HOUSE OF ASSEMBLY

Thursday 12 February 1987

The SPEAKER (Hon. J.P. Trainer) took the Chair at 11 a.m. and read prayers.

WEST BEACH RECREATION RESERVE ACT AMENDMENT BILL

Mr BECKER (Hanson) obtained leave and introduced a Bill for an Act to amend the West Beach Recreation Reserve Act 1954. Read a first time.

Mr BECKER: I move:

That this Bill be now read a second time.

The West Beach recreation reserve, located in my electorate, was established by Act of Parliament in 1954. In the initial establishment of the area, three local governing bodies—West Torrens council, Glenelg council and the Henley and Grange council—were asked whether they would form the trust and contribute to establishing the capital of the trust. Unfortunately, the Henley and Grange council decided not to participate at that stage, so the Glenelg and West Torrens councils contributed a sum of money, were responsible for nominating certain persons, and made a larger contribution through their administration and assistance to the West Beach trust.

Those two councils also enjoyed the opportunity of depositing tens of thousands of tonnes of household refuse in certain areas of trust land to fill up the waste areas. The City of Henley and Grange is keen now to participate in the West Beach recreation reserve, and I think it is very important that we now incorporate in *Hansard* its reasons and its submission to the Government on this proposal.

The Henley and Grange council resolved on 19 August 1985 to advise the Minister of Local Government of its desire to become involved in the management of the West Beach trust. The decision was inspired by the recommendations contained within the report prepared by Kinhill Stearns, titled 'West Beach Trust: Development Plan, May 1985'.

Let me give a brief history of the matter leading up to the legislation. The Henley and Grange council was given an opportunity to join the trust prior to its establishment. On 5 April 1954 the Henley and Grange council agreed to the setting up of the trust, and on 20 April 1954 the council approved of the proposed trust and accepted responsibility for a third share of the $40 000 to be contributed for the development of the land over the following five years. A council election was then held and the council resolved:

> That a further conference be held with the other two councils involved in an endeavour to determine a working scheme of control in view of our recent council elections giving mandate against spending ratepayers' moneys.

It was quite significant that, at the election of 1954, the ratepayers resisted the spending of their money, particularly on such an issue. On 2 August 1954 it was resolved:

> That the Town Clerk write to the Premier indicating this council's decision to withdraw from the West Beach reserve scheme in its present form.

Council minutes indicate significant expenditure being incurred on foreshore restoration works due to storm damage, which it is assumed prompted council withdrawal on financial grounds. In response to a question on clause 37 of the West Beach Recreation Reserve Bill the Hon. T. Playford stated:

> The original proposal placed before the Henley and Grange corporation was that it would be a constituent member of the trust, with membership rights. If that corporation signifies a desire to join the trust at any time I am sure that the Government will immediately take steps, if they are not already provided for, to enlarge the trust to give that corporation full representation.

The West Beach trust was constituted on 3 March 1955 in accordance with the West Beach Recreation Reserve Act. The trust is a body corporate comprising seven members: three, including the Chairman, appointed by the Minister of Local Government; two appointed by the Minister after consultation with Glenelg council (one of whom shall be an officer); and two appointed by the Minister after consultation with the West Torrens council (one of whom shall be an officer).

Members interjecting:

Mr BECKER: I think that the performance in this Chamber at the present moment is a bloody disgrace.

The Hon. H. Allison: There are 27 people—

Mr BECKER: I do not know how many people are here, but there are about 43 conversations taking place while I am trying to have this information incorporated in *Hansard*, and reporters should have a chance to hear it.

An honourable member interjecting:

Mr BECKER: That is the type of stupid, inane interjection that I would expect from the honourable member. People from the Henley and Grange council will be interested to know that their attempts to have representation on the West Beach trust are considered to be 'nonsense'.

During 1962, 1963 and 1964 Henley and Grange council attempted to gain membership of the West Beach Recreation Trust, but a series of letters received by the council in April 1964 prevented further negotiations. On 2 April 1964 the West Torrens Town Clerk wrote:

> I advise that my council is not prepared to stipulate any arrangements under which Henley and Grange council may become a constituent council for the purposes of the West Beach Recreation Reserve Act.

On 15 April 1964 the Town Clerk of Glenelg wrote:

> My council is not favourably disposed towards Henley and Grange becoming a member of the West Beach trust, nor is it, at this stage, prepared to stipulate any terms and conditions.

On 27 April 1964 the then Premier, Sir Thomas Playford, wrote:

> Agreement was ultimately reached with the other two authorities, and the trust has been successfully established. Although the Government has provided the bulk of the money for this activity, the other two corporations have made contributions to the development of the reserve.
>
> You will see that under these circumstances the Government, having entered into an agreement, is not now fairly in a position to try and force an abrogation of the agreement made.
>
> I have always personally regretted that your members decided not to participate in the activity, which I believe is of very great importance to the area.

The major Henley and Grange council involvement with the trust includes stormwater drainage—an open channel takes stormwater to the Patawalonga creek. The traffic along Military Road has been upgraded and construction of a bicycle track has just been completed. Of course, the Henley and Grange council boundary does run through part of the West Beach trust area. From a commercial point of view, the Burbridge Road shopping centre receives significant trade from the caravan park. The Blueline drive-in theatre has great redevelopment potential. Residential accommodation is a mutual involvement, with West Beach containing many holiday flats.

In relation to the airport, the council is a member of the Mayoral Aviation Council, and, in relation to the foreshore, the coastal management problems are mutual. Whatever is undertaken in the West Beach area of the Henley and Grange council will have some impact on the foreshore west of Marineland Park, and it is essential that that area

be maintained as a very high standard family recreation beach.

I refer now to the West Beach Trust Development Plan. The Henley and Grange council was interviewed by Kinhill Stearns as council's interest in the trust's future was known. Page 6 of the report indicates council's involvement, as follows:

> The reserve is not contained within one local government area. The majority of the reserve falls within the City of West Torrens and a small portion lies within the City of Henley and Grange. The latter council is not represented on the trust, yet Glenelg City Council provides two members. Therefore, it is timely to consider whether trust representation and council boundaries are adequate or appropriate.

Glenelg council's area does not include any of the trust land. Page 47 of the report states:

> A rationalisation of boundaries, particularly with respect to the City of West Torrens and the City of Henley and Grange, is something which should be examined further by the Minister.

There has always been a considerable amount of controversy and debate as to whether this area should come under the control of the Corporation of the City of West Torrens.

I refer now to future development options. Of the four future development options, council considers they all have their advantages and disadvantages, with some modifications, as I have already outlined. Council is prepared to contribute financially to a regional swimming pool which may be ideally sited on trust land.

Of course, the western region lacks an olympic sized swimming centre. At some point in the future, as the Government considers the upgrading and provision of sport and recreation facilities of a standard suitable for the Commonwealth Games, the western suburbs will have to be considered as a site for a major swimming centre. Whether it will be in the Henley and Grange council area, which is currently being discussed (as the member for Henley Beach knows), or in the West Beach recreation area does not matter. However, it must be considered because a portion of the West Beach trust land could be ideal for that purpose.

The location of the Fisheries Research Station has been resolved. Back in 1977 I asked that a Fisheries Research Station be established and suggested that it be located at Marineland Park adjacent to Marineland, as we know it, with the large aquarium and dolphin and seal training and performing area. Work is now starting on this research station, and that will add to the benefits of the complex. Of course, unfortunately, we have the barrier of the Glenelg sewage treatment works on the southern side of Marineland Park. The treatment works does provide sufficient effluent water for the entire area. When one considers that it is an area of about 146 hectares, one realises that a considerable amount of water is required to support the golf course, the reserves and the ovals which all come under the responsibility of the West Beach Recreation Trust.

As far as the Henley and Grange council is concerned, it must consider the following future management issues: foreshore controls, road traffic and tourism. Some 3 000 accommodation units, including space for tents and caravans, are available in the area. The question of stormwater drainage presents a large problem at times. There must be a resource development program for capital works, including major landscaping proposals and proposals from private enterprise for major capital works development, as we now see with the redesign and redevelopment of Marineland (as we know it). A variety of expertise is needed to cope with these issues. Therefore, it would not be unreasonable to extend trust membership to nine persons.

Local government has both the human resource expertise and experience in dealing with all these issues, so that appropriate representation should be mutually beneficial to the trust and the State Government. Tourism is a major issue which cannot be treated in isolation. In the 'Grapevine' column on page 4 of the *South Australian Tourism News* of February 1986, the Minister of Tourism was quoted as saying:

> I believe that tourism development must always be underscored by an understanding that the quality of our unique lifestyle here in South Australia needs to be preserved.

Management of the trust by 'locals' will ensure that progress will be achieved but that our unique lifestyle will be preserved. The Henley and Grange council is extremely interested in its tourist potential, which complements a main activity of the trust.

The advantages of membership would be indirect, and are mainly intangible. They stem from the significance of the West Beach recreation reserve as a tourist attraction (existing and potential) and as the major accommodation centre for tourists in the vicinity of Henley and Grange. Any major promotional activity undertaken by the council needs to incorporate attractions offered at West Beach, and the high degree of coordination likely to result from council representations as the trust could only be beneficial.

No obvious disadvantages are likely to accrue from membership. However, the last time council made inquiries about membership it was inferred that the council would have to buy its way in. Given that the other two councils contributed substantial sums of money in the 1950s for the opportunity to participate, this is likely to be raised again. However, as this council is likely to receive only indirect advantage from membership any monetary contribution at this time would be unrealistic.

As I said earlier, the two councils that made the contribution initially for the capital required by the West Beach trust received far more than $40 000 worth of benefit in depositing household waste garbage on land which was filled and which is now used as part of the recreation reserve. So, the two councils that made the initial contribution benefited substantially by using the waste area and the low lying areas of the West Beach trust to deposit household refuse.

Furthermore, hundreds of thousands of tonnes of sand was taken out of the area to help in the early days to provide working capital for the trust, and I am quite sure that the two councils also benefited from the opportunity to obtain infill for their council areas. In conclusion, the Henley and Grange council states that it agrees with the report of Kinhill Stearns that:

> Clearly, there is a need to review the future membership of the trust both in terms of local government representation and the future development directions of the area.
>
> The Henley and Grange council knows where it is going as an organisation as depicted in its action plan. It has policies, objectives and programs to achieve its goals. Council has demonstrated it has all of the following attributes: progressive; imaginative; opportunist; personal; efficient and effective—

I can quite agree with those statements—

> These attributes would benefit the management of the West Beach Trust, therefore your action to enable council membership on the trust would be beneficial to all concerned.

Because negotiations have been continuing for so long and because of the unique history of this area, I believe that now is the time to move positively to allow representatives from the Henley and Grange council to be elected to the West Beach trust. In the past the trust Act has been reviewed on several occasions. Going back to 1954 a positive move was made to alter the legislation to admit the Henley and Grange council to the membership of the West Beach Recreation Reserve Trust. I believe that, for all the reasons and points put forward by the Henley and Grange council in its submission to the Minister, and because of the future devel-

opment and the positive moves that have been taken over the last 15 years in the area, this is desirable.

One can now witness firsthand what has been happening in relation to the long-term planning that was taken some 30 years ago. Leadership has been given to the West Beach trust by the representatives of the Glenelg council, the West Torrens council and, in latter years, by a handful of public servants who are now admitted to membership. Further, very active leadership has been given by past Chairmen, including a Mr Jack Wright, formerly of the E&WS Department, and now we have the former Minister of Local Government, the Hon. Geoff Virgo, as Chairman of the West Beach trust. He is determined that there will be a considerable amount of expansion to clean up this area and develop it as it should have been developed.

