honourable member rising in this House to talk about that issue—quite the contrary; he was in public defending that cut that applied to the 700 schools in South Australia.

At that time this Party gave a promise that it would put the formula back to what it was and, upon its election to Government (within days of its election to Government), Cabinet approved a modification of the formula. However, our modification meant an increase in the formula, and we restored the 4 per cent that was cut by the Liberals in secondary schools, the 4 per cent cut by the Liberals for the year 3 through 7 component in primary schools, and we restored more than 4 per cent for the R to 2 section of primary schools, because the junior primary section of education had a lesser entitlement than before. We equalised the junior primary entitlement with the year 3 to 7 primary entitlement. So, we went further than our pre-election promise obliged us to go. That was at a time of great financial difficulty and we all remember the great financial difficulties that we faced on coming to Government. That cost this Government in the 1982-83 financial year about $870 000 of extra expenditure; in a full year the effect would have been almost $1.9 million.

**Mr Ferguson:** They complained about it; they said we were pandering to the teachers.

**The Hon. LYNN ARNOLD:** That is right. Their reaction was not to be concerned about the particular hardship and lack of educational opportunity in affected schools: their complaint was that it was pandering to the Teachers Institute. We put that money back into schools. It is presently built into the education budget so that every year there is more being spent on ancillary staffing than was the case under the former Government.

**The Hon. E.R. Goldsworthy:** You're not doing it fairly.

**The Hon. LYNN ARNOLD:** Now let us turn to the transfer of staff between one school and another; the Deputy Leader makes some comments about not doing that fairly.

*Members interjecting:*

**The Hon. LYNN ARNOLD:** It is nice to see him finally turn up in the House. I have done a number of things in this regard and I will detail that in a moment, but the Deputy Leader is arguing a case for Cambrai Area School.

It is a very good school and from reports I am most impressed with what goes on there. However, what are the honourable member's comments about the Cambrai Area School? When I determined that there should be advertisements in the *Education Gazette* advertising vacancies in various schools around the place, he made two comments that highlighted his views about the Cambrai Area School. He said that I was a victim of wishful thinking, hoping to get someone to go to that school. Secondly, he said, 'What staff will voluntarily pull up their tent pegs and go to live in Cambrai from some other school?' That is what he thinks of the Cambrai school and how attractive that school is to him.

I was a victim of wishful thinking, under an absolute delusion that I could believe that anyone would be so foolish as to go to that place. I do not hold that view. The school is very good, an educationally worth while place to teach and to study. However, that is how he responded to one of the things that I did to assist the voluntary transfer process.

Referring to the time element in having discussions about the transfer mechanism between schools, the honourable member seems to blithely forget the time that transpired from March 1981 to early 1982, a period of about 12 months, before some of those rationalisation difficulties were resolved under the former Government. I note with some interest that does not get a guernsey in the honourable member's speech to this House. I appreciate that he may have forgotten about it but I would not believe that he did not know about it, because he was in the Cabinet that was making all those decisions, and I have greater faith in his memory than that. However, he forgot to mention it in this House on that occasion.

Let us go through what the Deputy Leader would do. He did not tell us exactly what he would do. He decides that he does not want to own decisions with which he was associated on another occasion. However, let us go to the track record for some indication of what he would do. He would apply clause 13 (3) and demand of ancillary staff either their compulsory transfer from one school to another or he would compulsorily cut their hours—that is the track record.

**Mr Lewis:** Yep.

**The Hon. LYNN ARNOLD:** The member for Mallee says, 'Yep'. It indicates that he is on the record as believing that is what should happen, too. The school assistants, who are at the bottom of the industrial ladder, because they do not have the security of tenure that teachers do, can be victims of a compulsory transfer move or a compulsory cut in hours. I do not know of anyone else in Government employment who can be the victim of a letter being delivered on their desk saying, 'Sorry about this, but from next week you are not working 37 hours, you are working 27 hours.' That is what clause 13 (3) is about.

We gave an indication that we would not oppose the removal of clause 13 (3) from the school assistants award. When we came to Government I gave that undertaking, but I clearly said in a meeting held when I called in the PSA and the Institute of Teachers to talk about this matter, 'We will be closely monitoring the voluntary transfer system and if it appears the scheme is not working I will call you in again to talk about this matter further and what other developments we should take.' The fact is that in 1983 the voluntary transfer scheme did work for the most part. The number of hours in the over quota and under quota schools was very small, indeed. There was no major complaint from schools around the State because the variation that applied to schools over quota and under quota was not in any way significantly different from the variation that had occurred previously over the years of ancillary staffing up to 1983.

In fact, no real delay was taking place in 1982-83; we were watching the scheme and monitoring it. It was not causing undue hardship. In 1984 it appeared that there was a lag in the time it was taking for schools to have their entitlement met. At the start of the year the number of hours in schools which were under their entitlement and which had not been getting their entitlement was 1 100. The voluntary transfer system actually resulted in that being reduced to 670 hours approximately by the middle of this year.

I then asked my Department to examine the issue of the 650-odd hours that were still under entitlement and I asked for it to examine all the schools that were involved. One of the issues that came up at that time was the question of whether or not school assistants knew where a vacancy existed. It was suggested to me that they did not know the schools where a vacancy might apply but if that information was more publicly known then there could be some movement. That was the genesis of my resolving that we should advertise in the *Education Gazette* the positions that were vacant. The response to that is that I must be a victim of wishful thinking because none of those people would make a decision to go out to Cambrai. In fact, the result of those advertisements in the *Gazette* was that there was some extra movement generated under the voluntary transfer between schools that were over and schools that were under. The number of hours of schools under entitlement was reduced as a result of that advertisement in the *Gazette*. I have now required that advertisements appear in the *Gazette* periodically.

I have gone further than that and instructed officers of my Department to have discussions with the Public Service Association and the Institute of Teachers indicating that we have some other problems that need to be resolved and we need to look at a transfer mechanism that will provide for the industrial rights (I know that that is not a point that matters a lot to members opposite but I believe it matters) of school assistants while at the same time applying to the educational rights of schools in this State. Those discussions are taking place at the moment. Various options are being examined, and I believe we will have some resolution of that matter soon. I repeat again that the length of time it has taken this matter to reach resolution in 1984 is less time than it took the former Government to attempt a 'resolution' of its botch-up of the ancillary staffing issue in 1981 and 1982.

**The Hon. E.R. Goldsworthy:** No way!

**The Hon. LYNN ARNOLD:** The Deputy Leader says, 'No way'. This is an Opposition that seems to be fond of a Stalinist re-creation of history, because that is what it is when he says, 'No way'. He seems to forget what happened under the former Government. Let us look at how we are attempting to meet the vacancies under entitlement in schools in this State. I have asked specific questions of the Department about how this happens. Before I go on to say how it does happen, I draw attention to the scurrilous comments made by the honourable member. He said when Cambrai had not had its hours resolved:

> I will suggest to the Minister that maybe Cambrai Area School is not electorally significant to the Labor Party.

Then the member for Coles said:

> I think that would be a fair suggestion.

The Deputy Leader replied:

> They vote for me, so it is not electorally significant for the Labor Party.

What arrant nonsense! I say it is arrant nonsense because the number of schools that are under their entitlement come from a variety of districts in this State: they come from a variety of political representation; some are safe Labor seats,

some are safe Liberal seats and some are marginal seats, and members on this side have made representations to me about schools in their districts in that regard. This issue has not been one that has been politically determined. They would want them to be politically determined; that is the way they seem to want it to be done but it has certainly not been done in that way.

I could mention that one of the schools that had a serious reduction in hours to the extent of 42½ hours was a school in my district. That school has had the system applied to it with no difference to the way any other school under entitlement has had the system applied to it. Apparently, however, that does not count.

The other point that needs to be made about the priority listing is that the Department lists the various schools and then tries to assess the priorities in terms of the effect that those hours will have on the curriculum or on the various parts of the school. It then determines the percentage of hours that are under entitlement compared to their total allocation. So, schools that may be down 10 per cent in their allocation should be receiving more favourable consideration. As the hours become available, that is how they are allocated: according to that dispassionately determined priority listing, and not according to some political listing that I have in my office stating, 'Don't give a damn about this school; let us favour another school.' That is not the way this Government operates.

The Deputy Leader said that he was concerned about the hardship and lack of educational opportunity in affected schools, but he did not mention the other area of under entitlement that has been built into the ancillary staffing system for years now: namely, the 5 per cent corridor either side. That situation, which applied to movements in ancillary staff that take place during a school year, could result in a school's being automatically 5 per cent under and no moves would be taken to correct that situation during that period. In other words, the school would have to wait until the end of the year for the matter to be resolved. That practice has existed under this Government, under the former Liberal Government, and under the Government that was in office before that. However, apparently the short-fall that takes place in the allocation there does not seem to worry the Deputy Leader. He does not seem to think that that will cause hardship or lack of educational opportunities in affected schools.

Another situation should be considered by the Deputy Leader: the fact that the 4 per cent that we put back into ancillary staffing in this State has meant that every school has had an increased formula under which it could gain entitlement. We should move towards the achievement of a transfer system that is fair industrially to those school assistants involved and also fair to the schools involved. True, we need to have a system developed that relies on more than just the present voluntary method. We need other mechanisms to spur on the movement of ancillary staff.

**Mr Lewis:** Yuk!

**The Hon. LYNN ARNOLD:** I do not accept that type of Draconian measure about which the member for Mallee says 'Yuk'. Other mechanisms could be adopted. For example, if one looks at the situation of teachers in the Education Department, one notes the equitable service scheme, which is a scheme of transfer that is industrially equitable and fair to schools across the State. We should be moving in that direction. Indeed, we are making progress toward that end with much less disruption to the system than was evidenced by the track record of my predecessor. One has only to look back to read again what happened under the former Government: the amazing debacle resulted in the first education strikes in the history of this State. That was a monument of considerable disgrace to my predecessor and indicated the degree of concern that teachers, parents and the community in general felt about the matter of school assistants and the way in which the Government was trying to treat them as of no account.

As an indicator of how little value the former Government placed on school assistants, it commissioned an education report called the Keeves Report which made recommendations, including a recommendation that there should be an investigation of the role of school assistants in the education process. That recommendation was made in the first report issued by the Keeves Committee in about March 1981.

The report recommended that school assistants were a valuable part of the education system and that their roles should be investigated to determine whether or not adequate provision was being made for that. How much did school assistants count to the former Government? Obviously, not very much because that recommendation of Keeves was very promptly buried. Even though as a member of the Opposition I had asked about that matter on a number of occasions in this House, I received no indication that anything would happen. When the present Government came to office it took up that recommendation and established a review to look at the role of school assistants. It was one of the most thorough reviews that has taken place.

The shadow Minister of Education asked a question about the progress of that review. Those involved with that review have asked for more time to report, because they want to analyse the situation of all schools in the State, including the schools mentioned by the Deputy Leader of the Opposition, so that when they report to me on the situation they will be able to say with a greater degree of certainty what the actual situation is and how the Government can resolve any inequities or problems that are occurring. That is an indication of the commitment of the Government to the importance of school assistants in the education process.

The other matter that I find quite amazing is the sudden concern about issues of hardship and education opportunity in technical schools. That opens up the whole debate of what the former Government chose to do in the education area. I would be pleased if a conversion in regard to the Deputy Leader's views had occurred. I do not want to decry or talk him out of that, so maybe I should not be too hard on him as it might send him back to his former ways. This Government has put more money into education than did the previous Government. The present Government has attempted, as much as possible with the constrained financial conditions that this State has been under, to allocate resources to meet needs in this State. The former Government took the opportunity to dispense with over 700 teaching positions in South Australia. They are gone. As time went on those positions were simply wiped off the ledger and the previous Government took the Budget saving for that.

The member for Goyder laughs. Perhaps he finds that that is a funny sort of thing to do—to throw teaching positions to the wall. The present Government has followed an entirely different approach. Had we followed the philosophy of the former Government, how many positions would have been dispensed with? The fact is that, had we followed that philosophy we would not have put back the 231 positions that we put back following our election to office; nor would we have put back the 300 positions at the end of 1983 school year that we did put back; and we would not be putting back the positions that we intend to put back in the education system during 1985. Hundreds and hundreds of positions have been retained in the education system that would not have been retained under the former Government.

*Mr Baker interjecting:*

**The Hon. LYNN ARNOLD:** I am always interested to note the matters that are brought up by honourable members

and to refer to them in the House on the appropriate occasion. However, on this occasion I do not wish to address that matter. It is interesting that the honourable member has not chosen to ask me a question about that matter, and I would appreciate it if he would do so. We will answer a question in the House about that. I am quite happy to take up the issue and talk about it.

*Mr Baker interjecting:*

**The Hon. LYNN ARNOLD:** The honourable member talks about his Question on Notice. The answer to that question is being prepared and that will be provided in the House in due course. Clearly, there is a degree of cynicism in the Deputy Leader of the Opposition's moving this motion. His track record does not show that when in Opposition he had the degree of concern that he is now feigning to have. He has not mentioned why the 4 per cent cut in ancillary staffing under the former Government did not cause hardship or lack of educational opportunities and why the present voluntary transfer system does. He has not explained the anomaly between the two but he may do so in his reply, and I hope that he chooses to do so. The honourable member does not explain why it took a period of over a year for the former Government to reach some kind of sub-satisfactory resolution for the staffing issue in schools. That was a worse situation than that in regard to taking nine months for the voluntary transfer set of discussions to be resolved in this State. Apparently things are different when they are not the same.

The scoreboard for the Government on the ancillary staffing issue is on the credit side, and I believe that the scoreboard of the previous Government on that issue was well and firmly on the negative side. I believe that the tactics of the Opposition have been disreputable. The Deputy Leader's statements about my making political decisions being designed to affect schools in Liberal electorates so that they will not get what is rightly theirs are odious and gratuitously offensive remarks.

**The Hon. E.R. Goldsworthy:** The truth hurts.

**The Hon. LYNN ARNOLD:** The member says that the truth hurts. As I said earlier, before the member had taken the trouble to come into the Chamber, the number of schools that are under their entitlement at this stage are located in a range of electorates, from safe Labor to safe Liberal, as well as in the marginal seats held by members on both sides of the House. If I were being the political apparatchiki that the honourable member tends to suggest that I am, that would not take place. It should therefore be the opinion of members that the Deputy Leader's motion should be defeated. I have given an undertaking that I would spend half an hour on my comments, and I have now done so. I do not know whether this matter is to be forced to a vote now or whether other people will be given an opportunity to speak on the matter.

*An honourable member interjecting:*

**The Hon. LYNN ARNOLD:** I am pleased to hear that, as a number of members on this side of the House would like to contribute to the debate because of their concerns about, first, the needs of schools and, secondly, the industrial situation that applies to school assistants in this State. I oppose the motion.

**The Hon. MICHAEL WILSON (Torrens):** I regret—or maybe I should be glad—that I missed the first part of the Minister's speech. I was at an important meeting and could not get away. I got down here as soon as I could. From what I have heard, it appears that the Minister has been hysterical. To accuse members of the Opposition of gratuitously offensive remarks, when the Minister has made those sorts of remarks, I think is hypocritical. I will have much pleasure in studying what the Minister has had to say. The Opposition is well aware of the 5 per cent corridor, and has known about it all the time—of course we have. It is ridiculous for the Minister to say that we were not aware of it. We are talking about schools that are disadvantaged over and above that corridor. I will deal with that matter in greater detail on the resumption of the debate. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

## AUSTRALIAN OLYMPIC TEAM

Adjourned debate on motion of Mr Olsen:

That this House records its appreciation of the performance of South Australian members of the Australian Olympic team in Los Angeles; recognises the assistance which the South Australian Sports Institute has given to our Olympic athletes; and urges the Government to continue to give full support to the Institute which is making a significant contribution towards lifting the standards of sporting performance in South Australia—

which the Premier had moved to amend by inserting after the words 'Los Angeles' the words 'and Paralympians in Stoke-Mandeville' and by leaving out the words 'urges the Government to continue' and inserting in lieu thereof the words 'commends the Government for continuing'.

(Continued from 29 August. Page 637.)

**The Hon. J.W. SLATER (Minister of Recreation and Sport):** On 22 August the Leader of the Opposition moved this motion. At that time the Olympic athletes had just returned from Los Angeles. I do not disagree with the text of the motion, but I do disagree with the reason behind its introduction. I found that the remarks made by the Leader of the Opposition were to a degree insincere. Probably the only purpose for the Leader's introducing the motion was to seek some credit for himself and his Party in relation to the performance of South Australian athletes at the Olympic Games.

**Mr Meier:** That's a gross distortion of the facts.

**The Hon. J.W. SLATER:** That is my view. I believe that his attitude (particularly in view of the Liberal Party's attitude to the previous Olympic Games when it was in Government) is quite hypocritical.

**Mr Baker:** That's disgraceful.

**The Hon. J.W. SLATER:** That is the way I see it. Both the Leader and the member for Torrens in this motion wanted the House to take what they described as a 'bipartisan approach'. As I said, I find nothing wrong with the motion which records the appreciation of this House of the South Australian Olympians and recognises the assistance given by the South Australian Sports Institute for its contribution to that success.

The Premier has subsequently moved for the inclusion of the Paralympians' performance at Stoke-Mandeville in the United Kingdom. I believe that their performance was probably just as meritorious and creditable as that of the Olympians. Consequently, they should be included in a motion of this nature. As I say, I find it somewhat regrettable that the Opposition should seek to take a bipartisan approach yet, of course, the purpose of the exercise was to gain some political kudos.

*Mr Baker interjecting:*

**The Hon. J.W. SLATER:** I think it is hypocritical, and I find the Liberal Party's attitude hypocritical.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. SLATER:** The Leader said that the one aim in moving the motion was to point to the need for continuing support for the pursuit of sporting excellence. I do not disagree with that. I do not think that the Opposition

needs to worry too much about that matter except, of course, if South Australia is unfortunate enough to have a Liberal Government in future, because the present Labor Government already has scores on the board when it comes to sport in this State, particularly regarding the role and funding of the Sports Institute. To put the record straight, let me quote figures to honourable members in relation to Sports Institute funding. In 1981-82 the total amount for salaries and related payments was $7 000. This was at the time of the Liberal Government. In 1981-82 the actual amount was $34 000.

**Mr Baker:** That was a good start; more than your Government has done.

**The Hon. J.W. SLATER:** If the honourable member gives me an opportunity, I will give the facts. If he does not want to hear them, will he please keep quiet? In 1982-83, again under a Liberal Government, the sum was $212 000, but there was a catch in that.

**Mr Baker:** What was the catch?

**The Hon. J.W. SLATER:** Because some $80 000 was promised on perhaps a condition that, if private sponsorship had been found, that $80 000 would not have been committed to the Sports Institute. There was no private sponsorship. In 1983-84 I, as Minister, gave that additional $80 000 for that year. In 1983-84, the total amount allocated by this Government was $460 000. In that year the total amount given to the Sports Institute was more than double what it was in the previous year. If members opposite study this year's Budget documents, they will find that that the amount proposed to be allocated to the Institute for 1984-85 is more than $500 000. That funding record speaks for itself, and, consequently, we are taking up the challenge in funding the Sports Institute to give every opportunity to our leading athletes to undertake their training. Indeed, as results indicate from our performance at the Olympics and in national competition, it is paying dividends. So, I do not think that the Opposition needs to worry too much about our commitment as a Government to the Sports Institute.

I want to take some time to relate the previous Government's role and perhaps lack of direction in regard to setting up the Sports Institute, because initially two officers were seconded from the Department of Recreation and Sport to administer the Institute. They were somewhat unsure as to their own position and as to the role of the Institute in relation to the Department of Recreation and Sport. We, as a Government, picked up the Sports Institute. I give credit where it is due: I have always given credit to the previous Minister and Government for instituting the Sports Institute, which was a good move. I am on record in Opposition as supporting that move. But, unfortunately, that Government gave little direction and we, as a Government, picked up the Sports Institute.

I have had a number of discussions over a period with the Director (Mr Nunan) and the Chairman of the board (Geoff Motley) in regard to Institute funding and its relationship to the Department of Recreation and Sport. As a consequence of those discussions, the Government has provided increased funding and some direction as to the Institute's role. At this stage I want to pay a tribute to members of the board (and that matter has not been raised so far in this debate)—the Chairman (Geoff Motley), members, the Deputy Chairman (Peter Bowen Pain), Marjorie Nelson, Howard Mutton, Ken Cunningham, Dennis Glencross, and the more recently appointed members (Yvonne Hill and Margaret Ralston), all of whom deserve the highest commendation for their efforts. I take this opportunity of conveying my appreciation to the board for its contribution to the Sports Institute.

Likewise, we should not overlook the contribution of the staff to the Institute's success. It is universally agreed that the Sports Institute is recognised among athletes, sporting organisations and the sporting fraternity generally as being a success. Indeed, of course, the South Australian Institute is regarded as a model upon which other States may best base their institutes if they wish to implement a similar proposal.

I also mention for members' information that I have recently appointed all board members for a further term of office. Some members have been appointed for a period of two years and some for a one-year period, which will ensure continuity of experience of board members in the future. I appreciate the good relationship that has developed between our Government and the board to ensure the success of the Institute and the role that it will continue to play in providing our top sports people—men and women—with the opportunity and expertise necessary to be a success and compete favourably at both a national and an international level. If anyone cares to read the Sports Institute's 1983-84 Annual Report, they will see my appreciation of the efforts of the board and staff expressed therein. I do not want to take up the time of the House by quoting from that foreword, but I suggest that my attitudes and appreciation are expressed clearly therein.

I noted and listened carefully to the remarks made by the member for Torrens in his contribution to the debate. It would appear that he took exception to some of my remarks made previously regarding the efforts of the Tonkin Administration in the recreation and sport area. Of course, the honourable member was the relevant Minister in that Government. He takes exception to my remark that the previous Government had done little or nothing of consequence in regard to recreation and sport during its term of office. The member for Torrens did endeavour to justify the position—

**The Hon. Michael Wilson:** What you have said is not correct.

**The Hon. J.W. SLATER:** The honourable member takes exception to remarks that I made, and I point out that the honourable member misunderstood one of the comments I made previously and I want to put it on record. It was in regard to the previous Olympic Games, when the Minister and the Premier were associated with the Olympic Games Appeal and none of us, of course, at that time were particularly pleased about some international events that had occurred. I think that honourable members have also made remarks about the invasion of Afghanistan. International politics, of course, are pretty unsure and indeed beyond the control of this State Government.

However, I believed and indeed the Olympic Federation decided that our athletes would represent us at the Moscow Olympics. The Federal Government of the day did not believe that and the then Prime Minister—the great sport (Malcolm Fraser)—did everything possible to jeopardise and prejudice that decision by not recognising the decision of the Olympic Federation to send athletes to the Moscow Olympic Games. I believe that the decision by the Olympic Federation was correct and I think that subsequent events have proved it right. However, we found out some time later that offers had been made and indeed accepted by some athletes.

*The Hon. Michael Wilson interjecting:*

**The Hon. J.W. SLATER:** No, I am not going to give the honourable member a bath at all.

**The SPEAKER:** Order! I hope that the conversations cease and that the Minister can get on with his speech.

**The Hon. J.W. SLATER:** I want to clarify the misunderstanding that occurred at that time, what I actually said and what I meant to say, because we found out some time later that some athletes had been offered and had accepted financial remuneration not to attend and not to compete in

the Moscow Olympic Games, and I think that that was pretty shameful.

**The Hon. Michael Wilson:** Which Government?

**The Hon. J.W. SLATER:** It was the Federal Liberal Government, and I suggested that—

**Mr Baker:** You are not suggesting—

**The Hon. J.W. SLATER:** The Government of this State was not aware of it. However, the point I made is that by resigning from the Olympic Appeal they condoned the actions of their Federal colleagues.