We have witnessed the additional golf course. We are witnessing the 40 year lease given to an interstate consortium to develop and spend approximately $10 million upgrading Marineland as an activity centre. More importantly, it is to get on with the marketing of the tourist aspect of West Beach trust. It has one of the largest and probably one of the finest caravan parks in South Australia, if not Australia. It has a large area to accommodate those who want to use tents, and there are on-site caravans and chalets which were built a few years ago. All in all, it is a very neat package with a superb golf course and golf club. It therefore needs a little bit of help by the additional representation so that we can provide for the whole of the local government representatives in that area.

Clause 1 provides for the short title. Clause 2 is the interpretation clause. It amends section 2 of the principal Act and amends the list of constituent councils to include the Henley and Grange council. Clause 3 alters the membership from seven to nine and allows for elected representatives from the Henley and Grange council and an officer from the Henley and Grange council. Clause 4 amends the quorum of meetings from four to five. I commend the Bill to the House.

Mr FERGUSON secured the adjournment of the debate.

HISTORIC MONUMENTS

Adjourned debate on motion of Mr Robertson:

That this House request the Minister of Aboriginal Affairs to investigate the establishment of a series of historic reserves or monuments, similar to the network of national monuments in the Unites States, to mark the location of some of the more significant episodes in the history of European colonisation of the State and, further, this House determine that such monuments should only be erected after consultation with and subject to the approval of the relevant Aboriginal organisation.

(Continued from 3 December. Page 2707.)

The Hon. P.B. ARNOLD (Chaffey): On 3 December I sought leave to continue my remarks in relation to this matter. On that occasion I stated that I sought additional time to discuss this motion before the House with representatives of the Aboriginal community. During the Christmas break and just recently I had discussions with the Chairman of the Aboriginal Lands Trust, Mr Garney Wilson, who was totally unaware that such a motion was before the House.

I can only say that I find it strange that anyone would bring before the House a motion relating to Aboriginal affairs without having discussed the matter in detail with the Aboriginal community. I am not saying that the proposal that the honourable member is putting forward does not have value; it could be very worthwhile, but here again we have a situation where a member of this place is putting forward something in the House which he believes is in the best interests of the Aboriginal community, yet it would appear that it has not been discussed in detail with them. One thing we should have learnt by now is that we need to facilitate the needs of the Aboriginal community in the same way as every other group when considering matters in this House. However, it certainly is not our position to try to tell the Aboriginal people what is in their best interests.

Certainly the proposal is in line with what has occurred in the United States and, if the Aboriginal community believe that it is a good thing, then certainly I would lend my support to the motion before the House. I have forwarded to Mr Wilson, as Chairman of the Aboriginal Lands Trust, a copy of the motion so that he may put the matter before his board and we can get a response from him. He said that he will look at it, discuss it with his board and come back to me with the attitude of the Lands Trust to the proposal. It is quite on the cards that the Lands Trust will support what has been put forward, but I am not prepared at this stage to continue and take a decision without knowing exactly where the Aboriginal community stand.

I suggest also that it could be well worth the honourable member's while, if he has not already done so, to discuss the matter with the present Chairman of the Outback Areas Community Development Trust, Lois O'Donoghue, a highly regarded person in this State and throughout Australia. Her contribution or comments in relation to this matter would be extremely worthwhile. I hope that the matter will be discussed further by the honourable member with the Aboriginal community. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

BELAIR RECREATION PARK

Adjourned debate on motion of Mr S.G. Evans:

That in the opinion of this House the name of the 'Belair Recreation Park', which was the first national park in South Australia, second in Australia and tenth in the world, should be altered back to the 'Belair National Park'.

(Continued from 27 November. Page 2478.)

Ms GAYLER (Newland): I wish to oppose the motion of the member for Davenport which seeks to change the name of the 'Belair Recreation Park' to 'Belair National Park'. I do so for a number of reasons. The recently exhibited supplement to the Belair Recreation Park draft plan of management looked into the question of the name of that park. There were only five responses in relation to that issue, three of which supported the current classification and name of the park and two of which suggested an alternative classification of 'Heritage Park'. The supplement was a well publicised document, particularly as it dealt with other controversial issues, most particularly the question of horse riding within that park. So, there was a good deal of publicity about the management plan and the proposals.

The South Australian National Parks and Wildlife Act provides for proclamation as a national park areas containing wildlife or natural features of national significance. Notwithstanding the historic and conservation importance of Belair its natural features are not, according to the National Parks Service, considered to be of national significance. The definition of 'national park' by the International Union for the Conservation of Nature states:

A national park is a relatively large area: (1) where one or several ecosystems are not materially altered by human exploi-

tation and occupation, where plant and animal species, geomorphological sites and habitats are of special scientific, educative and recreative interest or which contains a natural landscape of great beauty; and (2) where the highest competent authority of the country has taken steps to prevent or to eliminate as soon as possible exploitation or occupation in the whole area and to enforce effectively the respect of ecological, geomorphological or aesthetic features which have led to its establishment; and (3) where visitors are allowed to enter, under special conditions, for inspirational, educative, cultural and recreative purposes.

Members can see from that that the Belair Recreation Park does not meet the International Union's definition of a national park. Nevertheless, to proceed to proclaim Belair as a national park would result in policies and practices which apply to national parks being applied to Belair. Amongst other things that would mean that the entry of dogs into the Belair Recreation Park would be prohibited—an issue which does not seem to have been dealt with by the member for Davenport. The entry of dogs on a leash is common in South Australian recreation parks, as opposed to national parks. The alternative to that would be to allow dogs in national parks, and that would be at variance with a nationwide policy applying in Australia adopted after extensive debate and agreed to by the various State and Territory conservation Ministers.

In conclusion, while there is some limited sympathy for a change of name in relation to the Belair park on historic grounds, such a suggestion did not receive much public support and it would create a number of policy and implementation problems which would be difficult to solve.

Mr S.G. EVANS (Davenport): I am amazed by the response I have received from the other side of the Chamber. This change of name is an important issue. We are attempting to change the name of this piece of land back to the name it held for nigh on 100 years. I believe that the Minister, at least, could have expressed a view instead of ducking the issue. Because the Minister ducked the issue we know that there is more sympathy—

Ms Gayler: He's not here.

Mr S.G. EVANS: I am told that the Minister is not here. However, the Minister has representatives on the front bench, if he is not available, and there has also been an opportunity to debate this matter for many months. Even the Minister of Transport has written to me recently calling the park the Belair National Park. Throughout the community the park is recognised by the vast majority of the population as the Belair National Park. It was one of the very earliest parks to be called a national park in this country and in the world, regardless of whether or not the trend is to let dogs in. I will follow up that matter on a future occasion and tell the member whether she is wrong, because I believe one national park in Victoria allows dogs to enter. It is some time since I was there and I need to check whether that policy has changed.

That does not alter the fact that we in South Australia have known it as the Belair National Park for nigh on a century. Suddenly the new trendy view is to call it a recreation park when part of it could accurately be called a conservation area. It has one of the few caves in the Hills in which Aborigines could shelter from the weather. Local schoolchildren have been taken there, to my knowledge, for 50 years (I was taken there as a boy of six) to be told about the heritage and the history of the area.

I admit that the park has tennis courts and a golf course. Those facilities were proposed and worked for by Gooch when he first promoted it. The *Advertiser*, in editorials in 1881, advocated that it was there for that purpose. The railway line, which was begun in 1879 and completed in 1886, gave the people on the plains a convenient and, at that stage, most modern method of transport to a place in the Hills. What a boost the railway was to transport right throughout the State, not just for that area.

So, the *Advertiser* and those who believed in conservation and recreation fought to have the park called a national park, and it was established as a national park. The only reason why the Parliament and the Government of the day in the mid-1970s decided that they wanted to change it to a 'recreation' park was that they were frightened of the conservationists. They thought that, because there were ovals, tennis courts, and a golf course and because people went there for barbecues and the like, they could get away from the conservation argument and call it a recreation park, although its character had not changed from the day it was declared a national park, even when the Governor's residence, with its indoor swimming pool, was there and when it had a Government commercial body within it, namely, the nursery of the Agriculture Department and the Department of Woods and Forests. All of that was part of the national park. Yet, on this important issue, only a member on the farthest of the back benches opposite has spoken. She says that she, as an honourable member, does not agree with the motion. No Minister or other member from the ALP has said that it is Government policy to have the name as it is and give the reasons why.

We hear that a conservation of nature resource organisation, a worldwide body, has expressed a view. That does not mean that we have to be bound by that view of what is a national park. Many a national park in the world (and if I had time I could name them) does not conform strictly to the views that are expressed by the conservation of nature resource organisation. That was just a red herring drawn across the debate because the Government does not want to front up to the issue, as it knows that the vast majority of people in the community recognise that park as a national park. People of my generation right down to children still see it as the Belair National Park, albeit that the present Minister is spending $70 000 foolishly to put a fence around it, alongside the golf course, and that fence has failed.

That fence has been there for less than 10 years, and already one can walk through it at many spots. It will not keep out any form of animal life, let alone vermin and foxes, as claimed by the Minister. So, we spend $70 000 on a recreation park. Surely a recreation park—if that is what the honourable member wishes to call it—is a place where people can have recreation. If we fence it with a barbed wire fence, with ordinary rabbit or chicken netting on the bottom, how can it be a recreation park?

If one wants to walk into it but lives on one side of it, one has to walk for three or four miles to get to the park gate. How, then, can it be a recreation park? How can it be the same as our parklands in Adelaide, which are not fenced and into which one can walk and enjoy at any time? The Minister says that there are some kangaroos there which have been introduced in recent times. The koalas will not be affected by dogs and foxes because very seldom have they been caught by such animals. Smaller koalas may be caught by foxes, but very seldom does that occur. The fence will not keep out the dogs and the foxes. It is a joke to build a fence less than 1.5 metres high, with ordinary netting of about 0.9 metres high with a couple of barbs on the top, and say that it will keep out foxes.

As for the culverts, the fence will be alongside the railway bridge and two trains can pass under the bridge, where there will be no fence. Trains can go through the gap, but dogs and foxes will not walk through it. What a joke! We could ride 20 horses through it, yet they propose to put that sort of fence around it and call it a recreation park. I believe

that they need to re-create their thoughts. I make the point again that I know I will lose the vote, just as I know that those in the community who believe that it should be a national park will lose the day today.

But, we will come back again next year and get the point over to at least the honourable member—the only person who had the courage to speak on the issue—as to how many people really want it called a national park. I would have thought that commonsense would prevail. When the Minister of the day is still writing letters to people saying that some of the Belair National Park must be taken to widen the Upper Sturt Road because the park encroaches onto what is thought to be a road reserve at the moment, it shows beyond doubt that within the Government—in the Highways Department and in the office of the Minister of Transport—there are people who believe that it should be called a national park.

It is not a recreation park in the true sense, because the Government is stopping people from having free access for recreation. It is spending $70 000, when we are short of money, to put a fence around a piece of land to which people have had free access for 100 years. It has been there and made available to the public for 100 years. The *Advertiser* wrote a story in 1881 advocating that the Government not sell it for subdivision, or allow the foresters to cut down the trees. Rather, they should be left so that the people of the future could enjoy them. Those stories stated that it was a place for the people, with easy access for the public.

Today we find a Government which appears not to want to commit itself but puts up a backbencher who has done some work in a particular department and who has used all the theories in the world. I come back to commonsense to express the honourable member's view, not that of the Government. They will show by a vote where each of them stands, and we know they will stand together on such an issue. Their rules do not allow them to step aside very often, not even on private members' issues such as this.

Of course, I am disappointed. It was a fight worth winning which is lost, and commonsense, I hope, will prevail in the future. I hope that it occurs before the hundredth birthday of that park. I hope that in 1988, the bicentennial of this country and the centenary of the park, we will have changed the name back to the Belair National Park, as most people believe that should be its name.

I hope that members support me in relation to this matter and do not walk away from it as a result of some fancy ideology being expressed by an individual because a world organisation tells us what we should call a piece of land as a consequence of its use. There is recreation in this park, Aboriginal heritage in the caves and conservation. There are also the great trees—the monkey trees, or whatever they are called—that were planted by the pioneers in early days. Within the park there is also a house that was once the Governor's residence, a commercial enterprise (the nursery), and the golf course, which is privately operated. People throughout Australia have been to the Belair park and left it believing that it is a national park. We have foolishly messed around with its name and call it a recreation park. I hope that it can be renamed the Belair National Park.

The House divided on the motion:

Ayes (15)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, Blacker, Chapman, Eastick, S.G. Evans (teller), Goldsworthy, Gunn, Ingerson, Meier, Oswald, and Wotton.

Noes (23)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold and Blevins, Ms Cashmore, Messrs Crafter, De Laine, Duigan, and Ferguson, Ms Gayler (teller), Messrs Gregory, Groom, Hamilton, Hemmings, Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Plunkett, Rann, Robertson, Slater, and Tyler.

Majority of 8 for the Noes.

Motion thus negatived.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL (No. 4)

Adjourned debate on second reading.

(Continued from 6 November. Page 1932.)

Mr OSWALD (Morphett): I support the Bill, which seeks to empower the Supreme Court to impose a sentence of imprisonment for natural life. In fact, clause 2 provides that an order may be made only where the court is satisfied that the circumstances of the offence are exceptionally serious and that the order shall be made in the interest of ensuring the safety of the public. Where the court makes an order under the relevant section, the order may not be subsequently varied or revoked except on appeal; the court shall not fix a non-parole period in respect of the sentencing and any existing non-parole period is a nullity.

During the second reading debate on the member for Davenport's Bill the Minister of Education had very little to say. In his opening remarks, the Minister of Education said:

> The honourable member who introduced this legislation seeks to restrict greatly the number of options open to the courts . . .

On my reading of the Bill it does not do that at all. The court will retain the options available to it at the moment. The member for Davenport's Bill seeks to give a judge the power, where the circumstances of an offence are exceptionally serious (and it will be left to the judge to decide that), to imprison an offender for the term of his or her natural life. The Minister of Education also said:

> Unfortunately, the community in South Australia . . . forms judgments that are often based on very little information about the material that has been adduced by a court . . .

In fact, the Minister is really saying that the public are ill informed and should not cast judgments on lenient sentences coming out of the courts.

It is interesting to note that the Attorney-General is waxing long on this very subject at the moment. He is recognising and airing the concern that is abroad in the community at the moment that the sentences being handed down by the courts in this State are manifestly inadequate, and he is attempting to do something about the matter. I shall quickly examine the mood prevailing amongst the South Australian public at the moment in regard to the judiciary and the penalties that are being handed down by that august body.

I refer to the results of a Gallup poll published in the *Advertiser* of 24 October last year. To me, the result is frightening. It indicated how low the confidence of the public has dropped as regards the judiciary that is supposed to administer law and order in this State. The Gallup poll indicated that only 15 per cent of people in South Australia had full confidence in the judiciary. Some 85 per cent of the public of South Australia no longer had full confidence in the judiciary. I think that that is the most appalling piece of information that has ever come from a Gallup poll in this State: it is absolutely frightening.

The reality of the situation in South Australia is that the Government, by its actions, has removed any deterrent to a would-be offender to commit a crime. The whole purpose of penalties is to provide a deterrent so that a would-be offender thinks twice about what he intends to do. The Government has removed that deterrent in this State. This

is also reflected in the Police Commissioner's report, which is about to be tabled, but which has already been leaked to the media. The report shows that 164 765 offences were committed in 1985-86. In the previous year only 146 376 offences were committed. Offences against the person—and I refer to murder, rape, serious and minor assaults, and assaulting police—are up another 15.9 per cent in South Australia. Cases of rape have increased by 18 per cent over the past 12 months; cases of murder went up by three, to 19 in this State. In 1985-86, under the Bannon Government, we had the worst year of crime in the State's history—at a time when the Gallup poll showed that 85 per cent of the public no longer had confidence in the judiciary.

I ask members to consider those two sets of figures. I ask, 'Why has this happened?' I put to members that it has happened because the Government has removed the deterrent to commit a crime. The member for Davenport's Bill is part of the Parliament's process in giving to the judiciary a deterrent in relation to one of the most heinous crimes. In the whole area of offences committed by the public and in the public arena (such as murder, rape, assault, theft, public disorder, burglary—one can spread the net as wide as one likes) would-be offenders no longer fear the consequences of their actions, if caught. I defy any member of this House to deny that statement. In this State, in contemplating the commission of an offence, the consequences of being caught do not seem to matter, because the penalties and the time spent in gaol no longer fit the crime. It is a fact of life. The member for Davenport's Bill refers to the sentence of life imprisonment meaning just that in certain circumstances.

Murder is committed in many circumstances. A husband or wife may murder his or her partner under emotional circumstances and may never repeat that offence again. He or she may have committed the crime on the spur of the moment. Regardless of the penalty, they were probably so emotionally tied up at the time that they did not consider the consequences. It would not matter what deterrent was placed into the legislation: they would still commit that offence. However, there are many cases when a life conviction will act as a deterrent. I believe that the judges should be given this opportunity.

At the moment, offenders can be detained at the Governor's pleasure, but this usually seems to be reserved for those cases in which the psychiatric report establishes mental illness or that some extenuating circumstances surrounded the crime so that they should be detained at the Governor's pleasure. But, either way, it usually gets back to some mental reason. The member for Davenport's Bill is not directed towards those one-off crimes of passion which individuals on the spur of the moment may commit. I believe that it is directed at the cold blooded, premeditated killers who stalk our community—those who kill and maim with violence or those who kill or mentally maim sometimes by the sale of drugs. We are looking at those types of individuals and saying to the judiciary: we are giving you a penalty which will act as a deterrent.

Some offenders spend many months, indeed years, fantasising and planning their crimes—not the one-off quick offence, the crime of passion—and go out and perform the most heinous crimes. A classic example was in the press this week when a judge in Western Australia had before him probably one of the most heinous crimes that we have seen reported in the media for years. The judge said, 'I cannot give you the penalty which I believe the crime deserves. I am of the opinion that you should never be released.' The judge had the facts before him, and there are times when circumstances prevail and when these facts are such that the judges do think that. I am sure that in South Australia when the courts have considered the circumstances of a case the presiding judge has stated, 'All I can do is give you the mandatory life sentence, which means you will be out in perhaps 16 years or less, depending on your good behaviour,' and they do not have the power to do otherwise. A headline in a recent paper stated, 'Sex joy killer should never go free'. My God, he should never go free. Eighty-five per cent of the community which says it has lost faith in the judiciary in this State also would agree that he should never go free.

The Minister of Education will not support the member for Davenport's Bill to give the judges in this State the power to make those decisions. That is why under this Government 85 per cent of the community has now lost faith in the judiciary of this State. A headline in the last *Sunday Mail* stated, 'Bedroom bandit stalks the suburbs'. The article stated:

> A bedroom sex attacker is terrorising teenage girls living in Adelaide's eastern suburbs. The attacker in one case used a cloth soaked in ether in an attempt to render his victim unconscious.

The article goes on and puts fear into the public. They know that, when this man is apprehended, he will get his mandatory 20 years, if he gets life imprisonment, and will be out in the community in maybe a dozen years. If this man keeps doing this sort of thing, going to the trouble of getting ether, stalking his victims and fantasising for months beforehand, he is a premeditated vicious killer and should be put away. However, the judiciary of this State does not have the power to do that. That was just a recent example, so the public remains behind locked doors. All of us who go doorknocking around this State know that we have wire grilles to talk through because the people are scared. The 85 per cent of the people who have lost faith in this State's judiciary are scared. There was also the killing of a Family Court judge in Victoria. What deterrent is there for that sort of thing happening when someone can premeditate the murder of a judge?

There is no deterrent that, if he gets caught, he will be imprisoned for the term of his natural life. A court hearing is coming up (I will not mention names) regarding a case in Norwood with which most members are familiar. Concern exists that the ultimate sentencing judge will not have the power to do what he may wish to do in this case. The Attorney-General has shown interest in rape sentencing. He took up the gauntlet on behalf of the community. In this respect I refer to the heading 'Rape sentence shocks Sumner' in the 9 February issue of the *News*. Mr Sumner showed great concern at the penalties handed down to a person who had a great list of offences including rapes, armed robbery, shop breaking, assault, and so on. He went out on bail, stole rifles, shotguns and ammunition. He had a further rape sentence and the like and eventually got six years. I will not read the article in depth, but he received six years, and the judge would have been concerned about what he could do with that offender. The community expectation is that these people should go away, be locked up and the key put away.

I have never run away from the question of rehabilitation. I believe in rehabilitation of offenders. Some very successful programs have worked, but there are occasional offenders, such as the one in Western Australia currently, whom all the rehabilitation in the world will not fix. The 85 per cent of the community that has lost faith in the judiciary has said 'Enough is enough.' The judges must have the power to recognise serious offences, and it is usually the sex and murder related offences, premeditated over many months, that concern people. We say to the judges that we would like as a Parliament to give them the power. I ask the

Government to support the member for Davenport so that judges here have that power. I commend the Bill to the House and say in conclusion that, if the Government has not recognised the public demand to put these sadistic killers away for the term of their natural life, they have misread the tenor of public debate. I support the Bill and urge all members to do likewise.

Mr TYLER secured the adjournment of the debate.

STANDING ORDERS

Adjourned debate on motion of Mr S.G. Evans:

That, in the opinion of this House, every word of the masculine gender that appears in the House of Assembly Standing Orders shall be construed as including the feminine gender, and therefore it would be a waste of taxpayers' funds to rewrite and print a new version of the Standing Orders to specifically cover the feminine gender.

(Continued from 20 November. Page 2169.)

Ms GAYLER (Newland): I move:

Leave out all words after 'House' first occurring and insert 'since the House has ordered a reprinting of the Standing Orders to accommodate the many amendments since 1972, the opportunity should be taken to express the Standing Orders in gender neutral terms'.

The last reprint of Standing Orders was in 1972. There have been numerous amendments since then, particularly in March of last year, where substantial amendments were made, including changes to the programming of business of the House, to provide for more orderly conduct of business, and to introduce time limits for speakers.

As a result of that round of amendments the House took a decision (in March 1986) to order a reprint of Standing Orders. The member for Davenport's motion assumes that any reprint of Standing Orders to include the feminine gender would be simply for that purpose and, therefore, would be a waste of taxpayers' money. On the contrary, it seems to me that when Standing Orders are next reprinted it would be timely and efficient to also adopt gender neutral language, thereby saving taxpayers' money.

Gender neutral language has successfully been used in Bills that have recently been introduced into the House. Also, most members have been able to cope with the increasing representation of women in the Parliament and use appropriate forms of address. For those reasons I urge members to support my amendment.

The Hon. JENNIFER CASHMORE (Coles): I have pleasure in supporting the amendment moved by the member for Newland. I had intended to speak in opposition to the motion moved by the member for Davenport. I feel most strongly about the subject of language, and this particular aspect of language is critically important to everyone of us for a whole variety of reasons. I am pleased that the member for Newland has removed the essential heat from the argument and has, thus, reduced the argument to terms of principle which, I believe, do not relate entirely to finance but relate more to the philosophical aspect of what kind of language we use in Standing Orders of this House and in the statutes when we are referring to men and women.