**The Hon. Michael Wilson:** How could we condone—

**The Hon. J.W. SLATER:** You condoned the Federal Government's paying people not to compete.

*Mr Baker interjecting:*

**The Hon. J.W. SLATER:** There you are: I did not directly link the Minister in South Australia with that decision, but the action taken by him and the Premier indicated the same political complexion to the athletes. They were not recognised when they returned: they had to be recognised by the then Leader of the Opposition and me, as shadow Minister, for their efforts at the Olympic Games at Moscow; yet we find this time that the Leader of the Opposition and the Liberal Party want to jump on the bandwagon and move a motion in this House simply to gain some political kudos in regard to the success of the South Australian athletes and the South Australian Sports Institute.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. SLATER:** I find that somewhat hypocritical and I do not believe that the results of the Olympic Games should become a bloody political football.

**The Hon. Michael Wilson:** It is not. Who started it?

**The Hon. J.W. SLATER:** We did not move the motion: the Opposition moved the motion with the intention of gaining a political point: that is the purpose for which it was moved. I do not have an argument with the context of the motion and in fact I support it, but I do not agree with the purpose or the intention for which the motion was moved.

**The Hon. Michael Wilson:** Did you condone your Premier's statement when he criticised the debate?

**The Hon. J.W. SLATER:** The Opposition then sought kudos (and I have said that this is my opinion and I am entitled to it: I am expressing a point of view that I believe is correct) because of what occurred during both Olympic Games, and that is the point that I am making.

**The Hon. Michael Wilson:** I am waiting for an apology.

**The Hon. J.W. SLATER:** I do not intend to make an apology. What I intend is to correct what I believe was a misunderstanding by the member for Torrens regarding the remarks I made. I said that he was associated with a Government that shamefully paid athletes not to compete in Olympic competition. That is certainly not in the interests of sport—

**Mr EVANS:** I take a point of order, because I believe that the Minister is trying to impute that the honourable member who moved the resolution did it with an ulterior motive, and I believe that that is against Standing Orders.

**The SPEAKER:** Certainly, if there was an imputation to that effect that is against Standing Orders. I have not treated what the Minister has said as imputing such motives, so I will wait a little longer. I do not uphold that point of order.

**The Hon. J.W. SLATER:** Thank you, Mr Speaker. I am expressing a viewpoint that political kudos was expected to be gained by a particular motion moved in the House. I am not imputing anything as far as the Leader of the Opposition's character is concerned. It was purely for a political reason and I thought that that was what Parliament was all about in regard to political aspects and decisions that we make in this place. So, that was the intention of my remarks and indeed, as I said, I believe that sport should not become politically oriented. I paid a tribute to the Board of the Institute, the staff of the Institute, and indeed the 130-odd scholarship holders in regard to the Sports Institute of South Australia.

Indeed, as time goes on we should be able to improve the workings of the Institute. One of the reasons that it has been a success in comparison to the Australian Sports Institute is that our athletes who are scholarship holders have the advantage of being at home and living in this State, whereas the Australian Sports Institute which is located at Canberra disadvantages some people in that they have to live away from home. There are examples of some athletes in our Olympic team who, had they lived in Canberra, I believe would not have made the Olympic team. I think that that suggests very clearly that the South Australian Sports Institute has been a remarkable success for one of those reasons and, indeed, because of the quality of service and staff that it has offered.

The House need not have any great concern about the direction, the role or the funding of the Sports Institute in the future. That funding will have to be taken into consideration in regard to other demands from other aspects of sport, but certainly this Government has recognised the opportunities provided by the Sports Institute in giving the top sports persons in South Australia the opportunity to compete at national and international level. They should be commended for their efforts as far as the Olympic Games are concerned, and we are looking forward to being able to provide further scholarships for different sports in the near future.

**Mr BECKER** secured the adjournment of the debate.

## HIGHWAYS DEPARTMENT

Adjourned debate on motion of Mr Oswald:

That this House take note of the Thirty-third Report of the Public Accounts Committee into the Accountability for Operations of the Commissioner of Highways tabled in this House on 14 August and in particular the member for Morphett's dissension with recommendation No. 6 which refers to the abolition of the Highways Fund and which was recorded in paragraph 256 of the minutes of the proceedings of the Committee dated 19 July.

(Continued from 29 August. Page 638.)

**Mr KLUNDER (Newland):** When I started to speak to this motion a month ago, I dealt with some of the basic functions of the Parliament in regard to the Highways Act and the Highways Fund and I want to continue along those lines. The Westminster system of government provides for a chain of accountability through the departments to the permanent heads, then through the Minister to the Parliament.

In the case of the Highways Department that chain of accountability has been demonstrated by the Public Accounts Committee to be modified and truncated almost out of existence with such accountability as still exists being largely by the courtesy of the Commissioner. This Parliament should not be in that position. This Parliament is in that position because the Commissioner and not the Minister has two assured sources of income: one being the tied grants from the Commonwealth and the other being the hypothecated revenue that flows into the Highways Fund. In the case of the Commonwealth funds, the South Australian Parliament has a Hobson's choice—it cannot refuse or accept those funds. It is not much of a choice. In the case of the hypothecated funds such a choice does not exist at all.

If one adds to this the basic principle of accountability within a democratic State, namely, that power, responsibility,

and accountability should not be divorced—that whoever makes the decisions should be accountable for those decisions—one can see the mismatch immediately. By and large the decisions concerning the Highways Fund are written into the Act as being the responsibility of the Commissioner and the Minister is the one held accountable by the electorate.

Parliament has to accept, in fact for its very life must accept, the central role in the economic decision making, for Parliament is the intersection of the *loci* of power and responsibility. Decisions must be made, or at least sanctioned in this Chamber—for this is the area where the population of this State can make changes. No popular election can dislodge the Commissioner of Highways—but a popular election can drastically change the composition within this Chamber. To mix metaphors, this place is where the buck stops; it should therefore also be the place that hands out the bucks.

Indeed, in other countries it has been considered essential for the democratic State to reassert its right to make the major financial decisions. In Canada, the Auditor-General's Report of 1976 said:

> I am deeply concerned that Parliament and, indeed, the Government has lost, or is close to losing, effective control of the public purse . . . Based on the study of the systems of departments, agencies and Crown corporations audited by the Auditor-General, financial management and control in the Government of Canada is grossly inadequate. Furthermore, it is likely to remain so until the Government takes strong, appropriate and effective measures to rectify this critically serious situation.

For Parliament or Government gradually to give away its financial decision making powers is equivalent to making itself less relevant in the process of governing. A case is often made for the Highways Fund as being in some measure 'special'. This view is not adhered to by the Commissioner of Highways. In a public hearing before the Public Accounts Committee on 8 March 1984 (paragraphs 503-505) the Commissioner stated:

> Q. I would like you to state what you believe are the arguments for retention of the Highways Fund.
> A. (Mr Knight) I do not believe that there are any good arguments for its retention.
> Q. We have been advised that the abolition of the Highways Fund would have no effect on the funding of roads now being established by the efforts, conditions or matching requirements of the Commonwealth. Do you agree that those conditions pre-determine a level of [State] funding.
> A. (Mr Knight) Yes.
> Q. Will you comment on the statement that in present circumstances the abolition of the Highways Fund in itself will have no adverse effects on the level of State expenditure on roads.
> A. (Mr Knight) I agree with that statement.

Let me now turn to some of the fears that have been expressed. The member for Morphett raised these in his contribution last month and I do not intend to quote them. They boil down to the fact that various people and organisations fear that if hypothecation disappears, the funds for Highways would decrease as a result. One needs to analyse the Highways income to come to grips with this fear.

I could perhaps understand the fear somewhat better if the hypothecation into the Highways was all of the funds it ended up with. However, it turns out it is only about 43 per cent of the funds available to the Department. The Opposition spokesman on transport, the member for Davenport, in a press release accused the Treasurer of wanting to get his sticky fingers on the $180 million in this fund. I ought to congratulate the member for Davenport on his speed reading skills. He got a copy of the report from me at 2.15 p.m. on 14 August. He read it, absorbed it, decided which of the particular recommendations he agreed with and which he disagreed with, wrote that all down, then managed to put it on a press release. I got that press release, not from him but from other people, at 4.15 p.m. on the same day—not a bad effort!

**Mr Lewis:** He's very good.

**Mr KLUNDER:** He must be very good indeed. Let me now deal with the substance of what he had to say.

*Mr Lewis interjecting:*

**Mr KLUNDER:** He has a very fast moving shadow, yes. I guess he has to move fast—he has a fast moving Leader in front of him. The member for Davenport is speaking from a particularly weak base to hurl allegations about sticky fingers. The 1975 consolidation of the Act, section 32 (1) *(m)*, allows for an allocation to the Police Department of 6 per cent of registration fees. That was raised by the Liberal Government in 1980 to 7.5 per cent and in 1982 to 9.8 per cent. The 1982 amendment also repealed the requirement for the STA to pay money into the Highways Fund. In fact, the only occasions on which the then Liberal Government amended the Highways Act was to take more money out of the fund. Now, I do not necessarily disagree with this. I merely remind the member for Davenport to check his own fingers for stickiness. If the police were to properly cross charge their costs regarding road safety to the Highways Fund, there would be a much greater charge than the current $7.7 million per year.

Secondly, if the cost of hospitalisation of road accidents were cross charged to the Highways Fund, then the Highways Fund would disappear in its entirety. All of this proves that the Highways Fund is a fairly artificial concept. Some of the taxes and charges associated with road use are put into the fund, and some of the costs associated with having a road network are debited against that fund. Any claim that the fund is special in that it clearly relates taxation and expenditure must falter on a close examination of the hypothecation into the fund. I return to the fears of the various organisations. On 14 March at paragraph 658 the following exchange took place between the Public Accounts Committee and the RAA:

> Q. Would you state your Association's view on the retention of the Highways Fund?
> A. (Mr Waters) We believe that the road construction authority cannot work on a year-by-year basis . . . one cannot decide to build a major road, plan that major road, and have it constructed on an annual basis . . . it seems essential to us that the road construction authority should have some guarantee of funds to it to enable long-term planning, research planning, and so forth . . . it would seem to inhibit the proper planning of roads if the amount of money allocated to the road construction authority was subject to Parliamentary approval on an annual basis.

It is difficult to understand the concern in the terms it is expressed. If the RAA had been able to point to any Government department which had its budget subjected to massive annual fluctuations, then of course their fear would have been fully justified and the Public Accounts Committee would have taken them fully into account in framing its recommendations. But no such massive fluctuations exist. Government departments are always funded by the Parliament with full recognition of the fact that the departments have ongoing responsibilities. To say that one fears otherwise is a reflection on the sense of Parliamentarians.

The problem with hypothecation itself should be clearly recognised. If too much money is hypothecated into the fund, the money is spent from the fund when it is not necessary and it would have been better spent elsewhere. On the other hand, if too little money is hypothecated into the fund, the hypothecation ceases to be useful as a way of controlling spending from the fund, because the Government, by deciding whether or not to top up, can decide how much money should be expended on roads in any case. As for the so-called 'special needs' of road spending, the answer is equally simple: if special situations exist, it is all the more important to have Parliamentary appropriation instead of

hypothecation. Hypothecation is a mechanism, and only Parliament can recognise special needs and act on them.

The member for Morphett mentioned in his speech the compromise position of hypothecation into the Highways Fund and then transferring that money into Consolidated Revenue. As he is aware, that position was not adopted by the committee in its recommendations, because it would have required negotiation with the Government. The PAC is a Committee of the House—not the Government. Consequently, it must report to the Parliament—not to the Government. As such it cannot enter into negotiations with the Government. Finally, I know of no way of concluding my remarks that is more appropriate than with a recommendation from the Public Accounts Committee report. I refer to conclusion No. 10, as follows:

The Public Accounts Committee considers that Parliamentary scrutiny of proposed expenditure is central to accountability. It is concerned that the existence of the Highways Fund is contrary to this process in that:

Money in the fund is not under the direct control of a responsible Minister.

Certain revenues of the State are assigned automatically to the fund without opportunity for Parliamentary debate.

The purposes of the fund, aside from salaries of the Commissioner and staff, are not subject to Parliamentary scrutiny through the Estimates debates.

**The Hon. B.C. Eastick:** That's in the majority report.

**Mr KLUNDER:** There was no minority report.

**Mr BECKER** secured the adjournment of the debate.

## NORTH-SOUTH TRANSPORT CORRIDOR

Adjourned debate on motion of the Hon. D.C. Brown:

That this House expresses its grave concern that the Government is selling large areas of land essential for the construction of the north-south transport corridor and at the dishonest manner of paying inadequate compensation to the Highways Fund for the land sold and calls on the Government to stop further sales of land and to pay all moneys received for land already sold into the Highways Fund.

(Continued from 12 September. Page 808.)

**Mr BECKER (Hanson):** I fully understand and appreciate the comments made by my colleague the member for Davenport. All members would recall the time some years ago when we discovered that huge sums of money—in the vicinity of about $10 million or $11 million per annum—were being appropriated by the Commissioner of Highways to acquire properties for the north-south transport corridor and throughout the metropolitan area in preparation for either acceptance of the MATS Plan or some other road transport system to serve mainly the north and south of the city and other areas as well. Unfortunately, my district was caught up in the north-south transport corridor.

The MATS Plan involved a route along Beckman Street, following the old railway line, and then proceeding across to the northern side of the city. There was uncertainty as to the further extention of Marion Road. That caused anxiety for property holders on the northern end of Marion Road where it meets Henley Beach Road. There were difficulties and some uncertainty for my constituents from Camden Park through to Plympton, where the proposal was to bring in a small freeway system from the intersection of Morphett Road and Anzac Highway. For some unknown reason, the proposal seemed to go up in the air there and nothing linked through. Other plans were in operation, involving particularly the widening of Tapleys Hill Road.

Over the decade of the moratorium, brought in by the then Minister of Transport (Hon. G.T. Virgo), I thought it was fair and reasonable that a hold be placed on the proposed freeway system because of the disruption it would create for residents of the western suburbs. One starts to feel for the people when their homes are compulsorily acquired. One also feels for the people living in the vicinity of the proposed freeway who were unable to upgrade and develop their properties. When they went to sell their properties they were severely restricted. The uncertainty caused some hardship for my constituents and for many hundreds of persons in the metropolitan area. Decisions had to be made following considerable thought. To criticise the present Government for making a decision would be purely political. To criticise the Department for disposing of the properties could also be construed as political, although the disbursement of moneys it received from the sale of the properties is a matter which I think needs further consideration. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

[*Sitting suspended from 6 to 7.30 p.m.*]

## PERSONAL EXPLANATION: WORLD PEACE COUNCIL

**The Hon. JENNIFER ADAMSON (Coles):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. JENNIFER ADAMSON:** This afternoon the member for Elizabeth made a savage personal attack on me, alleging that I had engaged in grossly libellous smearing and that I was well known as the main exponent of perjurers. I utterly reject those statements, which if uttered outside this House would themselves be libellous. In my speech in the adjournment debate last night, I referred to an article in the Adelaide University Student Newspaper *On Dit* which alleged that the member for Elizabeth is a member of the World Peace Council. The member for Elizabeth this afternoon stated that 'according to the member for Coles' the World Peace Council is an instrument of Soviet foreign policy. The description of the World Peace Council as an instrument of Soviet foreign policy is not my description but that of Lord Chalfont, a former British Labor Minister for Disarmament who, in a letter to the *Times* dated 26 April 1983, described the World Peace Council as:

. . . the most important of the Soviet Union's front organisations. It is controlled by the International Department of the Communist Party of the Soviet Union which also supervises the activities of the KGB. It was founded after World War II with the principal functions of promoting Soviet foreign policy aims by infiltration and control of activist organisations in Western countries. It has been expelled from France and Austria for subversive activities.

In my speech last night I referred to a letter written on the letterhead of the Australian Peace Committee bearing the name of the member for Elizabeth as Vice-President of the committee and referring to the affiliation of the Australian Peace Committee with the World Peace Council. The member for Elizabeth has not denied the validity of this letter or the accuracy of my statement, which clearly cannot be described as libellous, because it is accurate.

**The Hon. PETER DUNCAN:** On a point of order, this matter is *sub judice*. I did not refer to that because of that fact.

**The SPEAKER:** Yes, the honourable member gave that assurance this afternoon. I uphold the point of order. The honourable member for Coles.

**The Hon. JENNIFER ADAMSON:** The fact that the member for Elizabeth misled the House when he attempted to gag me by wrongly asserting that the *On Dit* article was *sub judice* was confirmed by his statement this afternoon in which he acknowledged that a writ had been issued only this afternoon. Mr Speaker, the fact that you chose to

believe the member for Elizabeth, who has subsequently, on his own admission, been proved to have misled the House on this matter, raises the question of the ease with which unscrupulous members can prevent legitimate Parliamentary debate on—

**The SPEAKER:** Order!

**The Hon. JENNIFER ADAMSON:**—issues of public importance by invoking *sub judice* rulings.

**The SPEAKER:** Order! I rule those remarks out of order.

**The Hon. PETER DUNCAN:** On a point of order, Mr Speaker, the Standing Orders quite clearly provide that you cannot reflect on the motives of honourable members.

**The SPEAKER:** I have already ruled the remark out of order.

**The Hon. PETER DUNCAN:** I would ask that it be withdrawn.

**The SPEAKER:** I ask the honourable member for Coles to withdraw the remark.

**The Hon. JENNIFER ADAMSON:** Mr Speaker, I was making a general statement and indicating the ease with which members had invoked the *sub judice* ruling simply by indicating to the Speaker that a matter is before the courts when it is not before the courts.

**The SPEAKER:** Order! I have ruled that out of order, and I ask the honourable lady to withdraw the remark.

**The Hon. JENNIFER ADAMSON:** Mr Speaker, would you indicate to me exactly what it is you want me to withdraw, because thus far I have been referring only to statements?

**The SPEAKER:** Standing Order 154 provides:

> . . . all imputations of improper motives and all personal reflections on members shall be considered highly disorderly.

**The Hon. JENNIFER ADAMSON:** Mr Speaker, I would be pleased if you would indicate which of my statements you want me to withdraw.

**The SPEAKER:** The motive which you imputed to the honourable member for Elizabeth.

**The Hon. JENNIFER ADAMSON:** I am certainly willing to say that the *sub judice* matters as invoked last night indicate the ease with which members, without referring to any member as unscrupulous, can invoke the ruling and thereby prevent matters of public importance being debated. I repeat my statement of last night, namely, a quotation from *Quadrant* magazine, September 1982, which refers to the member for Elizabeth's attendance as a delegate to the International Conference of Members of Parliament for Peace, which was an initiative of the World Peace Council.

**The SPEAKER:** Order! I do not believe that the honourable lady is now making a personal explanation. In this portion of her remarks it seems to me that she is straying from that.

**The Hon. JENNIFER ADAMSON:** Mr Speaker, on the basis that my personal explanation is related to the member for Elizabeth stating that I made libellous statements and was a perjurer, I feel bound to indicate to the House that the statements I made are based on fact and can be documented, and I therefore feel that the statements are directly related to my personal explanation. I continue. On the basis that each—

**The SPEAKER:** The honourable member's time has expired.

**The Hon. JENNIFER ADAMSON:** On the basis that each of my statements—

**The SPEAKER:** Time has expired. Does the honourable lady seek leave?

**The Hon. JENNIFER ADAMSON:** I seek leave to continue, Mr Speaker.

Leave granted.

**The Hon. JENNIFER ADAMSON:** On the basis that each of my statements, as distinct from any statement I may have read from *On Dit*, can be and has been substantiated with documentary evidence, I stand by what I said and refute absolutely any allegations of libel or perjury.

## COMMISSIONER FOR THE AGEING BILL

Returned from the Legislative Council with amendments.

## ADMINISTRATION AND PROBATE ACT AMENDMENT BILL (No. 2.)

Received from the Legislative Council and read a first time.

**The Hon. G.J. CRAFTER (Minister of Community Welfare):** I move:

*That this Bill be now read a second time.*

This Bill deals with a number of disparate matters. The four basic areas affected by the proposals are as follows: amendments affecting the mental health area; amendments concerning the Public Trustee; disclosure of assets and liabilities of deceased estates; and other miscellaneous amendments. I seek leave to have the detailed explanation inserted in *Hansard* without my reading it.

Leave granted.

### Explanation of Bill

1. Amendments affecting the mental health area: At present Section 118m (2) of the Administration and Probate Act requires the administrator of the estate of a mentally ill person who wishes to sell property valued at more than $20 000 to obtain Supreme Court approval before the sale can take place. The Guardianship Board has encountered problems with this provision due to the expense of Supreme Court proceedings coupled with what is often a substantial delay in obtaining the order for sale. In addition the figure of $20 000 has not been altered since the enactment of the provision in 1978.

The Guardianship Board and the administrator of an estate of a mentally ill person take considerable care to ensure that the sale of any property is appropriate in all the circumstances. This Bill provides that the administrator may sell property of not more than a prescribed value with the consent of the Board. It is intended that the prescribed value be set at $80 000 for the time being, this value allowing for the sale of most reasonably priced homes. A similarly limited power for an administrator to purchase property is also included. The Bill will also allow an administrator to purchase or lease property or pay a donation which may be necessary to secure accommodation in a church home or the like. This power has not previously been available to an administrator appointed under the Mental Health Act.

Provision allowing an administrator to lodge a caveat is also included. Section 118m (2) *(u)* provides that an administrator may spend up to $2 000 in improvement of any property by way of building or otherwise. The principal reason for the introduction of this power was to allow for the installation of deep drainage. The sum of $2 000 is now inadequate for this purpose and this amendment provides for the amount to be spent on improvements to be set by regulation. Section 118q has been amended to provide that a disposition of property, however made, is voidable at the option of the administrator. Savings provisions have been included to ensure that a disposition may not be avoided if the other party did not know and could not reasonably be expected to know that the person was of unsound mind.

The old Mental Health Act provided that where an asset of the patient was converted by the administrator the identity

of the asset was maintained in order to preserve the rights of beneficiaries entitled under the patient's will. This provision was not carried forward into new mental health legislation in 1978. It is seen as desirable for there to be some provision for the preservation of interests amongst beneficiaries. Accordingly, a new section is proposed to enable applications to be made to the court if beneficiaries have been unfairly disadvantaged by an administration under the Mental Health Act.

2. Amendments concerning the Public Trustee: Section 118o of the Administration and Probate Act authorises an appropriate authority outside South Australia to request the Public Trustee to administer the South Australian assets of a mental patient under the control of that authority and for the Public Trustee to carry out that request. There is no formal authority for the Public Trustee to request an authority outside South Australia to administer the extra State assets of a South Australian patient. The proposed section 118oa provides this power. It will relate equally to other administrators.

The Public Trustee frequently finds himself acting for opposing estates. The inability of the Public Trustee to act in two capacities often lengthens proceedings and makes them more costly. The Public Trustee in Victoria is empowered to act in more than one capacity. This Bill provides for the Public Trustee to act in more than one capacity with the approval of and in accordance with the directions of the court.

3. Disclosure of assets and liabilities of deceased estates: Provision has been made for a disclosure of the assets and liabilities of a deceased estate to be lodged with applications for probate or administration. This information will then be available from the court to those persons who can show a legitimate interest in the contents of the estate, e.g., beneficiaries, auditors and those who may have a claim under the Inheritance Family Provision Act and others. In the past this need was met by the non-contentious probate rules which prior to 1977 required the applicant for a grant of representation to swear to the gross value of the estate left by the deceased in South Australia and to set forth briefly particulars of the assets in an inventory annexed to the oath; and prior to the abolition of succession duties an audit of the assets of all deceased persons was made and interested persons could inspect the succession duties statements.

The need for disclosure is unfortunately not limited to the provision of information to persons with a legitimate interest but it is also necessary to protect the estate and the beneficiaries from any lack of disclosure by a person who may have an inclination towards misappropriating estate assets. Mandatory disclosure on the part of the personal representative of the assets and liabilities in a deceased estate will greatly discourage fraud and greatly assist in the discovery of fraud when it occurs. The need for such provisions has been pointed out by the judges of the Supreme Court and Mrs Mary Bleechmore, who was appointed by the Law Society to manage the practice of Mr B. Hunter, a former Adelaide solicitor.

The amendments make it mandatory for a person who applies for a grant of probate or administration to disclose to the court the assets and liabilities of the deceased. The disclosure is not limited to those assets and liabilities known at the time of the application but extends to any subsequent asset or liability that may at a later date be ascertained. To ensure that disclosure is complete provision has been made that no asset can be disposed of that has not been disclosed. In addition, it will be unlawful to deal with an asset unless the asset of the estate has been disclosed. The Registrar of Probates will issue a certificate in relation to each estate asset disclosed. The form of inventory will be provided by Rules of Court.