Do we lump them together and assume that the male pronoun accommodates the female or do we give everyone the dignity of their identity by acknowledging it through language? Language is the means of communication and communication not only is information but also embraces ideas, principles and values. The differing forms of language, for the purpose for which we intend to use them, vary enormously. For example, the languages of love, humour and technology all use different styles. The languages of authority, command and law are obviously of paramount importance, particularly in the Parliaments of this nation and, indeed, of the world.

Since the dawn of Parliament there has been an assumption that members of Parliament are men only, and that only men are in any position of authority or are in any position to make decisions. That assumption, starting at the top with the makers of the statutes, follows right down (or has done so throughout history) in all official documentation. I believe that that has had a very profound effect on the whole structure of society, the way in which men and women see themselves and the way in which children growing up see themselves, and thus perpetuate the values of previous generations.

I am not accustomed to being personal in debates, but on this occasion I do not mind expressing my own feelings on my entry into this Parliament, on my service in Government and on my experiences in public life as a woman amongst a group where the majority are men. Can many men in this Parliament imagine what it is like to be a woman alone in a large group of men, a woman who has identical responsibilities to those men, and to be addressed collectively with those men as 'gentlemen'? I hasten to add that this applies not to my colleagues but to others. Can anyone imagine what it is like to feel like a non-person amongst people who are your peers? I can tell you that it is not a nice feeling.

It may seem to many people like nothing at all, but to the individual concerned it is a profound feeling of loss of identity and importance, and a feeling almost of worthlessness. As the only woman Minister in a Cabinet of men, I became unhappily accustomed to being addressed as 'gentlemen'. There was no reason whatsoever why the person or people addressing us should not have addressed us as Ministers just as we, as members of Parliament, can be addressed as members. There is no need to address us as 'ladies and gentlemen' if it is appropriate that we can be addressed as members. There is almost invariably—I do not say always—an appropriate way to address people which does not completely neglect or ignore either a man or a woman, if one or other is in the minority in a group of people, or does not somehow or other isolate them by highlighting their difference and naming that person either as an individual or with a heavy emphasis on a different word.

I am a great believer in the power of example and, if example is important anywhere, it is important in the highest courts in the land, that is, in the Parliaments of this country. I therefore believe most strongly that the words we use when referring to men and women (in other words, to people) should be gender neutral.

The long history of the assumption that the male pronoun will satisfy everyone could be described as thoughtless. One could certainly describe it as arrogant. One cannot blame the past or the people who perpetuated this, because those people were the product of their social environment, education and upbringing, and, if you like, conditioning and beliefs. But, today, things are different. We live in a world where women are taking their place wherever it may be appropriate for us to be serving in one capacity or another, and that is virtually everywhere. I could say the same for men. It is therefore entirely inappropriate that that dual form of service is totally ignored in the statutes or Standing Orders of this House.

I was not aware when I saw the motion on the Notice Paper that a reprint of Standing Orders was imminent. The fact that it is makes this motion timely. I have pleasure in

supporting it and I believe that, when it occurs, there will have been a small but highly significant and highly symbolic step forward for men and women—for people—and especially for children, for the rising generation of girls and young women everywhere.

Ms LENEHAN (Mawson): I support the amendment of my colleague the member for Newland. Like the member for Coles, I would have spoken in opposition to the motion had not a very sensible amendment been put forward by the member for Newland.

Quite obviously, as the member for Coles has said, language is incredibly important. Language is the fundamental means by which we communicate and my experiences have been very similar to those of the member for Coles with respect to being in groups of people where your presence is not acknowledged or (and this is even more embarrassing) is acknowledged as an afterthought and attention is drawn to you as though you are some kind of oddity and really not a part of a group, and it is sort of laughed at and an exception is made. I could not help noticing that some members opposite—at least one in particular—are a little uncomfortable with what perhaps could be seen as a leap forward and they find it rather amusing. I guess that you have to really be in a minority group to appreciate—

The Hon. D.C. Wotton: Who are you talking about?

Ms LENEHAN: If the cap fits, you may like to wear it, but I was not referring to you at all.

The Hon. D.C. Wotton interjecting:

The SPEAKER: Order! The honourable member will direct his or her remarks to the Chair.

Ms LENEHAN: Thank you, Mr Speaker. I believe that this motion is a significant move forward. Some of us on the Government side who have been involved with legislation that has been coming into Parliament have for a long time been gently reminding some of our ministerial colleagues that it is important to have gender neutral language. The Ministers have been very sensitive to our representations, and the use of language has been gender neutral in many Bills.

So, to that extent we already have the precedent of the Parliamentary Counsel being able to draft legislation in gender neutral terms. It is not something that is going to create a great deal of extra work in terms of finding the right use of language.

In his motion, the member for Davenport talks about cost. Obviously, as the member for Newland pointed out, we are now looking at reprinting Standing Orders, so that factor has been reduced if not completely removed. Also, the motion shows a degree of insensitivity by the member for Davenport about how members on both sides of Parliament view themselves and their professionalism in their work. It is really important that every member of Parliament is recognised as having equal value and equal worth. The member for Newland's amendment recognises that, in having it written into the statutes and Standing Orders. Certainly, I heartily congratulate her on moving her amendment, and I support it.

Mr S.G. EVANS (Davenport): I appreciate the comments made by members. I point out to the member for Mawson that I would have moved the motion anyway, even if Standing Orders contained the word 'female' and expense was incurred in changing it to 'male'. It just so happened that that is the way in which Standing Orders were written. I spoke about cost. I did not talk about whether males have precedence over females or females over males. I did not even try to worry about the middle sex regiment about whom we might have to worry in the future when we are not sure what they are.

I moved my motion sincerely because of the cost factor. I raised the matter with someone, but I was not aware that Standing Orders were to be rewritten. It was raised with me that there was much work in rewriting Standing Orders and that, if I fiddled around with this motion it would place much work back on someone in this establishment. The member for Mawson indicated that the redrafting of Standing Orders will be in the hands of the Parliamentary Counsel. If that is the case, I am thrilled. If the Government will make someone available to rewrite Standing Orders, instead of putting the burden on the staff here who are already overburdened, that thrills me. The member for Mawson has given such a commitment.

Ms Lenehan: I did not—

Mr S.G. EVANS: The honourable member said that the Parliamentary Counsel would be doing the redrafting. I shall be happy if that happens. Another point I wish to make concerns cost. Certainly, I hope that we never again print a fancy book like the existing Standing Orders because every time we amend it we have to think about reprinting. I believe it should be a loose leaf production. If it is, then something else has been achieved in this debate and that also pleases me immensely because there is less cost in that.

We know that there is a lot in language and that sometimes there is much misinterpreted in language. We know that. We know people can be alone. All of us have experienced being alone while being in a group of people. Many of us have experienced that for many reasons. Sometimes it results from our own actions and sometimes from other circumstances. Certainly, I do not oppose the amendment. As Standing Orders will be rewritten, there is great merit in making the change, but that was something about which I was not sure when I moved the motion. I moved it because, as I said when speaking to an earlier matter this morning, the question of costs in our society is now a matter of grave concern to me.

We have to start looking at every area. I heard the rumblings on the grapevine that certain people wanted to make sure they got rid of the straight-out male terminology in the Standing Orders, and I thought I would make sure it was brought to a point where it was debated—and some good has come of it. We have had a couple of excellent speeches, in particular, that from the member for Coles, so I am quite happy to accept the amendment and let the motion stand as amended.

Amendment carried; motion as amended carried.

MINISTERS' REPLIES

Adjourned debate on motion of Mr S.G. Evans:

That in the opinion of this House the rulings of successive Speakers in allowing Ministers when answering questions to use debate in that answer and also to raise subject matter not directly related to the question, are not in accordance with this House's Standing Orders or its accepted authority, Blackmore.

(Continued from 25 September. Page 1224.)

Mr S.G. EVANS (Davenport): As I mentioned to the Speaker in the early part of last year, I did not really wish to go on with this motion, but I believe that towards the end of the year we got back into the bad habit of Ministers giving long answers and, in fact, debating matters. We agreed to the change in Standing Orders back in the 1970s, long before most of the current members were in this place, on the basis that there would be cooperation from Ministers, that the system would not be abused and that we would

stick to what the Standing Orders really say. At that time, people like the Hon. Mr Hudson and the Hon. Don Dunstan played around with words, as lawyers or intellectuals may do, and that was really just manipulating the English language. Standing Order 124 reads:

> In putting any such question, no argument or opinion shall be offered, nor shall any facts be stated, except by leave of the House and so far only as may be necessary to explain such question.

At times, members bend the rules, but on most occasions in recent times I give you credit, Mr Speaker, for pulling them up and telling them to get back to the explanation, stating the facts and not debating the matter. Sometimes some of us may become disgruntled because you appear, perhaps, to give more leniency to some than to others—but that is a personal opinion. Generally, I believe you have attempted, more than was the case in the past, to correct the problem which has prevailed in this place in recent years. Standing Order 125 states:

> In answering any such question, a member shall not debate the matter to which the same refers.

That is clearly referring to Ministers, and a Minister is a member. The Hon. Mr Dunstan and the Hon. Mr Hudson argued that they were something different, but they were clearly members. Yet Ministers even go further than that: they debate matters which do not even refer to the question. At times we get answers taking up to 11 or 12 minutes. People ring us and say 'Can you ask a Minister this question?' In the days of Hudson and Millhouse it was said that we would go to this new system, and we could put questions on notice and expect an answer the following Tuesday. The following year! There are questions on notice which have not been answered within a year, yet it was said that they would be answered the following Tuesday.

In fact, very few are answered the following Tuesday. Some of the questions that are put on notice are quite difficult to research, time consuming, and impossible to get done by the next Tuesday—or within a month or two months. I accept that. I accept that some of the questions are of that type, but there is a whole host of questions which can be answered by the following Tuesday if the Minister's department wants to do it. This House accepted that we would have a change to Standing Orders and lose one hour of Question Time, going from two hours to one hour, on the basis, as was stated, that Ministers would cooperate.

In recent times the Deputy Premier has said words to the effect that we can do better, meaning perhaps that all of us can do better, but in particular Ministers can do better. After I last raised this subject here there was a change of attitude and a speeding up of the process. How can a member get an answer to a question? If a question is put on notice he waits for up to 12 months for an answer—the average waiting time being two months.

If one writes to a Minister asking for facts and details one has to wait for a similar period. One quickly receives an acknowledgment of the letter, but the answer can be months down the track. How can one operate a business, or represent people, if one does not have information to help make one effective within the electorate? The Government is supposed to be operating a business. This is a clever way of killing an Opposition and denying the public the information needed. If one cannot get information from the Government, where can one get it from? Will the Government authorise departmental heads to deal directly with members in relation to all information? We know that that will not occur.

Mr Klunder: I thought the same thing happened while you were Government Whip.

Mr S.G. EVANS: If the honourable member checks with previous Australian Labor Party Whips right back to the Hon. Glen Broomhill, for whom I had particular respect, and asks them what was my biggest gripe they will tell him that it was the abuse of parliamentary Question Time.

Mr Klunder interjecting:

Mr S.G. EVANS: Yes. Members on this side who have been in the Ministry will tell the honourable member that I always made this point in the Party room. In fact, there were one or two members who were put at the end of the question line so that, if procedures went over time, they could not get an answer. It is acknowledged by members on this side that I used to do that. I have always believed that this is an abuse of the system which should not be allowed to occur. The Hon. Don Dunstan and the Hon. Hugh Hudson argued in the early 1970s that a Minister was not a member and was therefore not bound by Standing Order 125: that is a lot of hogwash!

If we accept as a Parliament that that is the truth and the way in which Standing Orders should be read, then the Speaker can take the action necessary to stop abuse of this parliamentary process. I said last year that I wanted to bring this matter to the point where it could be put to a vote. I believe that this abuse is often a deliberate attempt to waste time, with people glancing at the clock and then giving an answer to a question: this is obvious to all. I am asking that the past be forgotten and responsibility be accepted by you, Mr Speaker, for asking members to cooperate and, if they abuse Question Time, to cut it out.

The biggest abuse nowadays (because there is control in the main, in relation to the first matter I have mentioned) is that of Ministers abusing the system when giving answers. I am not saying that it is just the present Ministers, because it has happened with previous Ministers, and has happened since Standing Orders were changed because Ministers know that they can draw out Question Time, giving as few answers as possible. Somebody said last year that we had had a great day because we had asked 16 questions.

The Hon. Hugh Hudson once stood when Standing Orders were changed and people were having a dig about that, and asked what people were growling about because the most questions he ever got on was 11 in one day—one member asked 11 questions on one day! That was the sort of practice that existed when I first came into this place in 1968. It was not uncommon, if people were running out of questions, for the Hon. Hugh Hudson to stand and ask four, five or six questions at the end of Question Time. He was a past master at it, and we should give him credit for that.

However, that is now denied to us. I ask backbench members opposite and on this side to support my motion. Ministers spend a lot of time giving long answers and debating matters that do not even relate to the subject of a question (which is against Standing Orders, because they are supposed only to give back information); and that is our time that they are wasting. It is part of the job we are paid for as representatives of the people. I ask members to support my motion.

The SPEAKER: Is the motion seconded?

An honourable member: Yes.

The SPEAKER: As no other member wishes to speak, the question before the Chair is that the motion of the member for Davenport be agreed to. If the member for Davenport speaks, he closes the debate.

Mr S.G. EVANS (Davenport): I am dumbfounded. This motion has been on the Notice Paper since 21 August. Every member has had a chance to go back and read the promises that were given and the thoughts of Parties on all sides of politics (except those of the two independent Labor members because they were not represented as a group). All

groups—whether large or small—put forward their philosophy. Standing Orders are quite clear. The House accepted the interpretation that Ministers could do virtually what they liked because two members bullied their own backbench into supporting the belief that a Minister is not a member, or that a Minister is something different from a member under Standing Order 125.

We do not sit for many days during the year (but I will not go into that again today). Members have limited opportunities to obtain information. There are now more Government departments than ever before in this State. More people visit members' offices, because they have been relocated from Parliament House into the members' districts. We have told the public to come to us if they want help or information and we would provide it. We said that we would use their money to provide expensive offices (although not that well equipped) out in the electorate to communicate with them and make information, material and advice available to them.

Today we have an opportunity not to buck the Cabinet but to express concern that Standing Order 125 is abused; and to make the Speaker's task a little easier. The Speaker comes from the ranks of the ruling Party of the day, so it is not easy for a Speaker continually to pull up Ministers who in one Party are appointed following a collective vote of the Party. It appears that Parliament is not prepared to say that the few lines of Standing Order 125 should be interpreted to mean that a Minister is a member, and therefore should not debate answers. That is all that is required. Even if Parliament is not prepared to accept that, not one member had the intestinal fortitude to stand up in this Parliament as a representative of the people and say that he or she did not think there was any abuse of the system, and that a Minister can speak for as long as he or she likes and debate the question, even including matters unrelated to the question, and play politics to the nth degree. Parliament has now accepted that.

Not one other member in the Parliament is concerned about what I call an abuse. At least someone could have got up and said, 'You're wrong; it's not an abuse. We think you've read it wrongly; we don't think Ministers are members. We think Dunstan and Hudson are right—that Ministers are not members'—that they are some other select group of people who are not elected as members but who come here by some God given power. However, they were not even prepared to do that. Members sat quietly, thinking that the motion would be put to a vote today and allowed to die.

Mr Speaker, I do not know whether you spoke to anyone, but I expressed to you my reluctance about having to go this far. I did that quite genuinely, and I backed off. I believed that we might be able to adopt a commonsense approach, without this matter sitting on the Notice Paper.

I know that this will fail today—because, if members do not have courage to speak on it, one can be sure that they will not have the courage to vote for it. So, it will come back another day. This matter will be raised again in the next Parliament. In the end, members have to accept that we must act a little more responsibly here in using up the one hour allocated for Question Time. It involves only half the time that we were allowed when there were a quarter as many Government departments, agencies and offices in existence.

Agencies involved with neighbourhood houses, community welfare, and so on, did not exist when I first came to this place. There is now a multitude of them about which we want information, but we are told to write a letter and it will be answered in the next Parliament. I am disappointed about this matter. On this occasion, I did expect a member to get up and say, 'You're wrong, Evans,' or 'You're right, but I don't have the courage to support you because the Cabinet would kick me in the teeth.'

The House divided on the motion:

Ayes (14)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, and Blacker, Ms Cashmore, Messrs Chapman, S.G.Evans (teller), Goldsworthy, Gunn, Ingerson, Meier, and Oswald.

Noes (24)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Blevins, Crafter, De Laine, Duigan, Eastick, M.J. Evans, and Ferguson, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, Keneally, and Klunder, Ms Lenehan (teller), Messrs Mayes, Plunkett, Rann, Robertson, Slater, and Tyler.

Majority of 10 for the Noes.

Motion thus negatived.

ELECTRONIC GAMING DEVICES

Adjourned debate on motion of Mr Becker:

That a select committee be appointed to inquire into the likely social and economic impact of electronic gaming devices (including Club Keno and poker machines) on the community.

(Continued from 20 November. Page 2174.)

Mr FERGUSON (Henley Beach): I will say right from the outset that I am totally opposed to either an inquiry into the proposition that poker machines should be installed in South Australia or the introduction of poker machines themselves. I took the opportunity to circularise my electorate on this issue and had a slip inserted in every letter box—10 500 of them—asking people what stance they thought I ought to take on the poker machine issue. The correspondence that I received was overwhelmingly opposed to the introduction of poker machines in South Australia. I must say that there were some people of this view who would not normally be so, because every hotel proprietor in my electorate asked me to oppose this resolution, and practically every church and church group asked me to do the same. I must say, from my own point of view, that my objections to the introduction of poker machines are not on moral grounds. I have from time to time, when visiting interstate, used poker machines and have had an occasional bet on a race horse—not very successfully—and have also engaged in other forms of gambling. However, I do believe that there is no way that poker machines can be properly controlled.

Secondly, I believe that the introduction of poker machines in South Australia would mean a substantial change in our lifestyle. Thirdly, I believe that the social problems arising from excessive poker machine gambling would be far worse than any problem we now encounter in connection with gambling.

We know that, from the earliest days of poker machines (or slot machines, as they were originally called), they have been associated with criminal activity. We know from the board of inquiry into poker machines in Victoria that there is still a very large criminal element surrounding these machines. There has been a legacy of crime in New South Wales associated with the machines, and it appears that it is very difficult to produce sufficient controls to stop cheating on those machines. The board of inquiry in Victoria stated that the extent of cheating on poker machines was very large indeed. Income from cheating has been estimated by certain individuals in New South Wales to be up to $400 000 to $500 000 per year. People were manipulating machines to produce jackpots and some people who have

been arrested have informed the police that they had been earning between $7 000 and $8 000 a day in jackpots. The introduction of new machines with microprocessors has not stopped the cheating.

Time does not permit me to give full details of all poker machine cheating that has been discovered and obviously is still going on in New South Wales. I refer members to the board of inquiry into poker machines, in November 1983, which suggested that at every stage where poker machines are introduced cheating occurs. It starts with the makers of the machines, the mechanics, the players, the accounting, and the management of the clubs involved. Unfortunately, the cheating that occurs does not stop there, because it depends very much on the club management whether all of the proceeds from the poker machines eventually reach the club's bankbooks.

The report has itself referred to phantom jobs that have been created within the clubs. For example, one manager employed himself as a cleaner of the club. For that he was drawing a salary, yet he had never picked up a broom, vacuum cleaner or cleaning material of any sort. He was simply creating a phantom position for himself and being paid a substantial weekly wage. This information is documented, and all of it comes from the inquiry into poker machines in Victoria.

Many of these problems are hard to detect unless there is a very well run club and a very stringent auditing procedure. Also, a certain amount of skimming goes on by other employees within the club. I am not suggesting that this is happening in every club, but a very substantial amount of loss is involved with the cheating that goes on with poker machines.

The other suggestion in favour of poker machines is that one of their great advantages is the extra facilities and enjoyment that they bring to the local population for a very small annual fee. This suggestion needs examining. I have visited many clubs in New South Wales, and it has been my opinion that the quality of services and facilities offered, as well as general standards, is far worse than in some South Australian clubs that have no poker machines.

One can point to clubs in New South Wales with very good facilities and provisions for food and catering. I strongly suggest that people using these examples are using only the best available to them from the pick of a very large and mediocre range of clubs. This is my personal opinion after having visited many of these clubs. The report of the board of inquiry into poker machines, at section 13 (17) states:

> Some clubs provide other facilities for members and visitors, e.g. other active sporting facilities, such as bowling greens or sporting ovals. Some make available to members privileges, such as low cost holiday units. As Mr Gowling submits for Victoria, but basing itself on the New South Wales experience, 'Poker machine revenue would provide cheaper priced food, drink and entertainment.' He acknowledges that the benefit to individual members of these facilities is very variable. Some members visit the club regularly, most do not. Some play poker machines heavily, some moderately, some rarely, some never. As between individuals, one can only say that there are winners and losers. Non-players who regularly take advantage of the subsidised facilities are the big winners, enjoying benefits at the expense of the losers, their fellow members, and the visitors, who spend at the machines more than the value of the benefits they enjoy. The aggregate loss must, of course, exceed the aggregate win. Allowances have to be made for the capital and operating costs of the machines themselves. In social terms it is difficult to see the result as desirable. The cost of benefits enjoyed by individuals is borne neither according to capacity to pay, nor degree of use.

I refer briefly to the social problems arising from the use of poker machines. Dr Mark Dickinson, a clinical psychologist and lecturer in criminal psychology at the Australian National University, has completed a study of compulsory gambling, and his report states:

> It is the rapid turnaround of being able to stake and play in a form of gambling that is associated with people seeking help with gambling problems. There can be few if any forms of gambling with greater speed of stake and play than poker machine gambling. In assessing the consequence to individuals and to the community of poker machine addiction, it is relevant to know whether those who are compulsive poker machine players would in any event be gambling addicts.

Dr Dickinson thought not. Public data indicates that some people will gamble compulsively on one specific form of gambling and not on others. The proposition posed in this debate by other members that there is no difference between using a poker machine and other forms of gambling (such as lottery, lotto, pools, raffles, lucky tickets, etc.) does not hold water. Studies conducted by the Baptist Church in a New South Wales country town indicate that social problems associated with compulsive gambling relate more to poker machines than to any other form of gambling.

In conclusion, let me say that I do not support the introduction of poker machines, either in clubs or in the casino. I consider the introduction of poker machines in the casino as the thin edge of the wedge, and that it would only be a matter of time before they were introduced into clubs as a result of their introduction into the casino. I urge members to oppose the motion.

The Hon. TED CHAPMAN secured the adjournment of the debate.