4. Miscellaneous amendments: In 1979 amendments were made to the Income Tax Act which have the effect of severely penalising trusts held on behalf of infants where one or both parents die intestate if the children do not obtain a vested interest on the death of the intestate. At present only children who reached 18 obtain a vested interest in an intestate estate. In all States except Tasmania and the Northern Territory children obtain a vested interest on the death of the intestate. In view of the taxation position section 72d of the Act has been deleted. Section 105 of the Administration and Probate Act provides for the settlement of property upon a female under the age of 18 years who marries. This section has been made applicable to all persons under the age of 18 years who marry.

Clause 1 is formal. Clause 2 provides for the commencement of the measure. Clause 3 provides for the repeal of sections 43 and 44 and the substitution of new sections. New section 43 will replace the existing sections, being cast in a more appropriate form. New section 43 (1) will replace present section 44 (1), providing that the revocation or rescission of probate or administration does not expose the legal representative to liability for acts done in good faith in reliance of the probate or administration. New section 43 (2) replaces present section 43, relating to persons who deal with assets of a deceased estate in good faith and in reliance of a grant of probate or administration. New section 43 (3) re-enacts section 44 (2). New section 44 is included in conjunction with proposed new section 121a. The effect of the new measure is that a person dealing with assets of an estate must satisfy himself that the asset has been disclosed pursuant to section 121a. Failure to do so will be an offence.

Clause 4 provides for the repeal of section 72d of the principal Act. The repeal is proposed by virtue of the operation of provisions of the Commonwealth Income Tax Assessment Act which severely penalise trusts in relation to property held on behalf of infants where they do not immediately obtain a vested interest in the property. Section 72d was inserted before the relevant Commonwealth provisions were enacted. Its repeal will restore the position that existed prior to the enactment of Part IIIA of the principal Act. Clause 5 is an amendment to section 77 of the principal Act. This section prescribes the various capacities in which the Public Trustee may act, but the Public Trustee may in some cases find himself acting in conflicting capacities. For example, the Public Trustee might be acting as administrator of an estate of a mental patient who has a claim against a deceased estate of which the Public Trustee is an executor. Section 77 does not address such a problem. Inability to act in both capacities lengthens proceedings and makes them more costly. The State of Victoria allows the Victorian Public Trustee to act in proceedings in more than one capacity and there would seem to be no reason why this principle should not be adopted here. However, it is considered that the Public Trustee should not be given an unfettered power to act in conflicting capacities and so it is proposed that the Public Trustee only be able to act in conflicting capacities if he has the approval of the court and he complies with any direction that may be given.

Clause 6 effects an amendment to section 105 of the principal Act, which provides for the settlement of property upon a female under the age of 18 years who marries. It is proposed that this section apply to all persons under that age who marry. Clause 7 is the first of several proposed alterations to that Part of the principal Act that relates to the administration of the estates of the mentally ill and mentally handicapped. The clause proposes the insertion of a definition of the Guardianship Board in order to facilitate the operation of other provisions that are to be inserted.

Clause 8 proposes a series of amendments to section 118m of the principal Act, a section which is concerned

with the powers of an administrator who has been appointed in respect of the estate of a patient under the Mental Health Act, 1976. It is proposed that apart from the power to sell real property of the patient, the administrator be given power to purchase real property, either solely in the name of the patient or jointly with other people. The power to purchase property is obviously necessary as an administrator may be required to purchase a house in which the patient may live. Presently, the administrator must obtain the permission of the court to do so. This may be incongruous in some cases. It is therefore appropriate to provide a specific power. However, to guard against imprudent action on the part of an administrator, it is proposed that purchases of real property of a value not exceeding a prescribed amount be subject to the approval of the Board, and that those in excess of that amount be subject to the approval of the court.

At the same time, it is proposed to reform the provision relating to the purchase of real property so as to provide conformity in relation to both sale and purchase. Furthermore, it is sometimes necessary for the administrator to make lump sum payments on behalf of the patient in respect of arranging accommodation for him. An example of such a case is where the patient is required to make a payment to an institution in order to secure an aged person's unit or the like. It is appropriate that the administrator be able to do this on behalf of the patient under section 118m. However, as a precaution against the imprudent expenditure of large amounts of money, it is proposed that the administrator not be able to expend more than a prescribed amount except with the approval of the Board.

In addition, it is proposed to provide that the administrator may lease property on behalf of the patient (it is envisaged, again, that this power be used, where appropriate, to secure residential accommodation for the patient), and that the administrator be able to lodge a caveat on behalf of the patient (a power that is presently provided in respect of protected persons under the Aged and Infirm Persons' Property Act, 1940). Finally, in relation to section 118m, it is proposed that the limit of two thousand dollars on the amount that may be spent by an administrator on improving the property of the patient be altered to a limit prescribed by regulation. The present amount has lost some significance since it was first enacted and it is thought that it will be more appropriate to allow the limit to be prescribed by regulations made from time to time.

Clause 9 makes a consequential amendment to a heading. Clause 10 corrects a typographical error in section 118o of the principal Act. Clause 11 provides for the insertion of a new section 118oa. Section 118o of the principal Act authorises an appropriate authority outside the State to request the Public Trustee to administer the South Australian assets of a mental patient under the control of that authority and for the Public Trustee to carry out that request. However, there is no formal authority for the Public Trustee or any other South Australian administrator to request another authority to act on its behalf in relation to assets of a South Australian patient that are situated elsewhere. The proposed new section will therefore allow the Public Trustee or an administrator to authorise an appropriate authority in a proclaimed state to administer the assets of a patient in that State. Similar provision has been made in Victoria.

Clause 12 provides for the repeal of section 118q of the principal Act and the substitution of a new section. Section 118q provides that a contract entered into by a patient is voidable at the option of his administrator. However, a case may arise where it is appropriate to avoid a gift made by a patient. Section 118q is therefore to be recast to include gifts. Otherwise, the section remains substantially in the same form. Clause 13 proposes that a new section 118s be enacted. This section is concerned with the preservation of interests in a patient's property. Under section 125b of the old Mental Health Act, where an asset of the patient was converted by the administrator the identify of the asset was maintained in order to preserve the rights of beneficiaries under the patient's will. This provision was not carried forward, with the result that either the patient's testamentary wishes may be frustrated if an asset is converted into a different form or disposed of, or the administrator may be frustrated if he feels obliged to leave unconverted an asset in order to preserve the interests of beneficiaries.

Accordingly, a new provision has been included to relieve this situation. It is proposed that beneficiaries be able to apply to the court for an order to redress any imbalance that may have occurred during an administration. An order of the court will have effect as if made as a codicil. Applications will need to be made within six months of the grant of the relevant probate, unless the court allows an extension of time. It may be noted that this provision was inserted in preference to one modelled on the old section 125b as it was considered that that section was unduly complicated and would not provide a just result in all circumstances. In contrast, the proposed new section will allow the court to ensure, upon application to it, that all beneficiaries are affected in equal proportions by the administration of a patient's estate.

Clause 14 provides for the insertion of a new section 121a. This section would require an inventory of the assets and liabilities of an estate of a deceased person to be lodged with applications for probate or administration under the principal Act. This information would then be available to persons who have an interest in the estate. In the past, this information was provided by virtue of a provision in the non-contentious rules which prior to 1977 required an applicant for a grant of representation to swear the gross value of assets of the deceased in South Australia, and set forth those assets in an inventory. In addition, succession duty statements contained detailed information on the assets of the deceased and were readily available to beneficiaries. It is thought that not only would the requirement to disclose assets assist beneficiaries in ascertaining the exact content of the estate, but it would also discourage fraud on the part of an executor or administrator. In order to provide complete disclosure, the proposed section also requires the disclosure of an asset that comes to the knowledge of the personal representative while he is acting in that capacity. He will be prevented from disposing of an asset that has not been disclosed under the section. It will be an offence to breach a provision of the section. It is proposed that the section would operate in respect of the estates of deceased persons who died after the commencement of the section.

**The Hon. B.C. EASTICK** secured the adjournment of the debate.

## AGED AND INFIRM PERSONS' PROPERTY ACT AMENDMENT BILL (No. 2)

Received from the Legislative Council and read a first time.

**The Hon. G.J. CRAFTER (Minister of Community Welfare):** I move:

*That this Bill be now read a second time.*

This Act has been amended in the same way as the Administration and Probate Act to provide for the preservation of interests in a protected persons' property by application to the Supreme Court. The power to avoid the disposition of property made by a protected person is also included in this amendment. Protection is provided for the other party

to the transaction where that person did not know and could not reasonably be expected to have known that the person with whom he dealt was a protected person. Special powers are also given to the court to exempt certain transactions from the operation of the section. Provision has also been made for the administration of extra state assets of a protected person, and the South Australian assets of a protected person elsewhere. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

**Explanation of Clauses**

Clause 1 is formal. Clause 2 provides for the commencement of the measure. Clause 3 amends section 3 of the principal Act by inserting a definition of 'proclaimed state' and by making provision for the proclamation of such a state by the Governor. These amendments are related to later amendments to the principal Act.

Clause 4 proposes the enactment of a new section 16a in place of sections 16a and 16b of the principal Act. The present sections of the Act are intended to facilitate the preservation of interests that exist in property of a protected person. The proposed new section 16a will be similar in form to a proposed new section that is to be inserted in the Administration and Probate Act, 1919, in relation to patients under the Mental Health Act, 1976. It would provide that beneficiaries may apply to the court if they consider that their prospective interests under the will of a person's estate that was subject to management under this Part were disproportionately affected by that management. Applications can be made, unless the court otherwise orders, within six months of the relevant grant of probate. An order of the court will have effect as if it were a codicil to the deceased person's will.

Clause 5 proposes the enactment of a new section 27. The new section 27 would correspond to a new provision that is proposed for the Administration and Probate Act, 1919, in relation to mental health patients. It would provide that any disposition of property made by a protected person, or any contract, would be voidable at the option of the manager. Similar provision is presently made by section 27 (1) of the principal Act, although that renders a disposition or contract void. It is submitted that it is preferable to allow the disposition or contract to be voidable. Under proposed subsection (2), a manager would not be able to avoid a transaction if the other party did not know and could not reasonably have been expected to have known that the person with whom he dealt was unable to manage his affairs (and was accordingly subject to a protection order).

It may be noted that the test in subsection (2) is different to that applying under the present provision in two respects. Firstly, the new provision does not refer to 'valuable consideration'. As the provision would operate in relation to both gifts and dispositions for consideration, it would be inappropriate to draw a distinction when providing a power to avoid a transaction. The decision to allow the provision to operate to all types of dispositions should be consistent in all respects. Furthermore, the recipient of a gift may have altered his financial position as a result of its receipt. He should not be subject to a test that is different to a person who has dealt with the protected person for valuable consideration.

Secondly, the new provision refers to the other party acting without knowing that the person with whom he dealt was unable to manage his affairs. This may be compared to the present provision which refers to notice of a protection order. It is submitted that the more appropriate consideration is whether the party knew, or should have known, that the person was unable to look after his own affairs, as evidenced by age, infirmity, unusual acts or whatever, not whether the party knew, or should have known, that he was the subject of an order made under a particular Act of Parliament.

Clause 6 proposes an amendment of section 28 of the principal Act, a section concerned with the registration of protection orders. Under subsection (2), an order may be registered under the Real Property Act, 1886, but there has been uncertainty as to the manner and form that an application for registration should take. Accordingly, it is proposed that the section provide for the use of a form that has been approved by the Registrar-General, and for application to be made in an approved manner.

Clause 7 proposes amendments to section 29 of the principal Act. The effect of the amendments would be to alter reference to 'testamentary dispositions' to 'testamentary provisions'. It has been submitted that the word 'disposition' may be too narrow, and is certainly ambiguous, because 'disposition' is usually understood to refer to the disposal of property and not to such matters as the revocation of previous wills, the appointment of new executors and the appointment of a testamentary guardian. Obviously, the word was intended to convey the wider meaning and so it is proposed to replace it with the word 'provision' in order to put the matter beyond doubt. The amendment would also provide greater consistency between section 29 and a proposed new section of similar purport in the Mental Health Act, 1976.

Clause 8 corrects an inaccurate cross-reference. Clause 9 proposes the insertion of new sections 32a and 32b in the principal Act. Section 32a would allow the Public Trustee to act on behalf of an authority situated in a 'proclaimed state' in the management of the property of a person who is incapable of managing his own affairs that is situated in South Australia. A similar provision exists under the Administration and Probate Act, 1919, in relation to mental health patients. Section 32b would allow the Public Trustee or an administrator to request an appropriate authority in a proclaimed state to manage the property of a protected person living in South Australia that is situated in that State.

**The Hon. H. ALLISON** secured the adjournment of the debate.

## ESTIMATES COMMITTEES

**The Hon. D.J. HOPGOOD (Minister for Environment and Planning):** I move:

That a message be sent to the Legislative Council requesting that the Attorney-General, the Minister of Health and the Minister of Agriculture, members of the Legislative Council, be permitted to attend and give evidence before the Estimates Committees of the House of Assembly on the Appropriation Bill (No. 2).

Motion carried.

## RACING ACT AMENDMENT BILL (No. 2)

**The Hon. J.W. SLATER (Minister of Recreation and Sport)** obtained leave and introduced a Bill for an Act to amend the Racing Act, 1976. Read a first time.

**The Hon. J.W. SLATER:** I move:

*That this Bill be now read a second time.*

It proposes amendments to the principal Act, the Racing Act, 1976, relating to a number of disparate matters. The Bill contains amendments designed to enable the Minister to authorise a registered horse racing, trotting or greyhound club to conduct on-course totalizator betting on other races

in circumstances where a race meeting scheduled to be held by the club at a racecourse has been cancelled due to inclement weather or any other unforeseen circumstances. At present, the Minister has no power to authorise on-course totalizator betting except where a race meeting is in fact being held at the racecourse in question. Furthermore, betting with bookmakers at racecourses is under the principal Act conditional on there being an authorisation for the conduct of on-course totalizator betting at the racecourse. The consequence of this is considerable loss of revenue to any racing club forced to cancel a race meeting at short notice. In the Government's view there would be significant advantage for clubs, the racing industry and the racegoing public if the Minister were empowered to permit the conduct of such 'phantom race meetings'.

The Bill proposes amendments to permit the practice of cross-code betting for the future and to validate this practice where it has occurred in the past. By 'cross-code betting' is meant totalizator betting conducted by a club on races held by clubs from different codes. This practice has in fact occurred for a considerable time, and it was only recently that the Crown Solicitor, in providing advice on another matter, pointed out that the practice is not authorised under the Act. In addition, the moneys derived from cross-code betting paid by each club to the Racecourses Development Board have been credited to the Racecourses Development Fund for the code to which the club belongs rather than, as is required under the Act, to the Fund for the code in relation to which the bets were made. The Bill also makes provision designed to authorise this for the future and to validate the previous practice.

Under the present provisions of the Racing Act, the Minister fixes the dates and racecourses for on-course totalizator betting by notice published in the *Government Gazette*. This arrangement presents no problems in relation to the initial notice fixing the dates and places for on-course totalizator betting for the whole season. However, on occasion the Minister has received such short notice of a proposed variation to the programme that it has been difficult or impossible to publish notice of the variation in the *Gazette* before the relevant date. Accordingly, the Bill proposes amendments to enable such a variation to be made by written or oral notice to the club concerned if it is not practicable in the circumstances for the variation to be published in the *Gazette*.

Finally, the Bill proposes an amendment relating to the powers of the Betting Control Board to control and discipline bookmakers. Under the Act, a person may not act as a bookmaker unless he is licensed as such by the Betting Control Board and unless he has been granted a permit by the Board to operate on a particular day and at a particular racecourse. Although the Act empowers the Board to suspend or cancel a licence, the Board considers that there would be some advantage to it if it were possible for the Board in an appropriate case to revoke a permit rather than suspend a licence. The Bill makes an appropriate amendment for this purpose. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

**Explanation of Clauses**

Clause 1 is formal. Clause 2 provides that the measure is to come into operation on a day to be fixed by proclamation. Clause 3 amends the definition of 'on-course bet' and 'on-course betting' contained in section 5 of the principal Act. This amemdment is consequential on the proposed new section 64 which provides for totalizator betting at a racecourse where a race meeting that was to be held is of necessity cancelled due to inclement weather or any other unforeseen circumstances.

Clause 4 inserts a new section 5a that is designed to validate certain practices that subsequently have been found not to be authorised by the Act. Sections 63, 64 and 65 presently provide that the Minister may authorise a racing club to conduct on-course totalizator betting on races held by the club and, in the case of a horse racing club, on other horse races, or, in the case of a trotting club, on other trotting races, or, in the case of a greyhound club, on other greyhound races. However, in practice, totalizator betting at race meetings has not been limited to the form of racing of the clubs conducting the race meetings.

The proposed new section validates that practice. The proposed new section also validates the practice whereby all of the moneys derived from totalizator betting at a race meeting that have been paid to the Racecourses Development Board pursuant to section 70 or 77 have been credited to the fund under Part V of the racing code to which the club conducting the race meeting belongs notwithstanding that some of the moneys were derived from betting on other forms of racing.

Clause 5 amends section 51 of the principal Act which provides that a function of the Totalizator Agency Board is to act as the agent of an authorised racing club in the conduct by that club of on-course totalizator betting on races held by the club and on other races held within or outside Australia. The clause amends this provision so that it is clearly consistent with the proposal to permit on-course totalizator betting by an authorised racing club at a racecourse on a day when its scheduled race meeting has been cancelled due to inclement weather or any other unforeseen circumstances.

Clause 6 provides for the repeal of sections 63, 64 and 65 which provide for the Minister to authorise, by notice published in the *Gazette*, on-course totalizator betting by racing clubs belonging to each of the three racing codes on various days and at various racecourses during each racing year. Each of these sections provides that the Minister may, by notice published in the *Gazette*, vary a notice fixing the days and racecourses for on-course totalizator betting for a racing year. The clause provides for these sections to be replaced by a new section 63 and a new section 64. Proposed new section 63 provides that the Minister shall, at or about the commencement of each racing year, upon the recommendation of the controlling authority for each form of racing, by notice published in the *Gazette*, publish a programme for that racing year setting out in respect of that form of racing the days on which and the racecourses at which each registered racing club is authorised to conduct on-course totalizator betting. The proposed new section differs substantively from the previous provisions in two respects.

The proposed new section does not, as is the case with the present provisions, limit such on-course totalizator betting to the races held by the racing club in question and to other races belonging to the same racing code as that club. The proposed new section also empowers the Minister to vary the programme for on-course totalizator betting by notice in the *Gazette*, or, if the giving of notice in the *Gazette* is not practicable in the circumstances, by written or oral

notice to the club concerned. Proposed new section 64 provides that where, due to inclement weather or any other unforeseen circumstances, a registered racing club is unable to hold races on a day and at a racecourse specified in respect of the club in a programme published under proposed new section 63, the club may, if authorised to do so by the Minister (whether by writing or orally), conduct on-course totalizator betting on that day at that racecourse on other races held within or outside Australia, notwithstanding that the club is not conducting any races itself.

Clause 7 inserts in Part IV of the principal Act which deals with the licensing and control of bookmakers a new section 112a. Under the present provisions of that Part a licensed bookmaker may not accept bets at a race meeting or in any registered betting shop unless the Betting Control Board has granted him a permit to do so. Proposed new section 112a confers on the Betting Control Board a power (which it presently does not have) to revoke any such permit.

Clause 8 amends section 133 of the principal Act which provides that the Racecourses Development Fund for each form of racing shall consist, *inter alia,* of moneys paid to the Racecourses Development Board pursuant to sections 69, 70 or 77 that are derived from bets on that form of racing. Under the amendment, moneys paid to the Racecourses Development Board by the Totalizator Agency Board pursuant to section 69 that are derived from bets on a particular form of racing would continue to be paid to the Racecourses Development Fund for that form of racing. However, under the amendment, any moneys paid to the Racecourses Development Board by an authorised racing club pursuant to section 70 or 77 that are derived from totalizator betting with that club are to be paid to the Racecourses Development Fund for the racing code to which the club belongs notwithstanding that part of the moneys are derived from totalizator betting on other forms of racing.

**Mr INGERSON** secured the adjournment of the debate.

## HOUSING AGREEMENT BILL

**The Hon. T.H. HEMMINGS (Minister of Housing and Construction)** obtained leave and introduced a Bill for an act to authorise execution on behalf of this State of an agreement between the Commonwealth, the States and the Northern Territory relating to housing; and for other purposes. Read a first time.

**The Hon. T.H. HEMMINGS:** I move:

*That this Bill be now read a second time.*

The new Commonwealth-State Housing Agreement heralds a new era in housing assistance for low-income groups in our community. It marks the beginning of a long-term commitment on the part of the Federal Labor Government and the States to attack housing-related poverty. I am therefore pleased to be introducing this Bill ratifying the 1984 agreement. Although renegotiation of the Commonwealth-State Housing Agreement was Federal Labor Party policy, South Australia has played a prominent role in determining what has gone into the new agreement. The State Government has strongly pushed for a new far-reaching and progressive agreement. We were looking for a national agreement which included:

- A new direction to attack housing-related poverty and to ensure that housing assistance is directed to those in need.
- The resources to double the proportion of public housing in the national housing stock over the next 10 years, that is, at least another 350 000 homes.
- A new approach to ensure that first home buyers get the best form of assistance they require in our changing social and economic times.
- A vigorous new approach in the future development and management of public housing.
- The recognition by the Commonwealth of its responsibility for the costs of rent rebates, since this is an income support problem.
- A package of housing assistance for those in the private rental market, particularly the unemployed.
- A long-term agreement to allow better planning and to achieve greater stability in the building industry; and
- A three-year funding programme to provide certainty of planning.

The State Government was also concerned about the complex nature of housing policies which allowed, for instance, significant subsidies to flow to home owners and buyers while little assistance was provided to tenants renting in the costly private rental market. We therefore sought an annual housing budget outlining these flows of subsidies and benefits. We sought an agreement that encapsulated a housing policy for the nation, one that provided the necessary resources and direction to fight housing related poverty.

The State Government believes that South Australia's housing policies lead the nation in terms of equity. We believe that the goal of affordable housing for all people—whether that housing is rented or bought—is most likely to be attained under our policies. Consequently, we sought a transfer of our policies on a national basis, for the benefit of all Australians. We have lobbied for the national implementation of South Australian policies and programmes such as rental purchase, support for co-operatives, development of local housing projects with local government and communities, and diversification of the public housing stock. I am pleased to say that many of South Australia's objectives have been achieved and that we now have an agreement that can act over the next decade as a framework to provide housing services to a great many Australians who are in need. And this need is staggering.

I remind the House that in South Australia there are over 32 000 applicants seeking public housing. This, of course, does not include those who have not bothered to list because of the waiting times. Across Australia these numbers increase dramatically with 150 000 families listed for public housing, and two to three times as many not listed because they see little chance of gaining housing by this means.

It is a sad fact of life that there are many Australians who are homeless or living in costly or appalling conditions. It is a poor reflection on a nation so wealthy and well endowed with natural resources. Let us turn for a moment and look at what this means. It is easy to talk of 32 000 applicants within our own State wanting affordable housing. In real terms it is families, young single parents with children, aged people (either singles or couples), working families, or children with unemployed parents. It is a great cross-section of our community, young and old.

If the children in these groups are to have a chance in life of improving their situation, before we talk of education, diet and health, the most important thing to be addressed is shelter—decent, permanent housing, a family home. And in Australian society children have a right to expect this. If we are to create opportunities for our children, they must have affordable homes in which they have the right to security, the right to privacy, the right to proper amenities and to community facilities. These basic rights which 70 per cent of Australians enjoy must not be lost or reduced by poverty, and they must become the rights of us all.