[*Sitting suspended from 1 to 2 p.m.*]

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Animal and Plant Control (Agricultural Protection and Other Purposes),
City of Adelaide Development Control Act Amendment,
Commercial and Private Agents,
Commercial Arbitration,
Commercial Tribunal Act Amendment,
Commonwealth Powers (Family Law),
Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act Amendment,
Constitution Act Amendment (No. 3),
Correctional Services Act Amendment,
Country Fires Act Amendment (No. 3),
Criminal Law Consolidation Act Amendment,
Criminal Law Consolidation Act Amendment (No. 2),
Crown Lands Act Amendment,
Dairy Industry Act Amendment,
Education Act Amendment,
Evidence Act Amendment,
Fisheries Act Amendment,
Fruit and Plant Protection Act Amendment,
Goods Securities,
Industrial Code Amendment,
Irrigation Act Amendment (No. 2),
Land Agents, Brokers and Valuers Act Amendment,
Liquor Licensing Act Amendment (No. 2),
Little Sisters of the Poor (Testamentary Dispositions),
Local Government Act Amendment (No. 2),
Local Government Act Amendment (No. 4),
Medical Practitioners Act Amendment,
Mental Health Act Amendment,
Metropolitan Milk Supply Act Amendment,
Motor Vehicles Act Amendment (No. 3),

Motor Vehicles Act Amendment (No. 4),
Occupational Health, Safety and Welfare,
Ombudsman Act Amendment,
Parole Orders (Transfer) Act Amendment,
Private Parking Areas,
Radiation Protection and Control Act Amendment,
Rates and Land Tax Remission,
Road Traffic Act Amendment (No. 3),
Second-hand Motor Vehicles Act Amendment,
Stamp Duties Act Amendment (No. 2),
Statutes Amendment (Executor Companies),
Steamtown Peterborough (Vesting of Property) (No. 2),
Summary Offences Act Amendment (No. 2),
Summary Offences Act Amendment (No. 3),
Summary Offences Act Amendment (No. 4),
Tertiary Education,
Tobacco Products (Licensing),
Travel Agents Act Amendment,
Volunteer Fire Fighters Fund Act Amendment,
Workers Rehabilitation and Compensation,
Wrongs Act Amendment.

DEATH OF Hon. R.R. LOVEDAY

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

That this House express its regret at the recent passing of the Hon. R.R. Loveday, former member of the House, and place on record its appreciation of his meritorious service, and that, as a mark of respect to his memory, the sittings of the House be suspended until the ringing of the bells.

The Hon. Ronald Redvers Loveday was born in 1900 in the market town of Chelmsford in Essex, and died on 17 January of this year. Only two members who are in this Chamber at present were in the Parliament when the Hon. Mr Loveday was a member and a Minister. He had a long and meritorious service in this House as member for Whyalla from 1956 to 1970 and was a Minister in the Walsh Government and in the first Dunstan Government from 1965 to 1968, when he served as Minister of Education and also for a time as Minister of Aboriginal Affairs.

However, in outlining that brief chronology of Mr Loveday's service to this House, one does but scant justice to the service that he gave to the community and to the State. In many ways Ron Loveday was an archetypal representative of the people and a representative also of the sort of people who have made South Australia what it is. Like many in this State over the years, he was born in another country and migrated here as a young man, choosing to make his life and career in this country.

When he came into Parliament in 1956 Mr Loveday brought with him a breadth of experience that has been rarely matched by other members. Having left school, he served in the Royal Naval Air Service and came to South Australia immediately after the First World War. In fact, his first job was as an employee of a parliamentarian, although his employment at that stage did not in any way indicate the direction that he himself might take, as it happended that his employer was of another view of politics.

Mr Loveday worked as a farm labourer and assistant. He came to Australia with no money, but with a determination to establish himself on the land. Again, in doing that he reflected the experience of so many people who have come to this State. He took work on a fruit block in Renmark, and in 1922 planted vines on a 15 acre soldier settlement block in the Riverland under the First World War scheme. His hopes about his future, like those of many of his compatriots, would have been very high indeed, but life was pretty tough on that block, as indeed I believe it remains for many to this very day.

In 1926 Mr Loveday sold the block and bought a truck. For two years after that he carted for the Shell Company and Stonyfell Quarries, picking up what work he could. He decided to try the land again in 1928 and moved to Eyre Peninsula to farm 2 000 acres of scrubland. For eight years he battled the Great Depression clearing 1 500 acres of Mallee scrub to crop wheat and graze sheep. They were tough years, and they were years in which Ron Loveday became a political activist. That comes as a bit of a surprise to those who knew Ron Loveday as the representative of an industrial city in this State. The fact is that his first major political activity was on behalf of the Farmers Protection Association: Ron Loveday became Secretary of the Eyre Peninsula branch of that organisation, which was formed during the Great Depression, to try to do something about the crisis that had hit the wheat industry. From 1934 to 1936 he was the State President of that organisation, which survived and flourished.

Despite Mr Loveday's activism on behalf of the interests of those small farmers and croppers, he was not able, as many of those people were not able, to survive that depression. Eventually, he was forced to sell up and moved to try to make a living for himself and his family wherever he could. He worked first in a timber yard in Port Lincoln and later at a fertiliser factory. Then BHP began to expand and develop at Whyalla. Ron Loveday moved to Whyalla two years after his work in Port Lincoln, and from 1940 until his retirement in 1970 he immersed himself totally in the affairs and development of the city of Whyalla, which included involvement in unions, local government and State politics.

Very early, in fact in 1940, Mr Loveday became Secretary of the Amalgamated Engineering Union in Whyalla. His work as a representative of the farmers in trouble certainly translated well into support on behalf of the workers in the newly developing industrial town, and he was elected Secretary of the Whyalla War Effort Committee; he was actively involved in the Trades Hall Committee and Combined Union Council; he was Secretary of the Whyalla War Workers Club; and he was involved in the Adult Education lecture program. Ron Loveday was also a member of the Whyalla Technical High School Council.

Throughout those many years he lived and worked in Whyalla, bringing his family up and taking a major role in the affairs of the town. In 1945 Mr Loveday was elected to the inaugural Whyalla Town Commission, and he continued as a commissioner for the next 20 years, until he took ministerial office in 1965. It was therefore appropriate that he became the first member for Whyalla. Mr Loveday was one of those country members who was able to bring to this Parliament that unique combination of rural and industrial experience. In those days, representing the city of Whyalla in this Parliament meant a six hour journey by bus or train on Tuesday, returning home on Friday, and living in Parliament House over the sitting days. So, while the House was sitting he was very much on the premises and part of it. His electoral boundary was not confined merely to the city of Whyalla itself. He travelled west to the border with Western Australia and north to Woomera, Andamooka and Coober Pedy. His electorate covered 161 000 square miles at that initial time.

As a Parliamentarian, Ron Loveday brought those special qualities to the House which derived from his experience in the workplace and in life. His interests were in issues such as education, Aboriginal land rights, electoral democ-

racy, local government finances, apprenticeship conditions, and a number of social issues as well. He was 65 when he became Minister of Education, his first opportunity in Parliament to put into effect as Minister of Education many of the policies and interests that he had been pursuing over the years.

He is recognised as having laid the framework for the new era of education, subsequently carried on through those years when resources began to come from Commonwealth and other sources, through the late 1960s and the 1970s. The South Australian Education Department underwent some major changes in the period between 1965 and 1968 which laid the framework for the tremendous growth and development that occurred thereafter.

Following his retirement in 1970, Ron Loveday remained active in many arenas: the Electricity Trust Reticulation Advisory Committee, the Wheat Delivery Quotas Inquiry Committee, the South Australian Railway Advisory Committee and the MTT. He was also a member of the South Australian Citrus Organisation. So, he was prepared to serve in the public interest in a number of areas, drawing on his skills and talents.

In addition to all this public work, somehow or other he found time to play lawn bowls, to be interested in the arts and theatre and, with his wife—who, I am sure, bore the full burden of this—to bring up seven children who have all made careers for themselves in many different areas. To his widow, Hilary, his seven children, Peter, Penelope, John, Margaret, James, Rowena and Geoffrey, on behalf of my Government, my Party and this Parliament I would like to pay special tribute to the life and work of the Hon. Ronald Redvers Loveday.

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): I rise to support the motion of condolence moved by the Premier. The Hon. Ron Loveday was one of the last of the old breed of Parliamentarians. As member for Whyalla from 1956 to 1970, his entry into this House was really born out of adversity and a desire to help his fellow man. As the Premier has mentioned, he was a farmer on Eyre Peninsula, a harsh environment which was exacerbated by the fact that he had seven young children and a wife to support. Ron never forgot the great Depression, which he had experienced at first hand, and his memory of this period remained with him throughout his parliamentary career and indeed, I believe, his life.

He felt particularly close to the plight of the farmer, and his involvement and interest in the rights of farmers was possibly the catalyst which inspired him to enter Parliament. As has already been said, he entered Parliament in 1956 as member for Whyalla. He was, during his time as a member of this place, a tireless representative of his electorate and its particular problems. His work at BHP also helped in his understanding of the people who had elected him to this place.

Ron Loveday was made Minister of Education in 1965 and served with distinction under both Premiers Walsh and Dunstan until 1968. His tenure of this position, with the added responsibility of Aboriginal affairs in later years, was marked by a continued desire to help the less fortunate in our community.

I did not know Ron Loveday well, as I was not one of those two who were in this place, but in my dealings with him he always struck me as a man of great culture and courtesy. On behalf of the Liberal Party, therefore, I register our regret at the death of Ron Loveday, and ask that our condolences be passed on to his widow, Hilary, and his family.

The Hon. FRANK BLEVINS (Minister of Labour): I also want to support the remarks made by the Premier and the Deputy Leader of the Opposition. I first met Ron Loveday in 1965 when I went to Whyalla. We had a number of things in common: we were both born in the UK and both went to Whyalla to do some dredging, and then we both obviously had decades of association with the city thereafter. I do not want to repeat all the remarks that have already been made but, certainly, to endorse them. Ron Loveday was very kind and gentle, and that is in no way to suggest that he was soft: he certainly was not, but he was a very gentle person indeed.

Mr Loveday was a very helpful person. Indeed, when I first entered politics he was unstinting in his offers of assistance and advice. When I became Minister of Agriculture he sought me out in Parliament House, and we had quite a discussion on the problems of the rural industry. One of the things he said to me was that the small farmers and the industrial workers whom he represented had a great deal in common, but the problem was that neither group realised it. As Minister of Agriculture I came to appreciate the wisdom of that remark.

While Ron Loveday was not born in Whyalla, Whyalla certainly claims him as its own. He made an indelible mark on the city. The city has a great deal for which to thank Ron Loveday. It has given me a great deal of pride to follow Ron (once removed) as member for Whyalla. I hope that my association with the city and anything that I can do for it matches that done by Ron Loveday. I, too, express my condolences to his widow and to his children who, through their schooling, and so on, made a significant mark on the city. Indeed, Ron was always very proud that the Whyalla Workers Club was designed by his son. Ron Loveday certainly had a long and very warm association with the City of Whyalla. I express my regret at the death of Ron Loveday. In saying that, I recognise that he was 86 years of age and had a very full and productive life. I hope that the same thing can be said when a similar motion is moved about us.

Mr S.G. EVANS (Davenport): I second the Premier's remarks. Although I had the opportunity to pass on my personal regrets and those of my family at Ron's passing on the day of his funeral, I would like to record some comments now. I congratulate the Premier for what he said on the day of Ron's funeral; I thought that it was very well done. In his latter days, Ron lived in my electorate: he moved back to live at Bellevue Heights adjacent to his wife's family property. No doubt his wife, as a result of her earlier experiences, had some attributes that would have assisted her to help Ron in his term as a Parliamentarian, because she was the daughter of a member who served in the Upper House for 15 years from 1918 to 1933, namely, William George James Mills.

When I met Ron during my work in the electorate, even after he retired from this place, I always appreciated his cooperation, the help that he gave me and the courtesy that he and his family showed my wife and me in our work throughout the electorate. In this place Ron was not one of the rowdiest members when making speeches, but he made his contributions well and he was determined in his resolve. If he had a goal, he worked towards it with determination, sincerity and honesty within his philosophy. I pass on my condolences and those of my family to Ron's family, and I trust that the years ahead hold for them good health and happiness.

The SPEAKER: As has been commented on, only two of the members currently in this Chamber were parliamen-

tary contemporaries of the Hon. Ron Loveday. However, I point out to the House that I, along with perhaps one or two others now in this Chamber, had the honour of serving under him as one of his teacher employees when he served as Minister of Education from 1965 to 1968. In that difficult portfolio he gained the admiration and respect of the teaching profession in this State. I will convey to his family the sentiments expressed here today and ask members to rise in their places to support the motion in silence.

Motion carried by members standing in their places in silence.

[*Sitting suspended from 2.20 to 2.30 p.m.*]

PETITION: HOME LOAN INTEREST RATES

A petition signed by 158 residents of South Australia praying that the House do all in its power to reduce home loan interest rates was presented by Hon. Lynn Arnold.

Petition received.

PETITION: ELECTRONIC GAMING DEVICES

A petition signed by 57 residents of South Australia praying that the House legislate to permit the use of electronic gaming devices was presented by Hon. G.F. Keneally.

Petition received.

PETITION: EDUCATION FUNDING

A petition signed by 222 residents of South Australia praying that the House urge the Government to restore education funding to levels existing prior to the 1986 budget was presented by Hon. Frank Blevins.

Petition received.

PETITION: ACACIA KINDERGARTEN

A petition signed by 226 residents of South Australia praying that the House urge the Government to restore a teaching position to the Acacia Kindergarten was presented by Hon. H. Allison.

Petition received.

PETITION: BEVERAGE CONTAINER ACT

A petition signed by 7 999 residents of South Australia praying that the House amend the Beverage Container Act to provide for non-refillable, recyclable bottles to be removed from point of sale and returned through a marine stores central collection system was presented by Mr Becker.

Petition received.

PETITION: COASTAL FISHING

A petition signed by 1 958 residents of South Australia praying that the House urge the Government to close all South Australian coastal waters to netting by professional and recreational fishermen was presented by Hon. B.C. Eastick.

Petition received.

PETITION: CHILDREN'S SERVICES OFFICE

A petition signed by 191 residents of South Australia praying that the House urge the Government to reassess the policy directions of the Children's Services Office was presented by Hon. B.C. Eastick.

Petition received.

PETITIONS: POKER MACHINES

Petitions signed by 126 residents of South Australia praying that the House oppose any measures to legalise the use of poker machines in South Australia were presented by Mr Gunn and Hon. D.C. Wotton.

Petitions received.

PETITION: PROSTITUTION

A petition signed by 43 residents of South Australia praying that the House oppose any measures to decriminalise prostitution was presented by Hon. D.C. Wotton.

Petition received.

QUESTIONS

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

TRAINING PROGRAMS

In reply to **Mr DUIGAN** (13 August).

The Hon. LYNN ARNOLD: I now advise the House that I have received further information detailing the utilisation of Commonwealth funds for employment and training programs in relation to a question raised by the member for Adelaide during the previous session. In 1985-86, 94 per cent of Commonwealth funds allocated to employment and training programs and employment incentive schemes in this State were expended. However, in certain program areas, such as Adult Training and Retraining, Community Employment Programs, Special Apprentice Training and School to Work Transition, the percentage utilisation exceeded 100 per cent.

Several South Australian employment and training programs receive funding contributions from the Commonwealth, in the form of grants or wage subsidies and allowances for the program participants. The programs from the YES package which receive such assistance include:

- Pre-vocational Trade Based Training;
- Group Schemes for Trainees and Apprentices;
- Apprentice Training;
- Traineeships;
- Self-Employment Ventures Scheme; and
- the Jubilee Youth Employment Program.

Collectively these programs provided over 2 000 additional employment placements and training positions for unemployed and otherwise disadvataged persons in 1985-86, over the 1984-85 total. A detailed breakdown of expenditures and percentage utilisation in 1985-86 follows.

The details of Commonwealth program expenditure and percentage utilisation for the 1985-86 financial year are listed below, by broad program area.

Department of Employment and Industrial Relations South Australia, 1985-86

Program	Expenditure $'000	% Utilisation[1] %
1. Craft (includes: Technical Education Rebate Apprentice Living-Away-From-Home-Allowance Pre-Vocational Graduate Employment Rebate Off-the-Job Training Rebate).	7 065	89
2. Special Apprentice Training (includes: Special Trade Training Program Special Assistance Program Group One Year Apprenticeship Scheme Group Apprenticeship Support Program).	2 248	104
3. Skills Training (includes: Labour Adjustment Training Arrangements General Training Assistance —Formal —On-the-Job Skills in Demand, 1.7.85-31.12.85).	1 172	70
4. School to Work Transition (includes: Education Program for Unemployed Youth Experimental Training Projects).	2 945	126
5. Pre-Apprenticeship Allowances	324	109
6. Assistance for Work Experience (includes assistance to: Commonwealth, State and Private Sector).	6 254	87
7. Aboriginal Training (includes: Public Sector Training Negotiated Fee Training Special Projects Work Experience Formal Training and On-the-Job Standard Subsidy).	3 829	89
8. Special Needs Clients Employment Incentives	121	93
9. Relocation Assistance Scheme	374	93
10. Fares Assistance Scheme	11	93
11. Adult Wage Subsidy Scheme	2 118	96
12. Community Employment Programs (includes: Community Employment Program New Enterprise Incentive Scheme).	951	146
13. Australian Traineeships Scheme	165	8
14. Adult Training and Retraining (includes: National Skills Shortages).	1 424	297
15. Community Based Training (includes: Volunteer Youth Program Community Youth Support Scheme Community Projects and Information Technology Centres).	257	33
16. General Wage Subsidy Scheme	1 670	54
Total[2]	33 890	94

Source: Commonwealth Department of Employment and Industrial Relations.

1. The Department of Employment and Industrial Relations have advised that the percentage utilisation figures are subject to revision as final data is received regarding program allocations in 1985-86.

2. The total includes expenditure on the provision of occupational information and the Community Youth Support Scheme.

WINDSOR WATER SUPPLY

In reply to **Hon. P.B. ARNOLD** (23 October).

The Hon. J.C. BANNON: The situation regarding callouts to attend to blocked meters in the Windsor area has eased over the past two years. Prior to that time callouts have been as frequent as four per week and sometimes higher. Normally a callout would be attended by one person although sometimes two people are involved. Approximately two hours is required to attend to meter blockages. Attendance after hours normally incurs penalty rates of time and a half and it is estimated that between 30 per cent and 40 per cent of attendances have occurred out of normal working hours. The total cost for the high callout period would have been approximately $10 000 annually for the time spent by personnel.

Prior to installation of a permanent chlorination facility at Redbanks reservoir, slug dosing of the system with chlorine was carried out annually in October in an attempt to prevent meter blockages during the summer period. Affected consumers were given advance notification before slug dosing operations commenced and pipes flushed to remove excess chlorine. Blockages have been caused by growths of bryozoa in the water mains. Bryozoa is an organism with a 'mat-like' appearance which has a high potential to grow on pipe walls in unfiltered supplies where there is no residual disinfectant. Over the past 12 months existing meters in problem areas have been replaced with 'Andrea' meters as they are less susceptible to blockage. Since February 1986 only nine meter changes have been necessary, six of these being in the hundred of Grace, two in the hundred of Dublin and one in the hundred of Gawler.

LEUKAEMIA DEATHS

In reply to **Mr MEIER** (23 October).

The Hon. J.C. BANNON: Minlaton, being located on Yorke Peninsula, receives water from a number of sources. Supply can be from a single source but commonly it is supplied with a mixture of water from two or more sources. Prior to November 1983 water supplied to Yorke Peninsula was chlorinated on leaving Upper Paskeville reservoir with chlorine levels being boosted at Maitland and Mount Rat before reaching Minlaton. From November 1983 when chlorination commenced at Upper Paskeville, boosting of disinfectant doses at Maitland and Mount Rat was no longer necessary and subsequently ceased. The primary reason for the introduction of chlorination is that it provides improved microbiological control, particularly in water supplies where the water is conveyed over long distances. It has the additional advantage of forming minimal levels of trihalomethanes in the water.

The water supplied to Minlaton comes from a different source to that supplied to Windsor. In the case of both townships there is no evidence to link the incidence of cancer with any characteristic of the water supply. The incidence of cancer at Minlaton has been the subject of a previous investigation by the Public Health Service of the South Australian Health Commission and recent follow up of agricultural chemical usage revealed no evidence to suggest that a single identifiable environmental factor was causing cancer in the town. The occurrence of three cases of leukaemia in one street in the town, while a cause of distress and concern, was not indicative of an abnormally high cancer rate. It is considered that no new facts have come to light which would justify reopening the Minlaton investigation. Also, doing so may cause further needless anxiety in the town.

COURT SENTENCING

In reply to **Hon. JENNIFER CASHMORE** (27 November).

The Hon. J.C. BANNON: As the honourable member is probably aware, Parliament sets the maximum penalties, which in the case of armed robbery is life imprisonment, and the courts determine an appropriate sentence within those limits. In determining the appropriate penalty in any particular case, the sentencing judge must take many factors into consideration, including the seriousness of the crime, the effect upon the victims and loss incurred, and the need to deter the particular offender and other potential offenders. Those factors must be considered in conjuction with the personal circumstances of the offender, including his/her history, character, mentality and prospects of rehabilitation. You will appreciate therefore that the judge faces a potentially difficult task.

The Crown, however, does have the right to appeal against sentences which it considers are manifestly inadequate. The Attorney-General's policy is to adopt a positive role in the appealing against lenient sentences and in putting submissions to the courts on penalties. He recently asked the Crown Prosecutor to pay particular attention to sentences handed down for armed robbery and has indicated that when an appropriate case arises then a major test case on penalties for this type of offence will be taken. The Crown has instituted two appeals this year against inadequate penalties for the offence of armed robbery; both were successful. The Attorney considers the appeal process the proper means of having lenient sentences increased to fit the crime. He shares your concern about the level of sentences imposed and will continue the policy of appealing against lenient sentences, including taking the major test case I have mentioned.

MARIJUANA

In reply to **Mr LEWIS** (26 November).

The Hon. J.C. BANNON: I have been advised by the Minister of Emergency Services that there is a continual assessment by the Police Department as to the type of resources and strategies which should be used in each specific drug investigation. The tactics deployed vary according to the location and the available intelligence about the methods employed by the growers/traffickers with the view of ensuring an efficient and effective conclusion to investigations. All forms of available resources are utilised but due regard must be given to the eventual cost of such resources compared with the weight and accuracy of intelligence gained and the capacity to perform in the most efficient manner. The primary objectives of the specialist Drug Squad is to maintain a high level of investigation activity against illegal drug crop cultivation and traffickers of any illegal drug whatsoever. To achieve this objective appropriate use is made of any available technology and resources.

WATER QUALITY

In reply to **Ms LENEHAN** (4 December).

The Hon. J.C. BANNON: I have been advised by the Minister of Water Resources that the water quality problems experienced in the southern suburbs are directly attributable to the onset of warmer weather. In warm weather, consumption increases and the velocity of water flowing in the mains also increases. As a result, sediments that have been deposited during the lower flow periods of the winter months are resuspended and carried through to consumers.