As Governments, we must not lose sight of people as people, as individuals with their own aspirations. We cannot

allow to develop a situation where a quarter of our community does not have decent housing. And it is this concern that the State Government, in conjunction with the Federal Government, set out to address. The new agreement does address these issues. I would like here to pay tribute to my fellow South Australian and colleague, Chris Hurford, in his role as Federal Minister for Housing and Construction for his efforts in the renegotiation.

The renegotiation took a great deal of time and effort, and Chris Hurford has willingly contributed both, along with a far-sighted belief in the need for a more just national housing policy. His efforts in introducing the first home owners scheme and this new agreement have brought hope to many thousands of Australians, and for this he should be commended.

I would like now to talk about the substance of the new agreement. The objectives of the new agreement have been clearly spelt out in the schedule and reflect the concern of our respective Governments to address the two key problems in housing. The primary objectives are, first, to alleviate housing related poverty and, secondly, to ensure that housing assistance is, as far as possible, delivered equitably to people living in different forms of housing tenure.

I referred to the first objective of housing related poverty earlier, but it is sadly true that many people, many families, simply cannot afford the costs of private rental tenancy, nor can they raise the funds to buy a home. For many people the costs of housing are so enormous that they have little left for the other necessities of life, a fact recognised long ago by the Henderson poverty commission and an issue not addressed by the previous Federal Government over the years. The second objective has been termed 'tenure equity' and means that similar households with similar incomes should pay similar costs over time for different tenures.

For example, take two young families both earning below the average wage and renting in the private sector. If one family then has access to home ownership, for instance, through a deposit raised within their family circle, their housing costs will go down relative to their income over time, while the other family's rents in the private sector will rise. There is no equity in this, and it is unfortunate that some private tenants over their lives pay up to 10 times the housing costs of similar families in home ownership. Unfortunately, it is often not recognised that in our community that it is not the poor private tenants who gain the benefits of Government help, but rather home owners. This key issue will be addressed over the next decade by Federal and State Labor Governments.

The new agreement will be for 10 years with a three yearly evaluation to assess progress and determine what further programmes are necessary to achieve the agreement's objectives. Ministers will continue to meet annually and assess Australia's housing needs and the housing programme's performance, which will be published as part of an annual housing statement, including an annual housing budget, showing where the benefits of housing flow, who benefits and what the costs are. I believe that a housing budget will be valuable in opening up public debate on housing issues. Within the first triennium, public housing rents will move to a 'cost rent' formula, home purchase assistance will be modified to direct assistance to the start of the loan, and a new local government and community housing programme will be introduced.

On resources, the agreement provides for a base level funding of $1 500 million over the next three years with additional funding at the will of the Commonwealth Government. This year the total Commonwealth allocation to the agreement and related funds is $623 million—a very valuable 25 per cent boost on the $500 million base. This is the first step in what will no doubt be a long road to doubling the proportion of public housing in the national housing stock. We need to be clear here that if we are to achieve this visionary aim—to resolve homelessness and to build homes—it is not just the need for more resources: it may well take a national debate on our real priorities.

This three year commitment, along with the continuation of nominating Loan Council funds for housing, is vital to South Australians who need housing to the building sector and to the Government. It is a step forward which will facilitate much needed long term planning within the building industry, allowing the Government to even out the notorious boom-bust problem.

There are also resources for other special areas, including mortgage and rent relief, Aboriginal housing, pensioner housing, the crisis accommodation programme and the local Government and community housing programme. These mechanisms allow the Commonwealth Government the opportunity to co-operate more closely with State Governments. South Australia is already at the forefront in developing innovative programmes in these areas, but I believe that the funding provisions here need strengthening by the introduction of explicit time frames, and that, in particular, the mortgage and rent relief programme needs much improved resources.

This year, for the first time, the State's allocation will be provided entirely as grants with an indication of at least 75 per cent grants for each year of the agreement. Any Loan funds will be at 4.5 per cent interest over 53 years, as was previously the case. South Australia received $62.3 million in 1983-84 and $73.1 million for 1984-85. This year, South Australia will again be able to nominate its total Loan Council allocation of $135.9 million for housing, thereby attracting a concessional interest rate of 4.5 per cent.

South Australia's total housing allocation this year is $227.7 million. The Federal funding programme now presents South Australia with the opportunity to continue its current efforts. If nominated funding continues, South Australia will now have the opportunity to mount a vital three year programme of around 9 000 Trust homes, 9 000 low income loans, and housing benefits to another 40 000 households in the private rental market, requiring resources of more than $600 million.

As a consequence of the available funding and the launch of the successful Home Ownership Made Easier scheme (the HOME scheme), South Australia has, relatively speaking, mounted the largest housing programme in the Commonwealth, giving a major impetus to economic recovery.

I now deal with public housing. The nature of this national agreement has changed as a result of the careful development of the objectives that I raised earlier. The agreement has clearly moved away from a concept of 'welfare housing' for some mythical 'deserving poor'. We are talking about public housing—housing for everyone, with rents based on costs and capacity to pay. For too long in our community we have had the stigmatising of welfare housing by misguided and uninformed people.

This new agreement sets a new direction for public housing in Australia. We see a wide range of changes in the years to come as housing authorities change their operations to meet new demands. Public housing will be diverse in style, location, management forms, tenant involvement and community integration. The days of vast tracts of similar homes are over forever. Public housing will increasingly change with small scale co-operatives running their own housing, joint ventures with other organisations such as local government, increased use of community resources for different house design, density and amenity.

These changes flow from the need to satisfy consumer interests, to develop better community awareness and

acceptance of public housing, and to ensure that our community and the tenants have a better place to live. These changes are foreshadowed by the very careful outline of objectives in recital D of schedule 1 and I commend them to you, and I am proud to say that South Australia is again at the forefront in recognising these needs and implementing changes. Public housing rents will be based on the costs incurred in the provision of public housing. Cost rents will replace the current market rents policy, which has been shown to be inequitable and inefficient. This is a very valuable change, which will have a significant impact on Housing Trust rents, ensuring that they rise only to cover costs. No longer will the Trust be required to relate its rents to those of private landlords; a change, I might add, that this Government has already made and implemented. Costs are to include the recovery of all operating expenses directly related to the provision of the housing and various community facilities, the interest charges on borrowed funds and a provision for depreciation.

Depreciation will be based on current market values and an effective dwelling life of 40 to 75 years. Although the cost rent formula will lead to lower rents, South Australia, on a matter of principle, has expressed some minor concern about this depreciation proposal. We suggest that the principle is unfair if we expect public tenants to have their rents determined annually on the current market value of a dwelling, while the housing costs for home owners each year are based on the historical cost of the dwelling from when it was purchased. We believe that rents ought to be set on an 'equity' formula, tied to the actual costs incurred, but modified to represent a comparative cost to those who buy. The new cost rent formula does represent a major gain for tenants, but I will continue to argue for a broader, more equitable formula during the discussions on annual achievements.

A major problem has developed in public housing over the past decade in relation to rent rebates. Originally, rent rebates were introduced to help pensioners with low incomes meet public housing vacancy rents. However, now that more than 60 per cent of tenants have such low incomes that they receive rent rebates, public housing authorities are no longer able to generate the resources to cover the rents forgone as rebates. This is basically a problem of insufficient income, not a housing problem. Accordingly, South Australia has pressed the Federal Government to accept responsibility for income support. I am pleased to say that we have taken a major step towards this and that the Commonwealth has agreed that States will be able t allocate some of their CSHA grants to cover rent rebates based on the supplementary rent allowance provided to private tenants.

In regard to home purchase assistance, a significant restructuring of home purchase assistance has occurred. The Commonwealth has followed South Australia's lead and introduced a rental purchase program, which pleases me greatly, but as we are already running a successful scheme this provision does not affect South Australia. The use of home purchase assistance funds has been expanded to allow for a much more innovative approach to lending. We will certainly be seeking the most effective way to help people gain access to home ownership, whether it be by normal credit foncier loans, deferred payment loans, capital indexed loans, shared equity loans, or whatever.

The new arrangements foster this approach. They also allow funds to be used for urban renewal programmes, information services, research and policy development. South Australia's HOME programme has been well received in the community and is recognised as an extremely effective means of tailoring resources to those most in need. However, I will continue to pursue better ways to do this as economic circumstances change. In particular, I want to ensure that in South Australia we have through the State Bank and through the HOME programme an open, non-stigmatised, sensitive, widely available programme where anyone, whatever their income, can within their local community get the information and the loan they require. I want them to have as well the full value of this assistance in whatever form it comes, be it loan, rental purchase or whatever, not simply as a home but as an asset—collateral if one likes—which they can use to build up their home.

Under the new agreement, repayments will be a minimum of 20 per cent of gross income of applicants. South Australia's HOME scheme repayments are set at around 25 per cent of gross income, although the State Bank has lent at as low as 18 per cent of income. Although this proposal reduces State flexibility in developing schemes, I see no major problems with a 20 per cent minimum, as it is aimed at maintaining an adequate pool of funds to provide access to home ownership for low income families. There is also a requirement to review the repayments schedule for borrowers on an annual basis, tied to an appropriate economic index such as the CPI and to review the gross income of home buyers.

Within South Australia all the home purchase assistance funds have gone through the State Bank or the South Australian Housing Trust, and our arrangements are recognised as being efficient, effective and equitable. I place on record that our current process of determining annual increases is recognised by the Federal Minister and his Government as appropriate, and that the Minister has agreed that the review of gross incomes will occur in South Australia on a five-yearly basis. I also want to comment briefly on the management of these funds.

South Australia appreciates its role in dispersing these funds and the Commonwealth's interest in the accountability of the funds. Together, our joint objective is to maximise the benefits to low income borrowers. Accordingly, I am pleased that the Federal Minister has made it clear that the State may organise its own funds as it sees fit to achieve this objective, and I note in passing that clause 25 (1b) of Schedule 1 is intended by the Federal Minister to do just that.

There is a new provision regarding home purchase assistance loans in that the agreement ensures that the home purchase loans fund is built up over time by borrowers gaining low start loans, but paying normal interest rates over the life of the loan. This provision ensures that the value of loans to low income people is in gaining access to home ownership, while more carefully maintaining the Government provided pool of funds to maximise the number of people who will benefit. Borrowers will get assistance where they need it most—at the beginning of their loan—and the benefits will be more widely spread.

The benefit provided over the life of the loan is to be recovered, except in 'appropriate circumstances', as defined by the State Minister. I believe that in some circumstances it may not be appropriate, for instance, when there is neither income growth for the borrowers nor capital appreciation on the borrowers' home. This may occur for individuals or groups of individuals. In such cases, an exemption would be given. South Australia has expressed concern about this provision, given that such a constraint is not placed on schemes involving higher income earners such as the first home owners scheme. The Commonwealth has recognised this and has agreed to a three-year phase-in period to identify any practical problems which may arise.

Dealing with private tenants, as I have said, the underlying objective of the new agreement is to alleviate housing related poverty. It is one of the nation's greatest shames that so many people live in poverty, and it is unfortunately true that a great many of these people live in privately rented accommodation. The Federal and State Governments spe-

cifically sought to co-ordinate housing assistance programmes in this agreement with other housing programmes. In particular, the agreement recognises the income support nature of the assistance needed and the inter-relationship of this assistance with Commonwealth assistance to pensioners and other beneficiaries under the Social Security Act, 1947.

The agreement has been renegotiated in the context of the need to increase financial assistance to low income private tenants. In the near future, and certainly within the first triennium, it is anticipated that all private tenants on Commonwealth pensions and benefits will receive supplementary rent allowances. It is a clear objective to reduce the rents of these tenants to an appropriate level of income, and I have consistently argued that in the medium term they should not pay more than 30 per cent of income on rent. This will require increased supplementary rent allowances and increased rent relief assistance. In the longer term, private tenants should pay rents similar to the costs of other similar households in different tenures.

I am pleased to see that the Commonwealth has made a start by increasing supplementary rent allowances by 50 per cent in the Budget. However, the allowances are still not available to the unemployed, and correction of this inequity must be an urgent priority. I am also concerned that rent relief funding must increase. South Australia runs the only rent relief programme that gives an immediate response to people's needs without waiting times or waiting lists. However, our State meets more than three-quarters of the cost, and it is now a large, expensive programme.

The issues in the private rental market are extremely complex requiring analysis of both supply and demand factors. Issues on supply involve concerns for investment, returns, depreciation rates, taxes, rates and charges, capital gains, ease of management, etc. The significance of the influence of these factors is not well analysed or understood. Accordingly, under the CSHA Ministers' meeting, a national working party has been established of housing officers from across Australia to review the private rental market and means better to address these issues. Much more needs to be done for private tenants, many of whom pay gigantic rents and gain very little benefit. The poor in private rental are the new dispossessed in our society, and I believe we must change our priorities to see that they are provided with the benefits that home owners enjoy and the opportunity to obtain the housing situation of their choice.

Dealing with specific housing assistance programmes, I would like to deal with two new programmes: the first is the local government and community housing programme. This valuable programme is designed to encourage new initiatives such as housing co-operatives. The programme mirrors the pioneering work done in this State over the past several years. It provides further resources to South Australia and encourages other States to follow our example. Secondly, there is the crisis accommodation programme. This programme is the rationalisation of several previous schemes which had become cumbersome and difficult to administer. It is now designed to provide funds for short-term accommodation and will be a useful adjunct to our Emergency Housing Office.

I would now like to look at the future direction of housing. Members will be clear from what I have said so far that this Government believes we need a fundamental change in direction in housing policy to ensure that the total value of housing benefits provided within our nation is fairly shared, with most assistance going to those with the greatest need. This agreement is a step in that direction. This Government wants to build a fair and just community, a better society where people of all walks of life have control over their own destiny, and gain the benefits that our society can offer.

In housing, this means that all people should have good quality affordable homes. It means the artificial barriers created by our system between home owners and tenants must break down. It means that a new range of housing tenures will develop, perhaps part owned, part shared, part rented, with greater mobility of people between housing tenures, housing styles and housing locations. It means breaking down social stigmas and discriminations about housing types and housing communities, about people and their way of life. It means new financial arrangements, new organisations, such as co-operatives and community associations, as well as the continuation of home ownership and rental housing. It means a more diverse, more innovative, more enjoyable housing stock and the means to gaining a home.

In South Australia, we will be pursuing increased innovation in home financing within our Home Ownership Made Easier programme and amongst lenders. For home seekers, we will explore the issues of access to loans, the high start costs and ways to change this. We will look at capital indexing along with shared equity schemes and when and how they can be introduced. For housing finance lenders, we want a viable, competitive and open market place. We are committed to banks, building societies, credit unions and other lenders (especially South Australian based organisations) having a future under the currently changing economic circumstances, particularly the introduction of new banks. Within the building industry, we want a continuing competitive, effective and stable level of activity, providing homes and jobs. We believe the building industry should be an underlying engine of economic activity and longer-term funding commitments will ensure this.

Public housing will become increasingly tenant responsive, with tenant involvement and tenant management. Public housing will be the means by which innovative tenures are developed with emphasis towards smaller scale personalised management processes, matching the changing needs of our community. It will be vigorous; it will be different, and it will be efficient. These changes come from the creative and new thinking which has developed around the re-negotiation of the Commonwealth-State Housing Agreement. This agreement is an important step forward, but the work is not finished.

Over the next few years, I believe the agreement will need adjusting. We need to convert the three year funding base into a continuing rolling programme. We need to increase funding levels so that we can double the proportion of public housing stock over the next 10 years and to lock in the mechanism of nominated funds. We need to obtain explicit and increased Commonwealth funds to pay for rent rebates. We need to ensure that the unemployed get supplementary rent allowances and that the level of assistance brings the housing costs of low income earners down to an equitable level. We need to increase funding for rent relief to more realistic levels as a short-term housing service. Most of all, we need the continuing goodwill and the hard work carried out by all those people in the housing industry, both the 'community people', like the Housing Trust's employees, and the 'industry people', like the builders and financiers. These people, through this agreement, will now do so much for the many thousands of Australians waiting for a home of their choice. Mr Speaker, I commend this Bill to you and the members of this House. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

**Explanation of Clauses**

Clause 1 is formal. Clause 2 defines the agreement as an agreement between the Commonwealth, the States and the Northern Territory in the form, or substantially in the form, of the schedule to the measure. Clause 3 authorises the execution of the agreement and requires the Treasurer to carry out its terms. It also authorises any necessary appropriation and ratifies acts that may have been done in anticipation of the agreement coming into force. Clause 4 provides, subject to the agreement, that loans or grants under the agreement are to be made by the Treasurer with the approval of the Minister. Subclause (2) provides that any body or authority to which a loan or grant is to be made under the agreement is authorised to acccept the loan or grant and to apply the moneys lent or granted in accordance with the terms and conditions on which the loan or grant is made.

**The Hon. B.C. EASTICK** secured the adjournment of the debate.

## JURIES ACT AMENDMENT BILL

The Legislative Council transmitted a Bill for an Act to amend the Juries Act, 1927; and to make a related amendment to the Local and District Criminal Courts Act, 1926. The Legislative Council drew the attention of the House of Assembly to clause 32, printed in erased type, which clause, being a money clause, cannot originate in the Legislative Council, but which is deemed necessary to the Bill.

Bill read a first time.

**The Hon. G.J. CRAFTER (Minister of Community Welfare):** I move:

*That this Bill be now read a second time.*

It is designed to amend the Juries Act in a number of significant respects. It is substantially the same Bill as previously introduced in the March-May Parliamentary session. I seek leave to have the remainder of the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

**Remainder of Explanation**

Review of the Juries Act has in the past been conducted in a piecemeal way, and the Act is now in need of a comprehensive overhaul. As all members will no doubt recall, the trial last year of those accused of the murder of Miss Kerry Anne Friday highlighted the need for amendment to the Juries Act. It was necessary during the course of that trial for Mr Justice Cox to discharge the jury on three occasions because, for a variety of reasons, it was inappropriate for a particular juror to continue as a member of the jury. This was not the first time that murder trials have run into problems with jurors. It is not rare for a judge to have to discharge the whole jury because of a matter personal to only one of their number. The consequences of false starts are serious and far reaching—there is the obvious waste of time, effort and public money as well as the added strain to those who are on trial and the witnesses.

In all cases other than murder or treason, the Juries Act empowers a judge to discharge one or two jurors and to proceed with 10 or 11 jurors. Murder and treason were originally retained as exceptions because of the death penalty, but that situation has now changed. Whilst murder and treason are still the most serious crimes on the calendar, there is no reason why a judge should not be empowered to proceed with 10 or 11 jurors in the case of murder when sufficient reason exists for discharging one or two jurors during the course of the trial. This Bill therefore makes provision for a judge to allow for the discharge of up to two jurors in any trial, including a murder trial, and for the trial to continue in the absence of those jurors.

However, the Bill retains the requirement of unanimous verdicts in cases of murder or treason. The Bill provides for trial by judge alone at the option of the accused. Provision for non-jury criminal trials at the option of the accused was suggested by the Mitchell Committee. The Government has accepted this recommendation and the Bill is the first in any Australian State to provide an accused with the option to select trial by judge alone.

The Bill alters provisions relating to disqualification from jury service. The present provision in this regard was described by the Mitchell Committee as 'clearly requiring the attention of the Legislature'. Section 12 currently reads:

> No person who has been convicted in any part of His Majesty's dominions of any treason, felony or crime that is infamous (unless he has obtained a free pardon thereof), or who is an undischarged bankrupt or insolvent, or who is of bad fame or repute, shall be qualified to serve as a juror.

This section is archaic and difficult to administer. It requires the Sheriff to exercise a discretion to exclude from the list of any person whom he believes to be of 'bad fame or repute'. It is difficult for the Sheriff to establish with certainty whether a potential juror has been convicted 'in any part of His Majesty's dominions'.

The method which the Mitchell Committee favoured to remedy the difficulties inherent in applying section 12 was to repeal it and replace it with a system similar to that in England. Provisions similar to the English provisions have since been implemented in New South Wales. The provision in clause 7 of the Bill is similar to the New South Wales provisions. Such provisions will provide a settled and objective method of determining who is and who is not disqualified from jury services in South Australia.

The Bill also curtails the categories of persons ineligible for jury service. At present there is a wide variety of people exempted from jury service including officers of the Public Service of South Australia, school teachers, employees of ETSA, bank managers and tellers, and so on. These exemptions are very wide and exclude some very competent and capable people from performing jury service. The Bill provides that persons who are mentally or physically unfit to carry out the duties of a juror, or who have insufficient command of English are ineligible for jury service. In addition a limited number of persons are specifically declared ineligible for jury service. Certain persons are excluded because of their position and the knowledge gained therefrom, whilst others are excluded because of the occupational involvement in the administration of justice. All other persons are eligible for jury service but provision is made for the Sheriff to excuse a prospective juror from attendance and for a review by a judge, if the Sheriff declines to excuse a prospective juror. The minimum age for jury service has been lowered to 18 years. It is hoped these measures will result in South Australian juries more clearly reflecting the random cross-section of the community they are meant to represent.

In addition, provision is made for the Sheriff to administer a questionnaire to all prospective jurors, references to civil juries have been deleted and anomalies between the manual method of balloting and the computer process have been dealt with. This Bill contains several new provisions which did not appear in the Bill previously introduced. The provisions are as follows:

- specific provision has been made to ensure that a person on a recognizance to be of good behaviour or similar bond will be disqualified from jury service during the currency of the bond;

- the questionnaire to be administered by the Sheriff must be in a prescribed form—this is to ensure that the contents of the questionnaire will be subject to the scrutiny of the subordinate legislation processes of Parliament;
- justices of the peace who perform court duties will be ineligible for jury service.

A new section 57 has been included which clarifies the position relating to majority and alternative verdicts. the new section 57 (1) and (2) state the position relating to majority verdicts. Section 57 (3) will operate so that, in all matters where an alternative is available to a jury upon the single count (for example murder/manslaughter) the jury must first consider whether the accused is guilty of the major charge proceeding to consider whether the accused is guilty upon the alternative and, if the jury has reached a verdict of not guilty in respect of the major charge, but after due time is unable to agree upon a verdict in respect of the alternative, the jury may be discharged from giving a verdict in respect of that alternative and the accused person can be retried upon that lesser alternative.

The amendment will bring the alternatives situation (where they are contained in one count) into line with the procedure applicable when alternatives are charged in different counts. The new section 57 (3) has the effect of overcoming two problems perceived in the operation of section 57 as it presently stands. The first problem is that it is unclear whether a jury must first decide on the question of guilty or not guilty of murder before proceeding to consider the question of guilty or not guilty of manslaughter. The position is made clear by the new section 57 (3) *(a)*. the second problem is that it is unclear whether a unanimous or majority verdict of not guilty of murder is required before the jury can proceed to consider manslaughter. The amendment provides that the verdict of not guilty of a major offence can be reached by either a unanimous or majority verdict. The only verdict which requires a unanimous verdict is the verdict of guilty of murder or treason.

Clause 1 is formal. Clause 2 provides for the commencement of the measure. Clause 3 provides for a new short title to the Act to provide consistency with contemporary citations. Clause 4 provides for the deletion of a transitional provision that is now inoperative.

Clause 5 provides for the repeal of sections 5, 6 and 7 and the substitution of new sections. It is proposed that provision no longer be made for the possibility of a trial by jury in civil actions, as the provisions relating to civil juries have fallen into disuse. Furthermore, provision is to be made for a person accused of a crime to have the option of electing to be tried by a judge without a jury, as recommended by the Mitchell Committee. However, the accused must first seek and receive legal advice in relation to his decision to elect.

Clause 6 effects an amendment to section 11 of the principal Act by striking out the paragraph that prescribes a minimum age of persons who may be jurors of 25 years. The Mitchell Committee recommended that the minimum age be reduced to 18 years, and the amendment effected by this clause would bring that recommendation into effect. The maximum age is to be increased to 70 years. clause 7 proposes a new section 12 dealing with disqualification from jury service. This section was the subject of extensive discussion by the Mitchell Committee. It has been submitted that it is archaic and difficult to administer. The method that the Mitchell Committee favoured to reform the section was to repeal it and substitute a system similar to that applying in England and New South Wales. This has formed the basis of the proposed new section 12.

Clause 8 Proposes a new section 13. The effect of the amendment is that under section 13 a person will be ineligible for jury service if he is mentally or physically unfit to carry out the duties of a juror, he has insufficient command of the English language, or he is one of the persons specified in the third schedule.

Clause 9 proposes an amendment to clause 14 that will add consistency to terminology in the Act by virtue of this proposed amending Bill. Clause 10 provides for the recasting of section 15. The section will provide that no verdict may be impeached on the ground that a juror is disqualified from, or ineligible for, jury service unless the matter is raised before the juror is sworn. Clause 11 provides for the recasting of section 16. This provision will still allow the Sheriff to excuse a person from compliance with a summons for jury service, by reason of ill health, conscientious objection or any other reasonable cause. In the event that the Sheriff declines to excuse a prospective juror, the person may apply to a judge for a review of the Sheriff's order.

Clause 12 provides a consequential amendment to section 17 of the principal Act to alter the term 'exempt' to 'excuse'. Clause 13 provides an amendment, to section 18, that also will provide consistency in terminology used in the Act. Clause 14 amends section 19 of the principal Act to provide further consistency.

Clause 15 proposes a new provision in substitution with sections 23 and 23a of the principal Act. As part of this review of the Juries Act, it was thought appropriate that the process of selecting names for the annual jury lists be simplified. This has been achieved by the proposed new section 23. Names will still be drawn from electoral rolls for electoral subdivisions in each jury district. The selection process will occur by ballot (under the supervision of the Electoral Commissioner) or by use of a computer. (Ineligible persons must be rejected.)

Clause 16 provides for the insertion of a new section 25, which would empower the Sheriff to send to any person whose name appears on the list of jurors a questionnaire to assist him to gather relevant information. It would be an offence to fail to fill in and return the questionnaire, or to provide in it false or misleading information. Clause 17 provides amendments to section 29 that are consequential upon the deletion of the availability of juries in civil actions.

Clause 18 proposes amendments to section 31 relating to the availability of the lists of names of persons summoned to attend to render jury service. Presently, these lists may be inspected at the Sheriff's office and purchased upon payment of a fee of 10 cents. It is proposed that the Act provide that, instead, the Sheriff shall provide a copy of the list, without fee, to the Crown Solicitor or to the accused, his solicitor or his agent. Lists will no longer be displayed in gaols.

Clause 19 provides amendments to section 32 of the principal Act that are consequential upon the deletion of the availability of juries in civil actions. Clause 20 provides a consequential amendment to section 42 and also seeks to delete the requirement that the cards containing the names of the jury panel also contain the addresses and occupations of the persons comprising that panel. Clause 21 provides for the recasting of section 43. Clause 22 proposes a consequential amendment to section 46, as it may not be necessary to constitute a jury for the purpose of a criminal inquest. Clause 23 deletes an antiquated expression from section 47 of the Act.

Clause 24 provides for the recasting of section 54 in contemporary language, the new section 54 providing that the Sheriff must make reasonable provision for the comfort and refreshment of the jury. Clause 25 inserts a new section 56 dealing with the power of a court to excuse a juror during the course of an inquest. Apart from deleting reference to civil inquests, the new provision will apply to all criminal inquests, including those for murder or treason. It will allow

the presiding judge to release a juror for reasons of special urgency or importance. It also relates to the situation where a juror might absent himself without being excused and could then not be located. The inquest will be able to continue, provided that the number of the jury does not fall below 10.

Clause 26 provides for the repeal of section 57 of the Act and the insertion of a new provision. Section 57 is concerned with the situation where a jury is unable to agree upon a verdict after at lest four hours deliberation. Submissions have been received that, in relation to a trial for murder, the section is unclear as to whether to return a verdict of guilty of manslaughter all, or only a majority, of the jurors must have decided that the accused was not guilty of murder. Accordingly, the section has been recast to avoid any uncertainty. Furthermore, there is some uncertainty as to the procedure that should be followed when an alternative verdict may be returned to the count charged. The Bill thus provides that the count charged must be considered before any alternative.

Clause 27 provides for the repeal of section 58, which is concerned with the decision of juries in civil inquests. Clauses 28 and 29 propose amendments to sections 59 and 61 respectively to provide consistency with other measures in the Bill. Clause 30 substitutes references to the 'King' in section 62 with references to the 'Crown'. It is incorrect to refer to the King being a party to an inquest.

Clause 31 proposes the repeal of sections 65 to 69 (inclusive) and the substitution of new sections. Proposed new section 65 expresses the right of each accused in a criminal inquest to challenge three jurors peremptorily. New section 66 provides for the right to challenge a juror on the ground of ineligibility or disqualification. New section 67 preserves any right of challenge at common law. Under new section 68, a challenge for cause may be tried by the presiding judge. It is anticipated that these four new sections will provide greater clarity in the rights of an accused to challenge jurors. Finally, new section 69 provides for the continuation of *tales*. This is the right to summon, at the direction of a court, other people to jury service in the event that sufficient jurors cannot otherwise be obtained. It may still be of some use in small country areas.

Clause 32 provides for the insertion of a new Part VIII. It is proposed that section 70, which provides that a person who applies for a jury must pay a prescribed fee, no longer apply. Furthermore, section 75 must be reviewed by reason that, as it presently stands, it is arguable that a person who takes special leave with pay to serve as a juror is in breach of the Act. It is proposed also that fees payable to jurors be set by regulation, instead of by proclamation. Clause 33 provides for the striking out of section 78 (1) *(b)*, which relates to talesmen.

Clause 34 provides for the repeal of sections 80, 81 and 82 of the principal Act. It is inappropriate that these sections continue to apply. Clause 35 proposes amendments to section 88 of the Act that are consequential upon earlier provisions in the Bill. Clause 36 provides for the repeal of sections 90 and 91. These provisions no longer serve any useful purpose. Clause 37 provides for a new third schedule to the Act. This schedule prescribes the persons who are ineligible for jury service. The categories of persons who are ineligible are far fewer. Other people who are unable to perform jury service for some good reason will be able to apply to be excused from jury service under other provisions of the Act.

**The Hon. H. ALLISON** secured the adjournment of the debate.

*The Hon. E.R. Goldsworthy interjecting:*

**The SPEAKER:** Order! I ask the Deputy Leader of the Opposition to refrain from continually talking while the Chair is attempting to carry on the business of the House.

## SOIL CONSERVATION ACT AMENDMENT BILL

Second reading.

**The Hon. LYNN ARNOLD (Minister of Education):** I move:

*That this Bill be now read a second time.*

This short Bill makes several important amendments to the Soil Conservation Act, 1939. The need for these amendments arose out of discussions with several of the district soil conservation boards constituted under the Soil Conservation Act, with responsibility for promoting sound land use in their districts.

The boards are actively involved in the management of the group conservation schemes funded under the National Soil Conservation Programme and play a vital role in promotion and co-ordination of the schemes. For example, the boards approve applications for financial assistance. Board involvement has ensured the success of group conservation schemes.

From time to time boards are required to hear applications from soil conservation orders in situations where erosion from a property is affecting adjacent properties. Boards have the power to make orders requiring respondents to take appropriate action to prevent further problems occurring. Because the boards have the expertise to assess problems, having regard to all points of view, orders are made only as a last resort after all other attempts to find a solution have been exhausted.

In some instances, considerable damage to adjacent properties occurs before a soil conservation order is confirmed. For example, drift sand may have banked up and destroyed crops. The applicant for a soil conservation order currently cannot recover the costs of removing the drift sand unless he takes court action.

The amending Bill makes provision for a soil conservation order to require respondents to make good any damage caused to the applicant's land. If the respondent fails to make good any damage, the applicant may recover the costs from the respondent. The applicant can also recover damages from the respondent.

The amendments will be of particular value to local councils which are often involved in considerable expenditure removing sand from roads after it has been eroded from adjacent properties. Two minor amendments provide for the repeal of sections which are no longer relevant. The proposed amendments have been agreed to by the United Farmers and Stockowners, and the principle that damage should be made good was supported by Australian National, the Highways Department, the Local Government Association, and the Local Government Department. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

### Explanation of Clauses

Clause 1 is formal. Clause 2 provides for the substitution of a new definition of Soil Conservator. Clause 3 provides for the insertion of new section 6aa, which provides for the office of Soil Conservator. That position may be held in conjunction with any other office in the Public Service of the State. Clause 4 provides for the repeal of section 12a of the principal Act.

Clause 5 provides for the insertion of new section 13a. The new section provides that it is the duty of an owner of land to take reasonable precautions to prevent soil erosion from occurring on his property. For the purposes of the section, owner includes occupier. Clause 6 amends section 13e of the principal Act. New paragraph *(ca)* is inserted in subsection (3), providing that a soil conservation order may require the respondent to take specified action to make good any damage caused to the land of the applicant or to any other specified land.

Clause 7 makes a consequential amendment to section 13j of the principal Act. Clause 8 provides for the insertion of new section 13ja. The new section provides in subsection (1) that where a person fails to comply with a soil conservation order and damage is caused to the land of another person which would not have been caused if the order had been complied with, the other person may recover damages from the person bound by the order. Under subsection (2), where a person fails to comply with an order requiring him to make good damage caused to the land of another person, the other person may recover the cost of making good the damage from the person bound by the order. Clause 9 provides for the repeal of section 14 of the principal Act.

**The Hon. B.C. EASTICK** secured the adjournment of the debate.

## APPROPRIATION BILL (No. 2)

Adjourned debate on second reading.
(Continued from 18 September. Page .)

**The Hon. J.C. BANNON (Premier and Treasurer):** I commenced my remarks last evening and spent some time dealing with a couple of matters raised by the Leader of the Opposition. I also commented on the approach adopted by the Deputy Leader of the Opposition during the course of the debate. Tonight, in continuing my remarks, I will deal in greater detail with a point raised by the Leader of the Opposition on a number of occasions. It is a point on which he has frequently challenged me to respond, or claims that there has been no response from the Government. For reasons I explained last night, until the repetition of this matter for the tenth time in this debate, I have indeed refrained from specifically responding.

I remind the House that, since December 1982 when I tabled a Treasury assessment of the State's finances, the matters that have been raised by the Leader of the Opposition have in fact been put before the House in a context that would make quite clear that the Leader's statements are in error. I believe the time has now come to analyse the document which the Leader purports to rely on for his statements. I would have thought that there could be no dispute whatsoever that this Government came to office in a time of considerable economic hardship, when there was a major recession, to find the State's finances in crisis. Reserves had been run down—reserves that had been carefully built up through the 1970s and had allowed Governments to fully expend their capital allocation and to ensure that at least money could be found in times of contingency. Indeed, by 1979 we had reached that situation. The Government that went out of office in September 1979 left a surplus Budget in place and reserves which regrettably were frittered away and were totally gone by the time of the change of Government.

*The Hon. D.C. Brown interjecting:*

**The SPEAKER:** I call the honourable member for Davenport to order.

**The Hon. J.C. BANNON:** In fact, the extent to which reserves had been run down can be demonstrated by the way the former Treasurer attempted to balance his Budget. He used a short-term expedience of capital works funds to buoy up, balance or pay recurrent costs. That had not been done before. It was done consistently and to a greater extent during the period of the Tonkin Government. That simply amounted to a papering over of fundamental problems in the State's economy which should have been addressed. However, those problems were not addressed.

**The Hon. H. Allison:** They began under Don Dunstan.

**The Hon. J.C. BANNON:** Under Don Dunstan those problems were not there.

*The Hon. H. Allison interjecting:*

**The SPEAKER:** Order! I ask the honourable member for Mount Gambier to stop interjecting.

*Members interjecting:*

**The SPEAKER:** Order! The House will come to order. I ask the honourable member for Mount Gambier and others to refrain from interjecting. The honourable Premier.

**The Hon. J.C. BANNON:** On the contrary, the net effect of the railways agreement on the State's finances had been totally positive. In fact, it resulted in millions of dollars being available to buoy up our structures. All that money was squandered but, more seriously, the State's revenue base—apart from the effect on our day-to-day expenses and the effects of the recession—was severely weakened at a time when the economic crisis faced by the State meant that financial resources were desperately needed to provide services, welfare support, incentives to industry, and capital works. There can be no doubt that the tax cuts of the Tonkin Government, having been applied, eroding our economic base at the time, cost us very dearly. For a brief period in 1982 towards the end of the Tonkin Government, as has been said before, our tax per capita was the lowest in Australia. That was accompanied by the greatest decay and collapse of public sector activity and public sector finance that this State had experienced since the Great Depression. The two things go together. The private sector was demonstrating the greatest job loss since 1931.

*Members interjecting:*

**The Hon. J.C. BANNON:** I am not sure what sort of take-off that represents. It represents the most extraordinary take-off of all time. I will put the matter in perspective. Certain taxation cuts did occur. However, in terms of the overall tax take I think a myth was created. It is a myth which can be borne out by looking at the figures.

*Mr Oswald interjecting:*

**The Hon. J.C. BANNON:** I am not sure what the honourable member believes the taxation increase over the term of the former Liberal Government was, but the honourable member's own Leader has put it at 42 per cent over that period. I put that figure somewhat higher, but for the moment—

*Mr Olsen interjecting:*

**The Hon. J.C. BANNON:** The Leader of the Opposition says that this is below the inflation rate. Let me put that into perspective. For a start, that 42 per cent is an underestimate, but let us take the lower figure and compare it with the inflation rate.

**Mr Olsen:** It's 5.7 per cent below.

**The Hon. J.C. BANNON:** The Leader of the Opposition contended that this was 5 per cent below the inflation rate at that time. I do not know where he gets his figures from. The consumer price index for Adelaide for the December quarter 1979 was 90.9 per cent. In the December quarter 1982 it had risen to 121.8 per cent. That is a rise of 34 per cent. That 34 per cent is well below the 42 per cent figure used by the Leader of the Opposition and indicates that the taxation increase, even using the deflated figure of the Leader

of the Opposition, was well below the cost of living increase over that period. So it is absolute nonsense; he cannot read the figures of the Bureau of Statistics. How you reconcile a 34 per cent increase in the CPI linked to 42 per cent in taxation and say that somehow the tax has been at a 5 per cent lower rate, I cannot work out. The answer is that, if that is the sort of figuring that went on under the previous Government, little wonder that it got into the financial problems it did get into.

Alongside the Leader of the Opposition's claims that the former Liberal Government did not raise taxes above inflation (and it is an assertion that is completely wrong), there is another assertion that it cut its outgoings, that it somehow reduced the cost of public sector activity. We do know that it added to the dole queues by reducing jobs in the Public Service, but apart from the effect that that had—and remember that throughout the Tonkin Government years we had the highest unemployment rate in Australia—it did not cut its outgoings. I will give the figures.

*Mr Baker interjecting:*

**The SPEAKER:** The honourable member for Mitcham will come to order.

**The Hon. J.C. BANNON:** The 1979-80 Budget proposed recurrent payments of $1 925.9 million: that is an increase of 40 per cent, well above the index for inflation. I do not condemn that expenditure, but I do condemn the hypocrisy of a Party which claims that it cut taxes, when it not only did so but caused massive long-term problems by using capital works funds, and the hypocrisy of its claim that it responsibly cut outgoings when it did nothing of the sort. It is in that context that we should judge the response of the Opposition to this Budget. I suggest that it has been a confusing and curious combination of statements.

The Leader, in his address, inveighed against spending of any sort: we must have cut-backs in all areas, total deterioration or a cut in public sector activity. That contribution stood by itself, totally by itself, because successive members of the Opposition (the members for Torrens, Light, Mitcham, Goyder, Davenport, Todd, Coles, Bragg, Murray, Morphett and Glenelg) all called on the Government to increase expenditure in some particular area, and I invite members of the House to look at their contributions. Every single one of them suggested areas in which we ought to be spending more.

*Members interjecting:*

**The Hon. J.C. BANNON:** I see: it is our responsibility to find the money and be attacked when we try to do it. The Leader suggests we cut and his colleagues suggest we spend. I suggest that members opposite hold a meeting in their Party room and decide what their line is. They covered the whole range of Government activities, including education, technical and further education, housing, water supplies, transport, tourism, recreation and sport, police—those are just an example of the areas in which Opposition members, each and every one of them, suggested we should undertake extra expenditure. Every one of them wanted the money spent. Of course, they all said that it has to come from some other area. There was not much of a connection between the two. The shadow Minister of Tourism said, 'There are savings in other areas,' and the person sitting next to her, the shadow Minister of Water Resources, said, 'I don't know about tourism, but I need more money, and that should come from somewhere else,' and so it went down the line. I suggest that they have a discussion on just what those rearrangements are going to be, which of them is going to prevail and how, collectively, they are going to overrule the policies of the Leader of the Opposition. They had better get their act together pretty quickly.

*The Hon. E.R. Goldsworthy interjecting:*

**The Hon. J.C. BANNON:** I am not sure where the Deputy Leader's priorities lie, but I suggest that he join this Party room dicussion. I think it ought to be held behind closed doors. Members opposite should get their act together, and then we will know.

*Members interjecting:*

**The Hon. J.C. BANNON:** If they want to remain the rabble they are, they can. Other Opposition members, most notably the member for Hanson, the member for Bragg and the member for Glenelg raised the question of interest on the public debt. I remind the House again of the transfers of capital works funds by the former Government—massive sums of money—and I remind those members that we have continued to reduce it, Budget by Budget, and we will continue to do so, instead of increasing it, Budget by Budget.

*Members interjecting:*

**The SPEAKER:** Order! I ask the Leader to come to order.

**The Hon. J.C. BANNON:** I would remind those members who raised this issue—

**Mr Baker:** You got $40 million in 1983—

**The SPEAKER:** Order! I have already called the honourable member for Mitcham to order.

**The Hon. J.C. BANNON:** The member for Mitcham was not aware of these problems. I mentioned the member for Hanson, the member for Bragg and the member for Glenelg, and they may be interested in what I am going to say. I remind them that the money transferred is now being paid with interest and will be paid for by their children for many years to come. That expenditure has not left one tangible addition to the capital works infra-structure of this State for which it was intended—not one—and we are talking of hundreds of millions of dollars. I can do no better than quote the words of the member for Hanson in reference to the transfer of capital funds:

> We are mortgaging the future of this State. We are creating a commitment, and those now attending school, who hopefully will get jobs in the future, will have to pay for past poor financial management.

Those words are right, and we have pledged ourselves to act, ending that practice, and we are well on the way to doing so. We have made substantial impacts on that transfer. We would have liked to move faster and, had the finances been in better shape, we would have done so. However, had we adopted the prescription of the previous Government there would be no way in the world in which we would make any dent on that, and the burden of debt on generations in the future would have grown larger and larger, for the short-term expediency of the Government of the day, which is the approach that was taken between 1979 and 1982.

A number of the points raised by members opposite I think would be best answered in detail in the Estimates Committee discussions, and we look forward to those questions being raised.

I would like to turn now specifically to the speech of the Leader of the Opposition. I will ignore some of the distortions and half truths that were crowded into it, but I would like to concentrate on the whole crux of the Opposition's arguments concerning this Budget and my Government's financial management which appears to rest on a document that they received just prior to the last election which they claim fully justifies all the statements they have been making. The reference to this document first appeared on 16 December 1982. The Leader made particular reference to it in his speech on the state of the finances as revealed by the Treasury and tabled in this place, as did the member for Torrens.

Interestingly enough, the claims that have been made about the document have grown somewhat in the past few months. As I have explained, I have chosen not to specifically

refer to it, or in fact call for it, but month by month, debate after debate, day by day, the claims about it have grown.

**Mr Ingerson:** It has taken you two years.

**The Hon. J.C. BANNON:** That is true; I will deal with that matter. The member for Bragg was not present in this place when this was first discussed. I suggest that he listen carefully, because he is one of the few members opposite who can have a legitimate claim for not being responsible for the position that arose during the time of the previous Government's term of office. That does not apply to members of the former Ministry.

In December 1982 the Leader stated that the advice that the former Government had received showed that there would be a deficit in 1982-83 of only $13 million but that concern had been raised by the Treasury about the Health Commission's receipts and wage increases. That is what we had been told about this document—that there was going to be a $13 million deficit.

**Mr Olsen:** What about the third point?

**The Hon. J.C. BANNON:** The third point?

**The Hon. E.R. Goldsworthy:** Seasonal conditions.

**The Hon. J.C. BANNON:** And seasonal conditions—I will deal with all those matters. At least we are confirming that we are talking about the same document. The Leader's recent statements indicate that he has forgotten all about Treasury's indication of concern, and he has added the claim that the document told the former Government that it could expect a deficit of $13 million after taking into account its election promises. That is absolute nonsense, and the immediate refutation to that is based on the fact that the document is dated 12 October—one day before the election was declared. It is hard to see that any account could have been taken of election promises which at that stage had not been made. No-one who has had dealings with Treasury would believe that it would have allowed itself to be used in such a manner. If, in fact, the amount of $13 million to which the Leader contends the document refers (and I will come to that matter in a moment) included election promises made by the previous Government, then either Treasury had a crystal ball and could see what was going to be promised in the ensuing months after the document was prepared or it had been given a detailed list—of which there is absolutely no sign in this document—referring to the Budget brought down by the Treasurer in 1982. So, that is nonsense. The date of the document and its contents totally refute that point. Every one of the election promises made during that time were add ons to the Government.

**The Hon. E.R. Goldsworthy:** You do not understand.

**The SPEAKER:** Order!

**The Hon. J.C. BANNON:** Last night I made clear my attitude to this. When false statements are constantly repeated and when the very documents themselves are used by the former Government in a dishonest way to misrepresent the advice that it was given, I believe that the record should be set straight. I now table a document dated 12 October 1982, the day before the election was declared, entitled '1982-83 Budget review based on actual results to 30 September 1982'. This document shows that for the three months to the end of September the deficit on Recurrent Account was $13.1 million.

**The Hon. E.R. Goldsworthy:** Where does it show that?

**The Hon. J.C. BANNON:** It is shown on the table appended to the document. The table is headed 'Financial Budget 1982-83 showing actual result to 30 September 1982 with some broad comparisons'. Then, under 'Recurrent receipts', there is a column headed 'Broad comparisons'.

*An honourable member interjecting:*

**The Hon. J.C. BANNON:** I shall explain the word 'broad' in a moment, and it does not say what the honourable member said. In the column labelled September 1982 actual recurrent receipts are shown at $437.2 million and expenditure at $450.3 million with the result a deficit, minus $13.1 million.

Having established that the document shows a deficit after three months (not after 12 months) of $13.1 million, it then stresses that all results at that point are tentative, and it is difficult to draw any further conclusions. But in no way does it indicate or even suggest that the deficit at the end of the financial year would be $13 million. On the contrary, it suggests a very much larger deficit indeed. Let me deal with that.

**The SPEAKER:** Order! The member for Bragg will come to order.

**The Hon. J.C. BANNON:** Again I make the point that there is no reference whatsoever to election policies in this document. It is the Budget at that date. The Leader admitted in December last year when he first referred to this document that it indicates certain areas of concern. Indeed it does—first, in relation to the Health Commission.

*The Hon. E.R. Goldsworthy interjecting:*

**The Hon. J.C. BANNON:** I am certainly comparing like with like. I am analysing this document, and I suggest that the Leader of the Opposition should listen very carefully to what I am saying. The Leader of the Opposition did admit (and is fortunate for him that he did) that some concerns were indicated in the document, one of which related to the Health Commission. That is true. The document pointed out that in the case of the Health Commission receipts appeared to be running below expectations by about $8 million, with every indication that an increase in fees would be necessary. It should be asked who, when that increase occurred, were the first to jump up and down and announce that increase in fees. Here in the document presented before the election it was made quite clear by the Treasury that an increase in fees would be necessary early in the new year if the Commission was to meet its budget target. In fact, rather than its being an $8 million deficit, the deficit ended up being about $10 million. At that stage there had already been an $8 million blow-out. Let us now look at wage increases, and this was also mentioned by the Leader of the Opposition. A round sum of $80 million was set aside to allow for wage increases in the 1982-83 financial year—$74 million for general salary and wage increases and a further $6 million to take account of incremental increases in the Public Service. Of the $74 million available to meet wage and salary claims, $69 million had already been spent by the end of September 1982. The review made it quite clear that any increase in wages after that date would cause major financial problems. In a moment I will explain just what happened in that area.

Finally, the third point mentioned was seasonal conditions. At that time this was not mentioned. The Leader interjected previously and said that I mentioned this and that there was a third point. However, in his December statement he did not mention that point. I invite members to look at the *Hansard* record. He made no reference to seasonal conditions. But indeed it is in the document, and I am glad that the Leader has discovered it in his second reading of it. The review by the Treasury made clear that without any improvement in seasonal conditions (and the end of September had been reached by the time this review was made) there would be a major Budget impact resulting from drought relief and water pumping costs.

To a Government that had been receiving, as all Governments do, regular reports from Treasury, that document clearly signalled problems ahead. In no way could it be construed from that document that the Government was heading for a comfortable Budget position and a small deficit at the end of the financial year. To gain a full

understanding of the Treasury's warnings as contained in this review, honourable members should go back and study again the report of the Under Treasurer which I tabled in December 1982 and the attachments to the Financial Statement in the 1983-84 Budget.

In particular, I refer members to the table on page 11 which sets out the composition of the increased deficit in the 1982-83 year. Members will see that there is a strong consistency, a progression in fact, between the October review presented to the Tonkin Government and suppressed for election purposes and the review completed in December—that is a month after our election—by the Treasury for my Government and the Budget documents.

Let us see what happened in the three areas in which the Treasury was raising alarm. In relation to the Health Commission, at page 11 of the Financial Statement to which I referred members will see that the actual short fall in receipts in the Health Commission at the end of the financial year was $10.5 million—very close to the $8 million talked about by the Treasury. It was signalled in October.

Regarding wage and salary increases, by December when my Government came to office, a number of salary and wage increases which had been in the arbitration pipeline had been awarded. That is irrespective of the wage freeze which applied after December. A number of awards had been made: $5 million was left in the round sum allowance and, in fact, when we came to office at the time of the review this was a $5 million deficit with a prospect of considerably more wage expenditure if the wage claims that were pending then were met.

In the final event, the Government negotiated with the unions. We did not accept the claims which had been made, and indeed one of the chief arguments of the union movement then and they had some evidence to prove it was that the Tonkin Government had given them undertakings that there would be a further round of increases in January and February of 1983. They had not budgeted for it; they were already $5 million in deficit on that and they had given these undertakings. We had to deal with that. Fortunately we were able to deal with it successfully, and claims which would have cost in the vicinity of $30 million to $50 million eventually came into an excess of expenditure on the round sum allowance of about $17.5 million; that is, only a little more than the blow-out that had already occurred on the budgeted amount under the Tonkin Government. So, that is what happened with wages and salaries.

I now turn to seasonal conditions. I do not think that I need to remind the House of what happened at the end of 1982 and early 1983. The drought dramatically worsened, as it could have been expected to do, and the estimate of a possible $10 million expenditure had become $13 million with the additional cost of the natural disasters and the loss of revenue that they caused in areas such as Woods and Forests. Again, this is all set out in the Budget papers. In addition, by December the new Government was paying the cost of election promises and actions taken by the Liberals in the course of the election campaign for which no allowance had been made and to which no thought had been given at the time of the October review. For example—

*The Hon. E.R. Goldsworthy interjecting:*

**The Hon. J.C. BANNON:** Thank you. The Deputy Leader of the Opposition interjects. He was responsible alone and single handed for a $4 million over-run of the Budget at a stroke of the hand which, in fact, followed the stroke of the pen with that appalling agreement on gas prices. He remitted the licence fee to Sagasco in order to ensure that there was not too much dislocation in that area until he got over the election. In the course of the election campaign he gave away $4 million which was not budgeted for. I am glad that the honourable member interjected to remind me of that point. That is just an example of the sort of thing that was done.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.C. BANNON:** It is absolutely clear.

*The Hon. E.R. Goldsworthy interjecting:*

**The SPEAKER:** For the second time I ask the Deputy Leader to come to order.

**The Hon. E.R. Goldsworthy:** He got an extra $5 million out of royalties.

**The SPEAKER:** Order! I call the Deputy Leader to order.

**The Hon. J.C. BANNON:** It is absolutely clear that this document—and we are now able to confirm that this is the document to which the Leader refers—does not in any way support the Leader's claim of the projected $13 million deficit. In fact, any proper reading of the document and any understanding of State finances would have plainly signalled that the Government was in dire trouble for the rest of the financial year—just on the three factors mentioned alone. There was no ameliorating sign that there could be an improvement in any major area at all. The Government was in desperate trouble.

That was covered up and suppressed. Then, with all the cheek in the world, it was brandished around as it has been over the past 18 months, as if it in some way supported the proposition that the Government's Budget was on course. How the Opposition can read a figure for the first three months and a deficit of $13 million on recurrent as being a $13 million overall deficit in 12 months just defies imagination. Clear warnings were sounded by the Treasury: one month after the Labor Government came to office it tabled comprehensive documents from the same source which did not in any way refute this but which, in fact, confirmed the worsening situation that we had inherited. This warning came from the Treasury officials whom the Leader quite rightly praised in his opening speech. It is a pity that they were not listened to during the course of office of the previous Government so that we would not have been in the parlous position in which we found ourselves.

Of course, no Government could have predicted the extent of the natural disasters which then occurred in February 1983 and which compounded the problem. But, there was enough evidence and very loud warning bells indeed. The Labor Government inherited a Budget which, as I have said before, was seriously flawed, and the Leader of the Opposition has tried to suggest that we are somehow able to completely rearrange this Budget strategy overnight—that, having got into office mid-November and got the information by the middle of December, we were somehow able to completely rewrite the Budget. To use his phrase, 'The Liberals were not writing the cheques for seven twelths of the financial year.' That sort of glib phrase is nonsense and he knows it. The expenditure was set firmly in place and was compounded by what was done in that one month leading up to the election. The knowledge of members opposite is made very clear by other contributions. I have already pointed out how there seems to be complete dislocation in terms of strategy—on the one hand cuts from the Leader of the Opposition and on the other expenditures. I thought that the member for Coles was quite interesting the way in which she torpedoed that proposition by the Leader of the Opposition when, justifying the situation that she faced in 1979, she said:

> I stress that the 1979 Budget was virtually in place when the Liberal Party came to power.

The Liberal Party came to power on 15 September 1979. The Budget had indeed been delivered a week or two early, but to say as the honourable member did that she was not in a position to make any changes is very interesting when, on the other hand, her Leader says that a Government

coming to power in the middle of November 1982 is able to make drastic rearrangements to the Budget. She cannot have it both ways. Either the honourable member was in a bind in 1979 and we were, too, or she was not. It was a Budget that the Liberals brought down themselves, and that is the difference.

The Budget, while prepared, was brought down by the incoming Government. The Leader of the Opposition says that somehow we could have changed all the Budget strategy. The member for Coles said, 'When we came in in September, all we could do was simply go along with the 1979-80 strategy'. She said:

> I stress that the 1979 Budget was virtually in place when the Liberal Party came to power.

The Liberal Party introduced that Budget; it could have made the changes. In fact, we inherited a Budget that had been running for five months. Those are the facts. I like the endorsement that the member for Coles gives. Detailed points can be brought up in the Estimates Committee and detailed questions can be dealt with then. I hope that by then members opposite will have sorted out exactly what, first, they believe to be the position of the State's finances and, secondly, what their attitude is to Budget receipts and expenditure. Do they want more spending or do they want to cut back our programmes? Let them spell it out very clearly. But I will clear up one point right now.

The Leader claimed deception and dishonesty by the Government in the way in which funds from statutory authorities were dealt with in the Budget. They are the sort of terms he used: fraud, hoax. It does not matter: he throws these terms around willy nilly and recklessly. In relation to deception and dishonesty with the use of funds for statutory authorities, he refers to the total of funds invested by statutory authorities, the actual $134 million being $6.5 million above the original estimate of $127.5 million. He claims that this increase was used to offset departmental spending. That is what he said, but that is absolute nonsense.

If the Leader studies the Budget papers, he will see that among the actual results of the capital account for 1983-84 is an advance of $10 million to the Local Government Financing Authority of South Australia, which was not originally budgeted for. The advance proved necessary with the establishment of that authority and the desire—indeed the request—for the assistance of that authority by the Government, and that advance more than offsets the increased funds from statutory authorities. So, where is this nonsense about offsetting departmental expenditure? Palpable nonsense! It has taken my Government two Budgets to retrieve the State's financial strength. In that time employment has risen and unemployment has fallen. There is a new confidence and—

*Members interjecting:*

**THE SPEAKER:** Order!

**The Hon. J.C. BANNON:** The proportion of the work force employed in the public sector has fallen by nearly 1 per cent in the past 12 months and it has done that only because the private sector workforce has grown at a much greater rate than the very small increase in the public sector. So, we will have no more nonsense and this sort of interjection. I suggest that it is at about the same level as the Deputy Leader's inability to read the table that his own former Treasury officers prepared for him. There is new investment and new projects are being announced not only by the Government but also by private entrepreneurs who realise that the climate is being created in which they can generate jobs and growth, and this has been accomplished in a remarkably short period of time.

The problem that the Opposition has is to come to terms with our success on two fronts: in getting the State's finances in order, in getting the public sector revived and back to the ability to contribute to growth rather than creating recession, and at the same time encouraging a major and massive stimulation of investment in the private sector. I believe that the time has come for the Opposition to come to terms with that and to decide where it is going. Does it support the growth and development of South Australia or is its job in Opposition to undermine and attempt to destroy it?

Bill read a second time.

**The Hon. J.C. BANNON (Premier and Treasurer):** I move:

That the House note grievances.

Motion carried.

**The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition):** As former Chairman of the Budget Review Committee, I wish to put the record straight on a number of matters in the 10 minutes available to me. First, let me state figures that the Premier just cannot get around in relation to employment. In November 1982 at the time of the election, there were 54 200 people unemployed in South Australia. Today there are 58 700 unemployed. In November 1982 there were 560 500 people employed in South Australia. Today there are 558 600 people employed in South Australia: fewer people in employment now than when this Government was elected and more people unemployed, despite the fact that 7 000 temporary jobs have padded those figures as a result of the job creation schemes.

The facts are these: the Budget Review Committee was set up by the former Treasurer—and I was the Chairman of it—to monitor closely the operation of the Tonkin Liberal Government Budgets in South Australia. That committee met frequently in close co-operation with the Treasury to monitor fluctuations in the Budget performance. To suggest that because the Treasury sounded a warning note in September the Budget was therefore doomed to a $13 million deficit is absurd. In fact, the $13 million was the deficit at the first quarter's operation. The year before there had been a deficit of $8 million, which is traditional if the Premier looks at the Treasury graphs that indicate the movements of the Budget as the year goes on.

At the start of the new financial year there is always a marked dip and then up goes the graph: the graph follows a traditional pattern year by year. To suggest that simply because in the first quarter there was a $13 million deficit we were destined to a $13 million deficit at the end of the financial year is to misunderstand completely the track of the Budget year in and year out in South Australia. The big difference between this Administration and the Liberal Administration was that we did something about these Budget fluctuations by closely monitoring every movement in every department.

I have found some of the documents which were presented to the Budget Review Committee by the Treasury, and I might say that the Treasury highly valued the operations of that committee. That committee was applauded by Governments around Australia. The Treasury officials in Canberra were curious to know how we had been able to achieve what no other Government in Australia had been able to achieve—to reduce in the three-year term of that Government the impact of public sector financing in the total Budget picture. All of the gains so hard won (and that is a similar point to that made by former Federal Under Treasurer Stone) over the three years when we trimmed some fat from the Public Service have been lost under this Administration, and much was lost during those seven months in which the Bannon Government presided over that Budget. The fact is that a balanced Budget was presented to the Parliament of South Australia for the year 1982-83.

To suggest that simply because a Budget was indicating a deficit for the first quarter (as is traditional) is an absurd proposition. To suggest that that means inevitably that there would be a $13 million deficit is a complete misreading of the track the Budget graph always follows: nor did the Leader suggest that. The Leader suggested that there would be a $13 million deficit as a result of the promises that we unashamedly made prior to that election. To suggest that he is referring to that $13 million is completely misleading and to suggest that that would automatically be reflected in the result at the end of the year is an absurdity. The big difference between this Administration and the former Administration, particularly during those seven months, was that none of the enormous amount of work that we put into the process of Budget review (and I have the latest papers of the Budget Review Committee prior to the change of Government), keeping the Budget on track and taking remedial action went to the four winds with the present Administration.

It had no idea, nor did it care what was happening to the Budget, the track it was taking and what the end of the year result would be. Government members were not prepared to keep their heads down and undertake the enormously demanding task of having someone in Government—a council, a Minister or a committee—closely monitoring the operations of every department down to the last thousand dollars; and that is why the Budget went haywire, and they finished up with a record $63 million deficit after they had been on the Treasury benches running that Budget for seven months. They were not prepared to do the housekeeping: it is as simple as that.

They were not prepared to undertake the enormous effort to control the Public Service, where the screws were plainly and unashamedly on in precisely the same way as the screws are necessarily on in most household budgets around this State at present because of the depredations of the tax regime to support the enormous spending spree of this Government since coming to office.

If the present State Government is not prepared to undertake that sort of fine houekeeping detail, as every household in the State has to do—as we were prepared to do at great personal effort and cost—no wonder the State is in the present parlous situation. It is absolutely erroneous and untrue to suggest that one can determine at the end of the first quarter what will happen at the end of the year.

We received warning notes and messages from the Treasury. One year we had a wages explosion where the round sum allowance—$80 million I believe—was far exceeded. The nurses were awarded in excess of 22 per cent in one determination. There was a wages explosion that put enormous pressures on that Budget that year, far greater than those three factors signalled in the Treasury minute. We coped with that enormous wages explosion—we had not budgeted for it—because we took remedial action. If one has to put the screws on then that is what one does. If that is not done, then taxes have to rise. With a great deal of effort we did just that, and these papers bear testimony to it. Will the Labor Party take this action? It does not know how to sit down and undertake the enormous amount of detailed work necessary to look at what the departments are doing. If it is interested, it can at least have a look.

We went through each department—and it is in the October 1982 Budget review papers—and met regularly with Treasury. The Treasury welcomed it; it never had such an effort made by any Government to come to terms with economic reality at the most straitened times. For this Premier to say he inherited an enormous deficit is plainly untrue: he inherited a balanced Budget. It is in the Parliamentary files. If the Budget was going off course we took remedial action: we have done it before and we would do it again. However, the present Government opened the flood gates and any gains in getting off the taxpayers' back and trimming the Public Service has gone to the four winds. In under two years the gains made in those three years have gone; they have been dissipated and the employment paper of the Premier bears testimony to it.

To suggest that more people are employed in the private sector is false. There are more people in the public sector now and we are paying dearly. However, the figures do not lie: there are fewer people employed in South Australia than when this Government was elected and it cannot get around that plain fact. We recall all this false crocodile tear shedding, all this gloom and doom when we were desperately trying, and succeeding, to generate activity in the employing productive sector to raise the revenues of this State. Labor Party members said we were going too fast and the Premier was particularly vituperative last night in relation to my comments about the Cooper Basin. They whinged and said that we were going too fast but they have $30 million this year in the Budget line as a result of that development.

**The Hon. Jennifer Adamson:** Because we went too fast.

**The Hon. E.R. GOLDSWORTHY:** Because we went so fast—$30 million this year. If we had the benefit of a wages pause—which is a godsend to them—if we had the benefit of two bumper seasons, and we kept going with the Budget Review Committee, which monitored to the finest detail the public expenditure, which had never been experienced in this State before, we would be in clover in this State at the present time instead of having a tax regime that is bleeding the public white.

**Mr HAMILTON (Albert Park):** I draw the attention of the House to the unscrupulous and disgusting attack made by the member for Torrens on the Minister of Education in Question Time today. I have a strong and good memory about the integrity of this Minister. There was an incident last year within my electorate where I went to the Minister of Education and tried to assist a member of a school staff in terms of promotion. The Minister quite clearly and specifically told me that he would insist that the proper channels in relation to promotion were adhered to.

The member for Torrens, knowing full well what took place, to my great disappointment, attacked the integrity not only of this Minister but more specifically insulted people like myself who were well aware of the involvement of the present Minister of Education in relation to the similar situation that took place last year.

I am absolutely appalled by the scurrilous statement made by the member for Torrens in relation to that. He knew damn well what took place and I know from my involvement with my own Minister where we, I might suggest, had a heated difference last year over this incident that the Minister, to his eternal credit, stood strong and said, 'I will set up a Review Committee' which he stated in this House today, and he honoured that promise.

*The Hon. Ted Chapman interjecting:*

**Mr HAMILTON:** If the member for Alexandra wants to know the truth, let him go to the Minister of Education and to his own colleague and find out what the facts were. If they want to peddle that sort of stuff—and if there is one thing with which I agree with the member for Semaphore, it is in relation to some of the antics, particularly in relation to gutter tactics: I will not be involved in that.

However, I was disappointed today that the member for Torrens would use this in an attempt to try and denigrate the principal of a school, knowing full well he was the political opponent of the member for Semaphore within that electorate: that was the tactic, not his concern about the particular school. He wanted to get on side with the

member for Semaphore in terms of political tactics, and I find that an outrageous situation.

The member for Coles laughs about it but she knows damn well what I am saying is correct: it is a disgusting tactic. I say this, and I know it will not mean a thing to the other side, but I am so disappointed with the previous Minister because I had some respect for him in relation to his involvement when I was in Opposition. Today he put the nail in the coffin if he is prepared to go to those lengths.

I now turn to Tourism Week next week where I will be attending the celebration at Fort Glanville. It is interesting to see the greater recognition of the Fort Glanville complex and I give credit to the member for Semaphore for his involvement in it. I know that he will be there as an official guest on Sunday, as will I as the member for Albert Park, as well as the member for Henley Beach. We have clearly promoted the north-west suburbs better than the previous Government has done by a mile, as I have related in previous speeches in this Parliament. An interesting aspect of the visit to Fort Glanville came in a report given to me recently by the Government. It refers to those people who live near Fort Glanville and who have visited it. As a result of a survey carried out on Sunday 20 November 1983 it shows that the place of residence of visitors located near Fort Glanville was 57 (26 per cent of the total) and in other metropolitan areas it was 112 (49 per cent of the total). It showed that visitors who had been to Fort Glanville previously numbered 24 (10 per cent of the total) and those who had not numbered 205 (90 per cent of the total). Those visitors who heard about the open day at Fort Glanville by driving past numbered 114 or 50 per cent of the total.

Thirty people (14 per cent) knew about it from their own experience; 27 people (13 per cent) knew about it as a result of a newspaper advertisement; and 27 people (13 per cent) heard about it on a radio announcement. Another question asked was, 'How long was the visit?' Those who stayed for one hour totalled 91 (41 per cent); those who stayed for 1.5 hours totalled 65 (29 per cent); and those who stayed for two hours totalled 43 (20 per cent).

It is quite clear that the people driving past the fort had virtually no knowledge that it was there. That clearly demonstrates that with greater publicity it can have greater success. I am very keen to promote that aspect, because it has been proven in the United States and in other parts of Australia that when forts such as this are promoted they will attract the local population. To support that, I refer to the number of people driving past who stopped to visit the fort. Those who stopped for less than one hour numbered 22; those who stopped for one hour numbered 78; those who stopped for 1.5 hours numbered 66; and those who stopped for two hours numbered 41.

Quite clearly, one could almost say that the fort has been ignored for many years by, I suggest, successive Governments. However, the recognition is now there. I believe that more money should be ploughed into the fort and, as I have said, I know that the CEP application has yet to be finalised. I hope that the $2.1 million becomes available but that is a decision for the committee. As I have said, it is interesting to note that of the visitors who were driving past the fort and stopped to inspect it, 50 per cent stayed for one hour, and 30 per cent stayed for 1.5 hours.

The visitors were asked, 'Was the entry charge of $1 considered good value?' Those who answered 'Yes' numbered 227 or 99 per cent. They were also asked, 'Did visitors go on a guided tour?' Those who answered 'Yes' numbered 199 or 86 per cent. They were then asked, 'Of those who went on a guided tour, what was their impression of the tour?' Those who answered 'Good' numbered 191 or 96 per cent. The visitors were then asked, 'What did visitors consider to be the most interesting part of the visit?' Those who answered 'Gun firing' numbered 22; 'The whole fort' numbered 70; 'Re-enactment', 59; and 'Caponiere', 51. The visitors were then asked what attracted them to the fort—having learnt of its existence either previously or by driving past, what prompted them to visit. Those who answered 'The fort itself' numbered 107; and 'History', 101. Visitors were then asked, 'Would visitors like more to see or do whilst visiting the fort?' Those who answered 'Yes' numbered 157 or 68 per cent. Of those who answered 'Yes', suggestions were made for more re-enactments and further restoration of the fort. Quite clearly, the fort has a bright future in terms of tourism today, and many of those who visited will return.

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

**Mr OLSEN (Leader of the Opposition):** In responding to some of the Premier's comments I will specifically respond to the continual deception and untruths uttered by the Premier in the Chamber tonight.

**The Hon. B.C. Eastick:** Misrepresentation.

**Mr OLSEN:** Yes, calculated misrepresentation to this Chamber. The Premier said that in my speech on 16 December 1982 I did not refer to the third point contained in the Treasury papers, that is, drought relief and the cost thereof. If the Premier would like to read page 267 of *Hansard* of 16 December 1982 he will see that reference in *Hansard* which he said less than 20 minutes ago I did no mention. I refer to one of two aspects that the Premier has taken on in this Parliament. The Premier said that in 1979-80 the then Liberal Government inherited a balanced Budget and, as a result, everything was rosy and we were in clover, so to speak. However, the Premier did not acknowledge that in the previous year the Dunstan Government transferred funds from Capital Account into Recurrent Account and repaid it the following year. That is beside the point, but the Premier denied that it happened.

I refer to some of the debts left for the previous Liberal Government to pick up during its term of office. I remind the House of the significant financial liabilities inherited by the former Liberal Government from the previous Labor Government, and they include Monarto, the Land Commission, the Frozen Food Factory, the Riverland Cannery, mismanagement of the Health Commission, and so on. Let us look at the debts.

*Mr Hamilton interjecting:*

**Mr OLSEN:** It is all very well for the member for Albert Park to laugh, but there are some plain facts that he should understand. It is about time that someone in Caucus called the Treasurer to account for the deceptions he continues to put before this Parliament and to the public of South Australia. The fact is that the huge debts include the burden of the past financial year of $13.5 million, which was provided to redeem commercial bills and for receivership losses resulting from the commitments of the previous Government to the Riverland Cannery. That was in 1979-80. The same Budget provided payment of $25 million to the Commonwealth Government with respect to the Land Commission. That was a loan, not a grant, and it amounted to $25 million that the former Liberal Government had to pick up.

Monarto cost a further $3.1 million during the financial year to redeem semi-government borrowings as they fell due, on top of the $5.1 million paid earlier by the former Government in full settlement of the outstanding obligations to the Commonwealth. Once again, we see clearly that the Premier has seen fit to tell half truths to this Parliament. On many occasions it is not so much what he says as what he leaves unsaid to the Parliament.

In relation to tight management control, to which the Deputy Leader has already referred as Chairman of the

Budget Review Committee, we kept tight budgetary control over Government departments. The Tonkin Government was able to bring in balanced Budgets during that period because of tight management control, discipline, economic management principles, and accounting principles applied in Government. That Government was able to achieve balanced Budgets and not overspend, as has the present Administration to the tune of some $50 million in two years. That is even acknowledged by Treasury officers who have admitted to journalists in this city in an article on 10 September 1984 that the Tonkin Administration with its regular budget review 'razor gang' committee tried harder. Two words could have been added to that statement—'achieved results'.

**The Hon. B.C. Eastick:** It succeeded.

**Mr OLSEN:** Yes, it succeeded, and it achieved results. The records are there, and they are undeniable. It is interesting to note that the Premier said that he would demolish the Liberals' argument about the fact that he had not been left a deficit. However, what did he do? I refer to the papers presented by the Premier to support his argument. The Premier used the Treasury document dated 12 Octber 1982 and signed by Mr Sheridan on behalf of the Under Treasurer. Attached to that document is a financial budget, which just happens to have quarterly figures in the column to which the Premier referred. It is on the basis of the quarterly figures as at September 1982 that the Premier said that that did not include all the election promises and, 'if it was $30 million, then how could it be $30 million at the end of the year?'

It is the same Premier who says month after month that you cannot take monthly figures into account, because it is the end of year result that counts. He cannot have it both ways. He stands up in the House and uses a document with a quarterly figure and says, 'Therefore, the Liberals' argument is unsound'; yet on the other hand, every month he says to the journalists, 'Do not take any account of these monthly figures, because of course there will be adjustments. There will be incomings and outgoings and the only result you can take into account is the one on 30 June 1982'. I agree: the only result you can take into account is the one at 30 June, that is, at the end of every financial year. So much for the great effort by the Premier to demolish our argument. He has not demolished our argument; he has destroyed his own credibility by trying to have it both ways. Credibility is not built on that. Credibility is built on reliability, honesty and performance in the job.

His closing words were the success of this Government—the success of this Government to raise taxes to the highest that this State has seen, massive hikes in taxes and charges over the last two years, higher than in the history of South Australia. We have a deficit in South Australia higher than we have ever had in the history of this State. This is the success of this Administration. It has increased the public pay-roll in South Australia, which costs us, the taxpayers of South Australia, tens of millions of dollars. That is the success of this Administration.

In addition to that, there is the lack of success in holding departmental expenditure down, and we have seen clearly in a number of areas lack of financial management by this Administration. Of course he said, in another deliberate untruth to this Parliament, that since coming into Government he had progressively reduced the amount of money allocated out of the capital account to the recurrent account. That is fine if we take the last two amounts, but he seeks to overlook and purposely omits the fact that in the 1982-83 financial year he added another $9.9 million to the transfer that the former Administration laid down in its Budget and he said in this House, 'You well know that once it is set down you cannot vary it.' He varied it all right—he added another $9.9 million from the capital account to the recurrent account. In the first year in which they had control of the cheque book in this State, they increased the money transferring from the capital account to the recurrent account. Once again, a half truth and, as I said earlier, it is not what you say on many occasions, but what you leave unsaid. The plain fact is that this Premier sought Government and achieved it by deceiving the electorate. He has, since attaining Government, continued to deceive the electorate and, indeed, in this House tonight he has continued that.

**The Hon. B.C. Eastick:** The way his colleagues backed him up, he has got them deceived, too.

**Mr OLSEN:** I can understand that when you have your back to the wall you close ranks, because you understand that if you are going down the tube you have to back up someone, despite the lack of credibility, despite the lack of honesty to the electorate, let alone this Parliament.

During the past two days this House has seen how devoid this Government is of credibility, honesty and responsiblity. All it can do is blame the newspapers and journalists and hide behind documents prepared by public servants. Yesterday the Minister of Transport demonstrated just how much he has lost control of his portfolio by an hysterical overreaction to an issue raised by the *News*. The Minister is unable to argue the merits of the issue, so instead he has resorted to name calling, and I refer of course to the Minister of Transport. This afternoon we heard the member for Elizabeth attack the *Advertiser's* political journalist, Matt Abraham, in a completely unnecessary and unwarranted outburst. The honourable member was suggesting that journalists should beat a path to his door for his reaction before they report anything critical about him. I must remind the member for Elizabeth that he has been used to dishing it out in this place over the years, but obviously, with his preselection around the corner, he cannot take it and tonight the Premier again attempted to hide behind documents prepared by public servants to evade his own responsibility for breaking election promise after election promise.

The Government is getting a little thin-skinned and we have seen that during Question Time over the past couple of days. It is obviously nervous and on the run. As a result of doorknocking undertaken by honourable members in the electorate, the message is filtering back. The Opposition has attempted to use the Parliamentary process responsibly and constructively to question the Government and hold it accountable to the people for its policies and actions, and we have obtained some notable and important concessions from the Government; in other words, we have been successful in some of those areas. Let me remind the House what they are. I think there is no doubt that this House would agree that the Premier should be thanking us for the mess we rescued him from with his financial institutions duty.

**The Hon. B.C. Eastick:** The people of South Australia are thanking us for what benefits they did derive.

**Mr OLSEN:** I have no doubt that the charities in this State are very thankful for the efforts of the Opposition of South Australia, positively and constructively pointing out some of the inadequacies of that legislation. We also exposed significant anomalies in the liquor licensing increases which he was forced to change. Of course, when we question the Premier in Parliament we always get an evasive answer. He never has any statistics at his fingertips. He cannot answer any economic questions, and obviously economics is not his best subject (he failed grade 1 maths) particularly that which he is applying to Treasury matters at the moment. We led the way in ensuring that fairer land rights legislation travelled through this Parliament earlier this year. These are just three of many examples of the manner in which

the Opposition has sought to use the Parliamentary process to benefit the people who elect us to this House. It has not been easy, with a Government so reluctant to accept its responsibilities of accountability to the people through the Parliament.

The Premier constantly evades questions. We had another example of that today when a simple question about the number of people to benefit from the restructuring of electricity tariffs was not answered, simply because the information sought would be embarrassing to the Government, but I might add that he took over 15 minutes to answer the question and give a non-answer. The Minister of Recreation and Sport's answer was not much better, because we only had two questions after 21 minutes of Question Time. We know what the tactics are: talk as long as you can to deny the Opposition the right to get some questions on during Question Time in Parliament. The Government is denying Parliament the right to work. It knows it is vulnerable and it does not want to be embarrassed. It knows that the ground underneath it is like quicksand, as it relates to the Government's promises to the electorate of South Australia, and its credibility with the electorate of South Australia.

The Premier has also debased the whole Budget process of this Parliament with a series of pre-Budget announcements intended to dupe and deceive the people about the real impact of this Budget. Of course the Premier does not like words such as these. He does not like to be called what he is, a stranger to the truth when it comes to matters associated with the finances of this State, and the pathetic statements of the Premier tonight only highlight that. Let me just recap on that.

**The Hon. B.C. Eastick:** They were structured to deceive.

**Mr OLSEN:** Indeed, they were structured to deceive, calculated so, because the Premier indicated yesterday, when he was caught short because the Budget debate finished 24 hours earlier than he anticipated and he had to come on and *ad lib,* that he was going to tackle the document today, but what he did not do was look past that Treasury document to the careful analysis that I made available to the media in South Australia, a careful Budget analysis that lists every promise of the Liberal Party and costs it—lists every promise of the Labor Party and costs it. To this very day not one of the figures in that Treasury document upon which these figures are based and the calculations we made upon it, released on Monday 6 December 1982, has been called into question. I stand firmly to the view that the former Liberal Administration would have ended 30 June 1983 with the $13.1 million deficit.

To this day (and it was not tackled in the Premier's speech tonight) the Government has not attempted to tackle those questions. It has not yet attempted to tackle the estimates that I put to the public of South Australia. Government members know that they will not tackle them. That is why the Premier would not reply to my press release about increases in stamp duty. My office did a calculation on that matter. It estimated it to within .19 per cent of the actual figure, yet the Premier was 44 per cent out some two months before the time, although he has the benefit of being able to obtain treasury advice—unless, of course, he wanted to misconstrue the advice from Treasury in the first instance. He did not want to tell the people of South Australia that he is ripping off a lot more money than he had anticipated in relation to the area of stamp duties.

**The Hon. B.C. Eastick:** That is consistent with his fudging.

**Mr OLSEN:** His total fudging and deception continues. The Premier ought to learn that if one tells untruths eventually they will add up and one will be caught out. All the untruths that have been told are starting to come home to roost. That is why the Premier is feeling uncomfortable and sensitive about matters like electricity tariff increases that are being considered at the moment. That sensitivity is there, because he knows that the electorate is feeling the impact of his Administration on its hip pocket nerve, and that it is starting to react to it. The Government is getting feedback concerning increases in taxes and charges.

**Mr Becker:** Look at what happened to Gough Whitlam.

**Mr OLSEN:** Indeed, it did happen to him. At a time when the standards of behaviour in this House are under some scrutiny and the subject of some public comment by people, including the Speaker, the Premier's role in lowering the public confidence in the Parliamentary process requires special consideration. It has been the present Premier, since becoming Leader of the Labor Party in 1979, who more than anyone else has twisted and turned words and promises until what he says can no longer be believed.

During my Budget speech I referred to the Premier's attitude in regard to State finances when he was Leader of the Opposition. I reminded the House that every statement that the Premier made while he was in Opposition either urged the Government to spend more money or to raise less taxes. Never once when he was Leader of the Opposition did the present Premier identify an area in which less Government money should be spent or of where taxes and charges should be raised. I invite him to contrast that with the approach of the present Opposition.

In his speech the Premier identified members who had asked for specific funding for their electorates. I remind the Premier that it is a basic responsibility of every elected member of this Parliament to work hard and long and with determination to secure for his or her electorate the best possible deal. That is the basic responsibility of members of the House. It is the Government's responsibility to establish priorities within Budget limits. The buck stops with the Government of the day—not with elected representatives from the individual seats. That abdication of responsibility by the Premier needs to be highlighted.

I want to contrast the approaches of the former Leader of the Opposition with that of the present Opposition and what it has done over the past two years. Following the fire and flood tragedies that occurred early in 1983, I said that there might be some justification for some one-off revenue raising measures to recoup the unforeseen costs involved. But how did the Premier react to that? He misrepresented our position by suggesting that we had given unqualified approval for revenue raising across the board. The Premier asked the co-operation, got it, but then abused it. This Opposition has also been prepared to suggest areas in which Government expenditure should be cut. Such suggestions are always open to attack from some quarters, but we have not resiled from them; unlike the former Labor Opposition, we have been consistent and constructive.

We have accepted our responsibilities in not only criticising Government actions and policies when they were not in the best interests of South Australians but also in putting forward alternatives of our own. It is against this background that the Premier's latest statements tonight on the State's financial position should be viewed. They were more of the same—involving the same deceptions, calculated untruths and dishonesty. The Premier's whole financial strategy has been based on the document dated 13 December 1982, presented to him by the Under Treasurer. So desperate was the Premier to find an excuse for breaking his election promise (which was clear, specific and unequivocal) that he would not introduce new taxes nor raise any tax levels during the life of the Labor Administration, that he rushed that Treasury document into the Parliament within 24 hours of receiving it.

By the admission of its author, the Under Treasurer, that document contained rough figuring and was based on possibilities, assumptions, projections, forecasts and variables

between $30 million and $55 million. It was the sort of document which Governments regularly receive on the progress of Budget estimates during a financial year. The Premier's treatment of it completely overlooked the changes in Budget trends which can occur within relatively short periods. For example, when that document was prepared the Premier did not know that the Government would save $25 million in outgoings due to the wages pause, which was introduced across Australia by the Liberal Administration. It was not supported by the Labor Administration, but the Labor Administration in this State was happy to pick up the benefits of it.

**The Hon. H. Allison:** That was a bonus, a windfall.

**Mr OLSEN:** Indeed, that was a $25 million bonus which was the result of a Liberal initiative taken throughout Australia.

**The Hon. B.C. Eastick:** And in May 1983 they still had not collected it because they had not got their act together.

**Mr OLSEN:** Indeed. We can talk more about the size of the Public Service, which I hope I have time to do. Other matters in the document were not taken into account in that document that was tabled by the Premier: that it would obtain a special Commonwealth Grant of $17 million for 1983-84; or that it would have a windfall of more than $36 million in stamp duty receipts during the past financial year. If the former Government had accepted every Treasury proposition it received, South Australia would now be by far and away the highest taxed State in the Commonwealth. That was not the case under the former Liberal Administration. To 30 June 1982 South Australia was the lowest taxed State per capita in Australia, and only during the past month or two has the Premier been prepared to concede that point. In the first 18 months of the Government's Administration the Premier was not prepared to acknowledge that. At least he is now prepared to acknowledge that fact.

It is a natural function of Treasury to recommend revenue raising measures. However, it is the function of Government to make decisions based on those recommendations and to publicly accept the responsibility for those decisions. The Premier has attempted to avoid that responsibility by portraying the advice of Treasury in the worst possible light in order to justify his need, and indeed, his desperation to raise taxes to fund Labor Party policies for bigger Government.

In response to the Premier's misleading statements made in December 1982 about the financial position that he had inherited, I made available the last document that the Treasury had prepared for the former Government of its assessment of the progress for 1982-83. That document formed the basis for statements and commitments made by the former Government during the election campaign. The document was dated 12 October 1982—the day before the election was called—and was authorised by the Under Treasurer. In regard to recurrent operations, Treasury advice was that the deficit positions as at 30 September 1982 and 30 September 1981 were very comparable: that is, the quarterly figure used by the Premier tonight to support his argument (which he was unable to do) when compared to the 30 September 1981 figure showed that the deficit on trading at that time was almost comparable.

I remind the House that the Premier consistently says that one cannot use monthly figures; it is the end of year figure only that one can use. Yet, he has decided to use a quarterly figure to support his argument. I repeat that one cannot have it both ways.

**The Hon. H. Allison:** He's had those figures 18 months waiting for a miracle to happen.

**Mr OLSEN:** That is the other interesting aspect, of course. I put this document down in December 1982 and here we are in September 1984. It has taken almost two years for the Government to scratch up any sort of response to it. We can see why it has taken two years, because it is not a response at all. There is no tangible basis for arguing his contention that he was left with a deficit. The fact is that the Premier was not so left: he did not inherit a deficit in this State.

*Members interjecting:*

**Mr OLSEN:** Of course, we see the deception continuing. One saw the major statement on the front page of the *Advertiser* that the Premier was going to get tough with the public servants in South Australia; he was going to prune the Public Service in this State. A no soft options approach was the Premier's response. When he was questioned in Parliament, we found what he was talking about—12 senior management positions; then 20 middle management positions would go. But they were not going to be replaced: he was going to put other middle management up into those positions. If one looks at the annual dollar saving, one sees that it was negligible. If one takes the manpower forecast figures that were tabled with the Budget papers, one sees that there is an increase of 3 300 people in the number of persons employed in the Public Service in South Australia.

**The Hon. B.C. Eastick:** How much does that cost?

**Mr OLSEN:** It is tens of millions of dollars because the Government increased the size of the Public Service.

**The Hon. B.C. Eastick:** Where did you get that figure from?

**Mr OLSEN:** That figure is available from the Budget papers and supplementary papers tabled by this Treasurer in this Parliament several weeks ago.

**The Hon. B.C. Eastick:** And to which our attention was drawn.

**Mr OLSEN:** Indeed, our attention was drawn to it. It is obvious that he did not read them because the small print in that document immediately put the lie to the policies of this Government. It is a big Government approach which, has as a result of big government, the impost of taxes and charges and the 39.7 per cent increase in the rate of taxation over the two year period ending 30 June next. It is the biggest tax hike in South Australia's history. In addition to that, we have seen an increase of 138 charges in South Australia, the like of which we have never seen before in any Administration.

**The Hon. E.R. Goldsworthy:** And we never want to see it again.

**Mr OLSEN:** Indeed; we never want to see it again. On the capital account, Treasury advised that the results at that stage did not give rise to any concern. Based on the document, the Liberal Party made a number of commitments during the subsequent election campaign which resulted in a total extra expenditure during 1982-83 of $9.72 million. But, as offsets to those additional costs were increased royalties and returns from ETSA levies following the increase in the Cooper Basin natural gas prices, which would have amounted to $6.6 million.

Let us clearly establish that it was this Administration, using the South Australian Government Financing Authority, that applied a .05 per cent levy on all instrumentalities that use the term 'guaranteed by the Government of South Australia'. That .05 per cent which has been levied on the Electricity Trust of South Australia has added something like $12 million to its cost in the last financial year. That cost gets passed on to household budgets in South Australia: it is not absorbed. It is passed on to consumers.

*The Hon. B.C. Eastick interjecting:*

**Mr OLSEN:** Indeed, he denied it would happen. Twelve months ago the Premier said that he would restructure the tariff base in this State. He would look at taking off this tax and taking off the levy to reduce the impost on indi-

viduals. Clearly, that has not happened and is not intended to happen.

**The Hon. T.H. HEMMINGS (Minister of Housing and Construction):** I move:

That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

**The Hon. D.C. BROWN (Davenport):** I would like to deal with three matters this evening. The first is immediately to pick up the point concerning the Premier's response to the House this evening on the state of the State's finances, and particularly relating back to the state of the finances at the time of the change of Government. For 22 months this House has been waiting for a response from the Premier—

**The ACTING SPEAKER (Mr Ferguson):** There is too much conversation. I ask members to allow the speaker to continue.

**The Hon. D.C. BROWN:**—to the Budget document tabled by the Leader of the Opposition and by my colleague from Kavel who was, immediately prior to that, Chairman of the Budget Review Committee which showed that as at 30 September 1982 the Budget was basically on line and that in 1982-83 we could expect, at the worst, a deterioration in the Budget with a deficit no larger than $13 million.

As I said, for 22 months we have waited for that response from the Premier. Tonight I thought we would get it: I was disappointed. The Premier did not analyse the statement tabled in this House. But, can I highlight to the Government the reasons why, first, there was an enormous record deficit of $120 million in 1982-83 and why it has had to increase taxes since. The points are quite simple. First, the new Government elected in November 1982 immediately stopped the rundown in the Public Buildings Department.

In the previous three years the Public Buildings Department had been reduced in size from 3 500 employees to 2 400. This Government has maintained that number of 2 400. I know, as the former Minister of Public Works, that there were at least 250 surplus employees within that Government department. It costs a substantial amount each year to employ that number of employees on projects in which they are not being usefully engaged. This Government has done that and, as a consequence, it has had to pump additional revenue into the Public Buildings Department not related to the Government's capital Loan programme. That is the first reason.

The second reason for the Budget blow-out was that this Government immediately granted substantial benefits in terms of a 38 hour week to a large section of the Government work force immediately on taking office. The reasons for that were obvious: it was this Government that received money from trade unions immediately prior to the election campaign in the hope that it would be elected, and favours were handed out immediately afterwards.

The 38-hour week, as promised, was handed out by the Labor Government, but would have cost an additional 2.5 per cent in labour costs alone for the State Government. That alone would account for about a 2 per cent to 2¼ per cent blow-out in the State Budget. It is a fairly significant amount when one is looking at a State Budget of about $2 000 million, 90 per cent of which goes towards payment of salaries.

The third point is that the Government immediately approved a number of options which had been previously rejected by the Liberal Government. These included a substantial increase in the number of teachers but, more importantly, a myriad of requests for various Government Departments that they always served up to any new Government hoping that they would end up with a gullible Minister. That is exactly what this Government did in its first three or four months in office: it handed out approval for all those requests.

Fourthly, that Government granted salary increases despite the fact that it had only three months until the wage freeze. It granted substantial salary increases without going to the Industrial Commission to argue the case. I know that if a substantially well prepared case was presented to the Industrial Commission there was no justification for those salary increases. But, instead, this Government did not put up any opposition. It sat down, negotiated with the unions and granted an increase. As a result, the Government must bear responsibility for the blow-out in the Budget as far as wage costs are concerned.

The fifth point is that any Budget requires a great deal of flexibility and sensitivity as one works through the years, and this Government failed to apply that. In applying that sensitivity, one manipulates the capital loans programme; one slows down the programme if it looks like overrunning; and one slows down expenditure if one looks like blowing out the Budget. But, despite all the warnings that came from Treasury this Government did not do that. As a result, something like half the deficit that eventually occurred happened because of the blow-out of Government department expenditure.

This evening the Premier stated that basically the record deficit was due to the previous Government: I think that his exact words were that the reserves had been run down by the previous Government. I challenge the Premier to tell this House which reserves were run down by the previous Government. That was the basis for most of his argument, and the truth is that no reserves existed to be run down. If anything, there were liabilities from previous Governments back in the 1970s. The South Australian Land Commission, Monarto, and the Riverland Cannery alone cost this Government tens of millions of dollars in debts incurred in the 1970s.

Again, I highlight to the House that the claims of Premier Bannon that the overrun in the 1982-83 Budget, which he now puts forward as the justification for tax increases in this State, cannot be and have not been substantiated by that Premier. He has had 22 months to do it and he has failed to do so; he has failed yet again this evening.

The second matter I wish to raise relates to road safety. Earlier this year the Royal Australian College of Surgeons, St John Ambulance and the Red Cross put a case to the State Government for first-aid training to be obligatory for people undertaking or applying for a learner's licence for the first time. The Liberal Party had a policy supporting a compulsory first-aid training course for all people applying for a learner's licence.

I will outline the reasons for that. It is well substantiated that the first four minutes after any accident is the most critical period in regard to saving lives. Unless the right treatment is applied in terms of stopping obvious bleeding from arteries, making sure that the wind passages are free, and appropriate treatment is given to ensure the essential services for support of life, people can easily die. It is also well substantiated that there is little likelihood of either a trained medical officer or an ambulance officer being able to get to motor vehicle accidents within that first four minute period. So, it was critical in terms of reducing our road toll to make sure that the other people at an accident scene (and invariably other people are present) have the training that is so critical and necessary.

As the shadow Minister of Transport, I advocate this with some feeling, having been involved in a very bad head-on accident. The people who stopped had no training at all. I recall that, after stuttering and stammering from shock for some time, the first person who stopped could only pull

out a cigarette to have a smoke. I say that, understanding the circumstances he faced, but that was his response to that emergency. On another occasion I pulled up at an accident where about 20 people had stopped to find everyone had stood around watching a man very quickly die; there was no attempt whatsoever to carry out the essential treatment that would allow that person to live.

In fact, the man was rapidly choking because he had swallowed his tongue. Fortunately I was able to encourage a number of people to break open the door, we got in and helped the person involved. However, I believe that that is a classic example of how people fail to carry out what one would regard as perhaps commonsense actions. In a crisis situation, people fail to take action. I am disappointed that the State Government has not yet responded to the proposal put forward by the Royal College of Surgeons, the Red Cross and St John Ambulance. I cannot think of three more eminent and responsible bodies to put forward a submission. If those three bodies have agreed to the submission, I believe that the State Government should adopt it quickly.

**The ACTING SPEAKER:** Order! The honourable member's time has expired.

**The Hon. JENNIFER ADAMSON (Coles):** Tonight I wish to take up the issue of attacks on individual members of the media by members of the Government. Earlier this year we had the spectacle of the Minister for Environment and Planning naming a journalist in this House; the Minister not only named him but also identified specifically his place of residence in what I regard was a most unfair and irresponsible attack on a person who is not a member of this House. Today we had the spectacle of the member for Elizabeth alleging that a journalist who wrote a story about him last night had acted in an unethical manner.

I think that the House should be aware that, when a journalist has to abide by the rulings of the House that a matter is *sub judice* and he or she knows that he cannot legally report any word on that subject that is said outside the House, it is most unfair to blame him for unethical conduct because he allegedly fails to contact the member concerned to ask for comment. It is true that either the member for Elizabeth or I could have commented to Mr Matt Abraham of the *Advertiser* after the statements that had been made in the House. It is equally true that had he reported any word that was spoken outside this House on the basis of the Speaker's ruling he would have been in a difficult situation legally, and I think that those points should be noted by the House.

I also take up the issues raised by the member for Semaphore last night which received wide publication in this evening's paper. The member for Semaphore referred to the conduct of the Parliaments in this country and the Parliamentarians who sit in them. It is not surprising that the member for Semaphore gained a big headline in tonight's *News* as a result of those statements. It is very good copy when one politician criticises the whole Parliament and, of course, the only politicians who have the freedom to do that are those who do not belong to the major Parties. We all recall the many and varied statements of the former member for Mitcham, denigrating members of this Parliament over the years, and the wide and favourable coverage that those statements received.

I put another viewpoint. The member for Semaphore said, among other things, when describing the allegations made in the House of Representatives last week that it was (as he described it) a real set-to with no real purpose. Attempts by an Opposition to expose corruption at a national level in the Federal Parliament cannot be described justifiably as a real set-to with no real purpose. That set-to, as the honourable member described it, had a purpose. It was a real purpose, it was the purpose for which we have Parliaments and it was the purpose of exposing that which is wrong and bringing it before the public eye. The Parliament of the nation or of the State is the only place where that can be done freely and without fear or favour.

It is very easy to lay charges of muckraking. It is not so easy to develop the facts, to research them, as most members invariably do (and as I certainly try to do), and to stand up in this House knowing that every word one says will be taken down and if necessary and where appropriate used in evidence against one. I reject very much these continuing allegations by various people of muckraking, when Oppositions or politicians of whatever persuasion are in the main simply doing their job.

The member for Semaphore said later in his speech, 'Why cannot many more matters be the subject of consensus? Why must we go through all the argument?' The reason we go through the argument is that we are elected representatives in a democracy. The whole purpose of this Parliament is argument, debate and exposure of the facts, and none of this is new. I was intrigued to refer to that great authority on constitutional matters, Bagehot, whose writings on the English Constitution in the nineteenth century are recommended reading for all politicians. In his chapter on the Cabinet, Bagehot states the following:

> It has been said that England invented the phrase, 'Her Majesty's Opposition'; that it was the first Government which made a criticism of administration as much a part of the polity as administration itself. This critical opposition is the consequence of cabinet government. The great scene of debate, the great engine of popular instruction and political controversy, is the Legislative Assembly.

Further Bagehot says, justifying this intensity of debate:

> The nation is forced to hear two sides—all the sides, perhaps, of that which most concerns it. And it likes to hear—it is eager to know.

That is the reality. Further in another chapter dealing with changes of Ministry, Bagehot says:

> The newspapers follow—

that is, they follow criticism and debate in Parliament—

> . . . according to their nature. These bits of administrative scandal amuse the public. Articles on them are very easy to write, easy to read, easy to talk about. They please the vanity of mankind. We think we read, 'Thank God, I am not as that man; I did not send green coffee to the Crimea;'

or in the case of Mr Peacock, 'I did not call the Prime Minister a crook'. Bagehot continues:

> 'I did not send patent cartridge to the common guns, and common cartridge to the breech-loaders. I make money; that miserable public functionary only wastes money.'

That is a sense of superiority with which most citizens could readily identify themselves when they compare themselves with politicians. Bagehot goes on to say:

> All the pretty reading is unfavourable, and all the praise is very dull.

Every member of this Chamber would know that one can thumb through *Hansard* and see continual tributes to politicians of all persuasions and to public servants which are never, ever reported. Yet, when a legitimate criticism, soundly based on evidence collected by members, is raised in this place, all too often it is referred to as muckraking: I bitterly resent it, whilst I do not relish any more than any other member relishes allegations of a personal nature which are not related to policy or to Parliamentary duty.

There is one thing and one thing only that differentiates the politics of Parliament from the way that any other kind of politics are conducted. The politics of trade unions, the politics of big business, the politics of the professions, and academia and the church are pursued with as much ferocity as politics are pursued in Parliament. The only reason why that is not known and understood is that it is done behind

closed doors and those who participate in it are not exposed to the full glare of the public spotlight every hour of the day, through every means of the media, through every administrative means, and through every Parliamentary means.

We are subjected to continual scrutiny and the ferocity, if it can be called that, with which we pursue our goals is always subject to public scrutiny at all times and in all places. That cannot be said of the politics of any other area of life and yet, in all those areas, including, as I said, the church where the pursuit of spiritual power is pursued with at least the intensity with which temporal power is pursued in this place—

*The Hon. Ted Chapman interjecting:*

**The Hon. JENNIFER ADAMSON:** Indeed, I did not mention sport, but that is another area in which politics are vigorously pursued. I resent allegations of muckraking. I believe that when politicians make them, it is very easy to get a headline. I do not doubt the sincerity of the member for Semaphore for whom I have a very great respect, but the issues he raised need to be answered and dealt with in a logical fashion and seen for what they are.

**The SPEAKER:** Order! The honourable member for Henley Beach.

**Mr FERGUSON (Henley Beach):** During this debate I wish to refer to my support for the Henley and Grange council aged care programme. The Henley and Grange council is looking at the possibility of employing a half-time aged care co-ordinator to assist with the implementation of the Henley and Grange aged care programme.

Under the States Grants (Home Care) Act, 1969, a 50 per cent salary subsidy is available from the Federal Government to local government for the employment of an aged care co-ordinator. It is my understanding that the Department for Community Welfare, which administers the grant, supports the concept of employment of such an officer on a local basis, because it allows for the most effective use of the local centres and facilities.

The City of Henley and Grange has a high proportion of people who are aged over 60 years. In 1981 the census revealed that 19.6 per cent of the population of Henley and Grange was aged 60 years and/or over as against 15.4 per cent of the Adelaide statistical division as a whole. Comparable figures for the over 75 age group are: Henley and Grange 8.8 per cent and the Adelaide statistical division, 7 per cent. The population projections prepared for the Henley and Grange council in 1976 suggested that the proportion of this city's population aged 60 years and over would grow by 60 per cent during the period 1976-1991.

The Henley and Grange council has become increasingly aware of the large number or elderly people residing within its city. Recently the Henley and Grange council, through the assistance of the CEP grant, decided to undertake a formal evaluation to ascertain the problems and needs which its elderly residents are experiencing. At a meeting of the Henley and Grange council on 22 February 1983, a recommendation was adopted to establish an aged services working party to research the needs of the elderly population residing in Henley Beach, Grange and West Beach. The basic role of the working party was seen as identifying needs, deficiencies and opportunities, and recommending to the council a means whereby needs can be met, or alternatively, some mechanism or strategy which would enable the local community to meet those needs.

Representatives from various spheres of service provision to the elderly in the City of Henley and Grange were invited to join the working party. They were the Chief Executive Officer of the Western Community Hospital; the Director of the Western Domiciliary Care and Rehabilitation Services; the regional social worker, Department of Social Security; the Town Clerk, City of Henley and Grange; and the City Development Officer, City of Henley and Grange. The survey tried to assess the effectiveness and efficiency of the services provided to the elderly population and these services were day care centres, nursing homes, respite and domiciliary care and rehabiliation services, recreation and leisure services, and medical services. The assessment also took into consideration the means of providing elderly people with an opportunity to express their opinions, perceptions and needs. The survey looked at such areas as family and friends, home support services, medical services, accommodation, recreation and leisure, transport, information, the cost of services, and the local council involvement.

Among the general recommendations from the survey it was established that an aged care programme should aim to assist and encourage co-ordination among organisations, agencies and individuals involved in providing services for the ageing, so that the available resources may be used most effectively. It should aim to maintain support and develop services and facilities available in the community for the Ageing; encourage the aged and community involvement in appraising the needs of the ageing and in planning to meet those needs provide information and resources to those groups or individuals as required; and establish regular liaison and discussion of issues with those working with the aged so that an exchange of information and ideas occur.

It was also established that the expected role of an officer, if appointed, would be to implement and co-ordinate activities recommended in the aged care programme, seek appropriate funding to enable implementation of specific activities, conduct out-reach work to promote the aged care programme, liaise with committees and organisations in the Government and non-government spheres concerned with the care of the ageing, support and be available to groups and individuals in the community working with, involved in and interested in the aged care and their needs, and co-ordinate volunteer neighbourhood programmes and ensure training for all volunteers.

Among the specific recommendations there is a need to look at the area of day care centres and to give support to the Western Community Hospital in its provision of day care centres. This hospital was recently granted $250 000 by the Commonwealth Government towards the establishment of its day care centre. There is a need to provide supplementary transport to the day care centre for elderly people, either by using the community bus or by other means. There is need for assistance to be given to the Western Community Hospital in its recruiting of volunteers for the proposed day care centre to assist with the socialisation programme and integration of patients into the community.

In the Henley and Grange area and the nearby coastal area, so far as the nursing homes and hospitals are concerned, there is a need to develop liaison with these homes. It would be the aim of any officer responsible for this programme to encourage local homes to give preference to Henley and Grange residents, or to those persons who have relatives in the municipality where beds become available. I have been encouraged to see the Minister of health realise the need for the extension of information on community health matters, as this is one of the things to which we give need close attention so far as the needs of Henley and Grange are concerned. There is a dire need to receive information in the form of a booklet and in many other ways. The provision of community health information centres is something that I would like to see developed. There is a definite need for this type of activity in the Henley and Grange area.

One of the tasks of an aged care programme would be to develop a community integration programme whereby there is an increased awareness of the city's nursing homes by

the residents so that the homes are not perceived as isolated pockets of infirm aged. Part of the programme would be to encourage volunteers and local organisations to undertake regular visitation programmes. The nursing homes would be encouraged to involve patients in local events, and this is where the community bus would be of assistance. An aged care programme would include an increased participation in the domiciliary care section which would involve even more deeply the Meals on Wheels organisation.

I sincerely hope that the Henley and Grange council will go ahead with this project and that the Department for Community Welfare will look kindly at the proposal when it is put to it and that we will see in the Henley and Grange area an officer working full time to look after the aged and infirm in my electorate.

**The Hon. B.C. EASTICK (Light):** It is my good fortune, like yours, Mr Speaker, to have been in this place for some 14 years. During that period I have seen a number of Budgets introduced and heard a number of arguments relative to those Budgets and Budget documents.

I have seen a number of defences by people of both political persuasions expressing an attitude on behalf of their Party. However, never have I seen such a despicable attempt as that made by the Premier this evening in trying to defend a position which he knows is indefensible. The Premier used information which was not relevant to the sources which he claimed. He made assertions relative to statements laid down in this House over a period of time by the Leader of the Opposition, and I suggest he deliberately sought to falsify the record by suggesting that certain statements made by the Leader of the Opposition which are on the record were non-existent.

I was very pleased that the Leader of the Opposition and other members were able to clearly identify the documentation which fortified or guaranteed the validity of the statement made by the Leader of the Opposition. I trust that the Premier is man enough, as have been his predecessors in that office in this place, to come back into the House tomorrow and apologise—as I have seen happen previously with former Premiers—for the misrepresentation that he sought to perpetrate against the Leader of the Opposition. It is one thing to have a political argument, and it is one thing to have a difference of opinion—whether it be on philosophical bases or in relation to one's perception of a particular issue—but to seek to completely (which is the correct word to use in the circumstances) destroy another person's argument with spurious detail and without any clear conscience is not a situation that I hope to witness in this place again.

If we want to look at the truth of the Premier's own record, let us look at a couple of the issues in the document which he brought into the House in relation to the 1984-85 Budget. I am pleased that the Minister of Housing and Construction is in the Chamber, because the one simple example that I will give at this time is the continuous reference in the Financial Statement of the Premier and Treasurer in relation to housing, that is, that the Government purchased or had built 3 100 units in 1983-84. That is not correct. It may well be that the weather prevented the delivery of some of those units. It may well be that it was the blow-out of the period of time that it takes to effectively complete a unit, because of the lack of skilled labour and because of other delays associated in some instances with an inability to deliver the materials necessary for the housing. In some areas there is a dearth of materials for completion, and certainly there is a dearth of skilled labour to undertake the completion of contracts.

The Auditor-General's Report gives the lie to the statement made by the Premier. It has been said on a number of occasions, not only within the Financial Statement but also in other pronouncements elsewhere, that 3 100 units had been effectively added to the Housing Trust stock in South Australia in 1983-84. I would like to believe that every one of those 3 100 units had been made available. In fact, I would like to think that it had been possible to go further than that. The truth of the matter is that the Auditor-General's Report clearly shows that there were fewer than 2 900 units.

**The Hon. T.H. Hemmings:** The rest came on stream two weeks after the end of July.

**The Hon. B.C. EASTICK:** It does not matter when they came on stream after 30 June. Obviously it suits the Minister, by virtue of the answer he gave, to say that they came on stream two weeks later. They did not come on stream in 1983-84.

**The Hon. T.H. Hemmings:** You can't buy houses like you buy goods from supermarkets. You know that.

**The Hon. B.C. EASTICK:** Now we are getting a lesson in house building from the Minister. I believe that the Minister deliberately wants to miss the point, that the Government did not do what it claimed to have done. It is deliberate misrepresentation and it does the Government no good in the eyes of the community when it misuses figures to try to make out that it had achieved a result that it had not achieved.

I would be the first one to stand here and laud the Government if 3 300 units—that is the numbers that were on stream but not deliverable—had been delivered before time. We have seen that situation in a number of other major works undertaken by Labor Governments in this State. I mention one that should be well known to the Minister. The Little Para Reservoir came on stream almost 18 months ahead of schedule because there was good weather and it was possible from capital works, to include additional funds for the project to get it under way. That was lauded in this place. But this circumstance, to name just one, is a deficit of over 200 units—

**Mr Lewis:** A 6 per cent error.

**The Hon. B.C. EASTICK:** A 6 per cent error, to which the Government is seeking to lay claim. One cannot have it both ways, as has been said on a number of occasions in this place tonight. The Minister does himself no credit by seeking to lay claim to a record that he did not achieve, no matter what the reason. You, Mr Speaker, and I have witnessed, through a period of 14½ years, a number of blow-outs of quite major proportions. All of them have occurred while a Labor Government has been in office—if one thinks back to the food plant to which the Public Works Committee in the early 1970s agreed at a figure of about $4.1 million or $4.2 million. Some 21 months later when it was sent to contract it was for $7.3 million or $7.4 million. When it was delivered some two years later the delivery cost (and there was an extension of some of the equipment that went into it) was over $11 million.

I notice in the Auditor-General's documents that are before us that we are still paying quite massive sums for the Dartmouth Dam. I accept that the dam was a necessity for South Australia. But we also have the position as you, Mr Speaker, well know, that the construction of that dam was held up for over three years by a Labor Administration. The escalation of costs associated with that project was quite considerable and is being felt by the people of this State because they are servicing the debts that were associated with that project. One could go on and on. There was the debacle of the Land Commission—not the Land Commission in its original intent, but the Land Commission as it developed in the name of a Labor Government.

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

**Mr ASHENDEN (Todd):** This evening I want to address myself to remarks which were made last evening by the member for Semaphore and which were given considerable prominence in today's *News*. I have always had the utmost respect for the member for Semaphore, but I believe that the comments he made last night were either ill founded or were made perhaps because he was ill informed regarding what he was trying to achieve in this Parliament. Unfortunately, the honourable member's statements will lead to an even greater misunderstanding of the role that members in this Parliament have played and are playing. There is no doubt that on both sides of the House there are extremely conscientious members who have been re-elected at elections only because they have been seen by the electorate to have represented it well. Following the 1982 election many of the present Government members were re-elected with substantially increased majorities because of the part that they had played in representing their electorates between 1979 and 1982. Also, members who are presently on this side of the House were returned because they were seen by their electorates to have represented them well during the time that they had been in the Parliament.

I know that the comments made by the member for Semaphore have already been misinterpreted by people in my electorate. It is most unfortunate that those comments were made. I can only say again that the vast majority of members on both sides of this House are conscientious and hard working and that in this Parliament they try to the best of their ability to represent the people who elected them. Members put forward their beliefs and philosophies in the genuine belief that what they are doing is for the benefit of the State. There is no doubt that my political philosophy and the philosophies of members opposite are widely divergent in many areas. At the same time, however there are many areas on which all members of the House share common ground.

I have never criticised the press before, and it is not my intention to do so tonight, because it has a job to do in reporting to the people of South Australia what goes on in this House. Members of the press have an obligation to their employers to provide stories that will promote good sales of the papers of the companies for which they work. They have a job to do. Therefore, invariably, the procedures of this House that are given the most attention are those relating to matters on which there is often a strong difference of opinion on the two sides of the House. That may occur due to differences in political philosophies. With any two people in the street talking about political philosophy, one finds that there are strongly divergent opinions, and often words can be said in anger in the heat of the moment that later can be regretted, or perhaps one may realise that the words may have had placed on them a connotation that was not intended.

One has only to look at Port Adelaide and Norwood supporters talking together, for example, to see the difference of opinions that can be generated. Sometimes the closest of friends may exchange strong words because of their seeing things so very differently. Also, in the case of a husband and wife, even though they have strong feelings for each other, their opinions may differ and strong words can be said in anger that afterwards may be regretted and retracted; or perhaps they may have a discussion to try to come to a clearer understanding of just exactly how they each feel.

We have a situation in this Parliament where members do have strong feelings, and there are certainly times when members from both sides make statements which, when taken out of context, can and will be seen by the public as involving so-called muckraking. However, we need only look at the Bills that come before this House to see that the vast majority of them have the agreement and acceptance of both Parties. There may be minor amendments, but that never makes the media. I am not criticising the media for that. Good news does not sell papers or make good television programmes.

But, the public in South Australia can only base their opinions of politicians upon the reports in the media. When a member of this House criticises his colleagues, obviously the public will accept that what the papers have been saying is true, and that is the most regrettable aspect of the comments of the member for Semaphore last evening. I refer to the way in which his comments have been reported in today's *News*, as follows:

> State MPs have been attacked in Parliament over their behaviour and told to 'smarten up their act.' The criticism comes from the Independent Labor member for Semaphore Mr Peterson and is supported by the House of Assembly Speaker, Mr McRae. Mr Peterson slammed his Parliamentary colleagues during a stinging speech in Parliament last night.

The report goes on to relate accusations that the member for Semaphore made about the behaviour of members of Parliament. The point to which I take extreme exception is the comment that the member for Semaphore made about members who became 'so pre-occupied with trying to drag each other down that they lost sight of their real responsibility to represent the people of their electorates'. As far as I am concerned nothing could be further from the truth. I regret very much that a member of this House has made those statements and that they have been endorsed by a senior officer of this House. The report continues:

> Mr Peterson's comments . . . rocked Parliament . . . During last night's closing debate Mr Peterson told the 20 or so politicians sitting in the House of Assembly the public deserved more than it was getting from them.

Before my election to this House I was a senior executive in a private company in South Australia. I thought I worked hard when I was an executive in that company, but I never put in the hours and hours of work that I have put into my job since being elected to this House. I know that I am no orphan. I repeat: there are many members on the other side of the House, just as there are on this side, who will spend 70 hours or 80 hours a week representing the people in their electorates. We do not get any weekends off—or at least I certainly do not.

It is a Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday and every night job. When I am at home I am always available to constituents in my electorate who can telephone me at any time and they do. I do not resent or regret that. I was elected by the people in my district to be available to them whenever they have a problem, no matter what that problem is. There are 46 other members of this House and virtually all of them look at their job in exactly the same way. We are a facility available to the public; we are freely available to the public at all times, at all hours. I believe that we provide a valuable service and do an important job for the people of South Australia. Unfortunately, this aspect of our job is not recognised by many of the people in South Australia. Those who have come to their member and who have received help realise what we do. However, when a member of this House criticises his colleagues for not doing their job and not putting in their effort in the right way and so on, it hurts, and it hurts deeply—it is wrong.

**Mr OSWALD (Morphett):** During the debate this evening I would like to specifically refer to the estimates of payments of a capital nature in the Ministry of Transport portfolio, and particularly I refer to the proposed Glengowrie tram depot. The first we in the Morphett District knew about the proposals of the Government to construct a tram depot at Glengowrie was when we read a press article earlier this year saying that negotiations were proceeding with the South Australian Jockey Club and the STA with a view to estab-

lishing a tram depot on the SAJC car park west of Morphett Road.

Nothing had been said until that stage: no consultation had taken place. No-one had come from the STA or the Government to me as the local representative of the people in the area and said, 'Mr Oswald, we are doing a feasibility study into the provision of a tram depot.' No-one came near me, nor did they go near the council or approach any local residents and ask what the residents thought. They went straight to the SAJC and started preliminary discussions. It was only natural that I should seek a meeting at an early opportunity with the Minister to find out details of the plans so that my constituents would have some indication of what the Government had in mind and so that they would then be in a better position to put their views and make public comment on the plans.

To his credit, the Minister agreed that a meeting would take place between myself, the Minister and senior representatives of the State Transport Authority. The meeting was held in the Minister's office. We sat around the table and the plans were produced. I must make the point that those plans were well past the conceptual stage. There is no doubt about that. We were presented with a plan that was well and truly established.

It was quite clear that the decision had already been taken to build that tram depot. There was no question of my sitting there talking to the Minister saying, 'Maybe this will happen some time in the future.' The decision had already been taken—no consultation whatsoever with the local residents.

**Mr Lewis:** No consensus?

**Mr OSWALD:** No, no consensus and no consultation at all. It was also very evident that preliminary evaluations had already been carried out on the existing Angas Street site of the city tram depot. It is public knowledge that $3 million has been offered for that property. It was very attractive to the Government to sell it to use the money to re-establish in the suburb of Glengowrie.

Once again, there was absolutely no consultation with local residents. Never once did the Government have the courtesy to call in the local member and say, 'This is what we have in mind: put it to your local residents.' Preliminary negotiations, as I said a minute ago, had already been undertaken with the Jockey Club behind closed doors. The first we knew about it as local residents was when the *Messenger* press picked it up on the grapevine and a small insertion appeared.

It was also very evident to me that the Minister and his staff had already taken legal advice on what the reaction from local residents would be and how to prepare for it, because naturally they would expect some sort of reaction, and indeed there was. It was also very evident to me that the STA was at that stage totally committed to the project. I do not think there is any doubt about that at all, yet local residents had not been consulted.

Marion council had not even had any discussions at officer to officer level and I—as local member—had not even been brought in and told, 'This is what we are planning.' If I had been the member for Mawson, Brighton or Ascot Park I would have been in there on day one and they would have briefed me completely on what the proposal was.

I am starved of information on what is going on in my electorate. The member for Henley Beach can laugh his head off, because he knows the politics behind starving Liberal members of this House when something is happening in their electorates. The local member is the last person to find anything out. It is not a joke. Members on the other side of the House can protest and carry on: it is a fact of life. If I had been a Labor member, I might have been given some knowledge of the project; however, I am starved of knowledge down there.

In an effort to allow local residents to have their say, on my own initiative I called a public meeting because I believed that they should know what is going on. I had the co-operation of the Minister, and I thank him. He provided a sketch of the plan (an artist's impression). That meeting took place. Seventy-odd residents turned out for it and the meeting resolved on a 60 to 1 or 60 to 2 basis that they ask the STA to review the site and consider relocation. They asked the STA whether it would prepare an environmental impact statement on it; that is not an unreasonable request. The reply was that the STA did not think that an environmental impact statement was warranted. What about the residents? Do not the residents matter any more with this Labor Government? I honestly do not think that the residents matter with the Government.

**An honourable member:** People do not matter, either.

**Mr OSWALD:** That is it: people do not matter to this Government. I ask this Government: what about the opinions of my constituents? Does it not care? Clearly not! Then, to rub salt into the wound, what do I find in the Budget papers? The money has been already allocated. The Government has allocated $2.2 million to be spent by 1986, of which $1 million is to be expended this year. So, clearly, the whole of the programme—the plan and the conceptual background to it—had all been predetermined long before the Minister was gracious enough to let me into his office and long before this public meeting took place at which officers from the STA were sent down to answer questions. Clearly, the whole programme had been put together beforehand.

I come back to this question that a Labor Government does not care about what local residents think. It is not the first time in my electorate that it has done that this year. I cast the members' minds back to earlier this year when the Minister of Transport wiped off the Tapleys Hill Road Action Committee, which was protesting at the demolition of more homes than were to be demolished for the O-Bahn. He had led that committee down the garden path for two years. He let it think that he would adopt its plan—plan B—which would allow widening on both sides of the road. A couple of days before the actual announcement he told that group that he still supported its plan. What do we find? Out he comes with this option C3 against the wishes of the residents, because he obviously did not care. It is coming home to roost time and time again that this Labor Government does not care about what local residents think.

It is very clear in this case—and I can go back to the tram depot—that the Minister and the Labor Government have treated my local residents in Glengowrie with utter contempt. We, collectively, do not want the tram depot constructed on the SAJC car park. I am surprised that the racing community have not come in to bat at this time, looking to the long term future of Morphettville as the racing headquarters for South Australia, because it is a most valuable piece of real estate for the future of the racing industry.

This Government will have to have some consideration in the future for what local residents think because, if it does not learn that, it should not be in Government. It is elected by people to represent and work for the people. One does not ride roughshod over the people and get away with it because, if one does, one does it at one's peril.

**Mr BECKER** secured the adjournment of the debate.

## ADJOURNMENT

At 10.55 p.m. the House adjourned until Thursday 20 September at 2 p.m.