The situation has been further exacerbated in recent months due to the heavy winter rains. The heavy runoff following the relatively long and dry summer of 1985-86 resulted in a much higher than normal level of nutrients, sediment and organic matter being washed into Adelaide's reservoirs and lowering the quality of water held in the Happy Valley reservoir.

Due to the deterioration of this water source, a higher than normal level of colloidal and organic material has been carried into the distribution system considerably increasing the potential for water quality problems compared to previous years.

In an effort to reduce the impact on consumers, the Engineering and Water Supply Department has intensified its main flushing and air scouring activities in the southern area. However, these efforts, whilst being effective only provide short term relief.

The transfer of water from Myponga to Happy Valley reservoir commenced on 14 November 1986 and was well advertised in the local papers. Flow reversals and the increased flows from the Myponga reservoir have contributed to some of the discolouration in the area.

Unfortunately, because supply to the area is heavily affected by climatic factors and the quality of water pumped from the Murray River or transferred from Myponga reservoir, these types of water quality problems will continue to occur until the Happy Valley Water Filtration Plant is commissioned.

In the meantime, should any water quality problems be encountered, I suggest that consumers be advised to contact the Thebarton Control Centre on 216 1541, where a 24-hour emergency service is available.

FEES FOR REGULATORY SERVICES

In reply to **Hon. H. ALLISON** (5 October—Estimates Committee A).

The Hon J.C. BANNON: The fees for which the various categories of builders licences under the Builders Licensing Act 1986 have not yet been determined. The fees will be fixed by regulation prior to the Act coming into effect early next year. In addition to those categories licensed under the Act, the new Act will provide for the registration of building work supervisors. While the fees for each category have not yet been fixed it is anticipated that they will be comparable with the fees charged for similar licences in other States. The Government has been considering several proposals in respect of the registration of hairdressers, including proposals to significantly reduce the amount of regulation of this occupational group. The provision contained in the 1986-87 budget estimates represents an estimate of the cost of one such proposal, which would see the Commercial Tribunal assuming responsibility for licensing hairdressers and the Department of Public and Consumer Affairs providing administrative support for the tribunal.

BUSHFIRE RISKS

In reply to **Hon. B.C. EASTICK** (4 December).

The Hon. J.C. BANNON: The Director of Country Fire Services has advised me that the Country Fire Services board is seeking to reduce public confusion surrounding fire bans and fire restrictions on a Statewide basis. In the past district councils have used the provisions of the Country Fires Act to impose local restrictions over differing periods of the fire danger season in parts of their districts. These have been in addition to the 'fire bans' imposed on a daily basis by the Director of Country Fire Services which are based on weather forecasts and fuel conditions.

The very piecemeal nature of the local restrictions has meant that they could not be adequately advertised. The result was that in many places even local residents have not understood the restrictions or 'bans' they had to comply with, let alone visitors to the area. In addition, the board had received advice that some of these local restrictions were not legally enforceable.

As a consequence, for this current fire danger season the board has revoked all such local restrictions. Thus residents and visitors must now only comply with the requirements of the Country Fires Act when using fire. Persons must also be aware of the fire bans that are applied daily by the Director of Country Fire Services to the fire ban districts of the State. These are broadcast nightly, with updates after 7 a.m. each morning.

A public education advertising campaign is being used by the Country Fire Services to inform the public of the need to understand and properly use the simplified system during the fire danger season.

USE OF LOCAL GRANITE

In reply to **Hon. B.C. EASTICK** (19 August).

The Hon. J.C. BANNON: Tenders were sought from three local companies and one New South Wales based contractor for the supply of reconstructed red granite pre-cast concrete panels for the exterior cladding of the new State Bank Centre. The tender from the New South Wales based contractor matched the tender budget and, in addition, was significantly below the tender prices submitted by the three South Australian companies offering local granite. Even after negotiations between the two lowest tenderers, a price differential of nearly $1 million, equivalent to 25 per cent of the tender budget, remained.

While the project team is very conscious of the need to utilise South Australian goods and contactors, wherever possible, they could not justify acceptance of a substantially higher offer from a local contractor in this instance. To do so would impinge on the viability of the project and ultimately lead to higher rental costs.

It is to be noted that the cost differential is more a reflection of the tenders submitted by the local pre-cast contractors rather than the competitiveness of the local quarry. However, if the New South Wales contractor were to use South Australian granite, the tender price would be increased by about $350 000.

WINDSOR WATER SUPPLY

In reply to **Hon. E.R. GOLDSWORTHY** (23 October).

The Hon. J.C. BANNON: The Engineering and Water Supply Department considered a proposal to replace a section of old 80mm cast iron main from Dublin through Windsor in March 1986 following a series of complaints of low pressure during last summer. This was part of a scheme to improve the water supply to a large section of the Barossa Country Lands extending from Dublin to the Port Wakefield Proof Range.

Preliminary estimates were obtained at that time and financial provision was made in the department's capital works plan with construction to begin in the 1987-88 financial year. The total project was planned for completion within three years. The first section of this program was the replacement of the main through Windsor.

Following the meeting of a deputation with the Minister of Water Resources in September 1986, it was decided to bring forward funding for this project so that a start could be made as soon as possible. It is now planned to begin replacement of this section of main through Windsor in May 1987.

It should be noted that prior to the installation of a permanent chlorination facility at Redbanks reservoir, slug dosing of the system with chlorine was carried out annually in October in an attempt to prevent meter blockages during the summer period.

Slug dosing of mains in the area with chlorine has not been undertaken since last summer. The chlorination station which is located on the outlet from Redbanks reservoir was completed in February 1986 and at the present time is operating continuously at a low chlorine dose rate.

In reply to **Mr OLSEN** (23 October).

The Hon. J.C. BANNON: When the subject of the incidence of cancer in the Windsor and Dublin regions was first raised the Minister of Health, Dr John Cornwall, gave an undertaking that the Public Health Service would investigate the matter and prepare a report. This report has now been tabled and a motion was carried for the report to be printed and should now be available.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. J.C. Bannon):

Audit Act 1921—Regulation—Delegations.
Tobacco Products (Licensing) Act 1986—Regulations—Records.
Casino Supervisory Authority—Report, 12 December 1985 to 30 June 1986.

By the Minister for the Arts (Hon. J.C. Bannon):

Adelaide Festival Centre Trust—Report, 1985-86
South Australian Film Corporation—Report, 1985-86.

By the Minister of Lands, on behalf of the Minister for Environment and Planning (Hon. D.J. Hopgood):

City of Adelaide Development Control Act 1976—Regulation—Prescribed Instrumentalities.
Planning Act 1982—
Regulation—Goolwa Planning Control.
Crown Development Report by South Australian Planning Commission on proposed alterations to Chandlers Hill kindergarten.

By the Minister of Emergency Services (Hon. D.J. Hopgood):

Country Fires Act 1976—Regulation—Form.
Summary Offences Act 1953—Regulation—Expiation Fees.
South Australian Metropolitan Fire Service—Report, 1985-86.

By the Minister of Water Resources (Hon. D.J. Hopgood):

Border Groundwaters Agreement Review Committee—Report, 1985-86.

By the Minister of Lands (Hon. R. K. Abbott):

Discharged Soldiers Settlement Act 1934—Regulations Public Map.
Lands Pastoral Act 1936—Resumption of Travelling Stock Reserve, Hundred of Penola.

By the Minister of Employment and Further Education (Hon. Lynn Arnold)—

South Australian Institute of Technology—Report, 1985.

By the Minister of Transport (Hon. G. F. Keneally):

Health Act 1935—Regulations—Chloropicrin.
Qualification of Managers.
Highways Act 1926—Regulation—Goolwa Ferry Permit Revocation.
Local Government Act 1934—Regulations—Certificate of Validity. Forms.

How to Vote Cards. Prescribed Bodies.
Local Government Finance Authority Act 1983—Regulation—Prescribed Body (Amendment).
Motor Vehicles Act 1959—Regulations—Classes of Licence.
Registration and Inspection Fees.
Road Traffic Act 1961—Regulations—Australian Design Rules.
Car Tyres.
South Australian Health Commission Act—1976—Regulations—Compensable Patients.
Inpatient Fee (Amendment).
Non-Medicare Patients.
Public Parks Act—Disposal of Land, Hundred Noarlunga.
District Council of Naracoorte—By-law No. 22—Traffic.
District Council of Victor Harbor—By-law No. 27—Controlling the Foreshore.
Controlled Substances Advisory Council—Report, 1985-86.
Institute of Medical and Veterinary Science—Report, 1985-86.
Department of Services and Supply—Report, 1985-86.
State Transport Authority Superannuation Scheme and State Transport Authority Pension Scheme—Report, 1985-86.

By the Minister of Education (Hon. G. J. Crafter):

Building Societies Act 1975—Regulation—Prescribed Securities and Loans (Amendment).
Consumer Credit Act 1972—Regulation—Print Type and Dimensions.
Consumer Transactions Act 1972—Regulation—Print Type and Dimensions.
Liquor Licensing Act 1985—Regulations—Liquor Consumption at Glenelg.
Liquor Consumption at Port Augusta (Amendment).
Supreme Court Act 1935—
Regulations—Fees.
Rules of Court—Supreme Court—
Crimes (Confiscation of Profits).
Execution on Judgments and Orders.
Investigatory Film, Interest Rate and Solicitor Costs.
Solicitor Profit Costs.
Local and District Criminal Courts Act 1926 and Crimes (Confiscation of Profits) Act 1986—
Rules of Court District Court—Crimes (Confiscation of Profit).
Court Services Department—Report, 1985-86.
South Australian Ethnic Affairs Commission—Report, 1985-86.
Electoral Commissioner, Parliamentary Elections, 7 December 1985—Report.

By the Minister of Labour (Hon. Frank Blevins):

Dangerous Substances Act 1979—Regulations—Toxic and Corrosive Substances.

By the Minister of Agriculture (Hon. M. K. Mayes):

Citrus Board of South Australia—Report for year ending 30 April 1986.
Metropolitan Milk Supply Act 1946—Regulation—Penalties.

By the Minister of Fisheries (Hon. M. K. Mayes):

Fisheries Act 1982—Regulations—Prescribed Species.

By the Minister of Recreation and Sport (Hon. M. K. Mayes):

Greyhound Racing Control Board—Report, 1985-86.
South Australian Trotting Control Board—Report, 1985-86.

MINISTERIAL STATEMENT: AMDEL RESTRUCTURING

The Hon. J.C. BANNON (Premier and Treasurer): I seek to leave to make a statement.

Leave granted.

The Hon. J. C. BANNON: I make this statement essentially on behalf of my colleague, the Minister of Mines and Energy, on the Government's proposal to restructure the Australian Mineral Development Laboratories.

During the week a number of statements have been made about various aspects of the restructuring proposal. Although I do not intend to deal with all these claims in every detail, since that is an appropriate function of debate on the Bill, I do believe I am obliged to provide honourable members with some explanation of the basis for our proposal.

The Government has had one principal concern in drawing up the restructuring plans for Amdel—the survival of the company as an important part of the State's research and development effort. Without that restructuring the company's decline will continue, and it will become increasingly irrelevant. As such, it will have a detrimental effect on our program to keep South Australia as the nation's high technology leader.

Two other points need to be made: first, the restructuring will ensure a majority public sector holding which gives the people of South Australia a controlling interest in the company; secondly, the restructuring will ensure that the company remains South Australia based.

Amdel was formed in 1960 as a cooperative venture between the South Australian Government, the Commonwealth Government and the Australian Mining Industry Research Association. In the past 26 years, all three of those have contributed to the growth of Amdel by the direct contribution of cash, the reinvestment of surpluses and the donation of plant and equipment. The State Government has made a significant contribution in terms of land and buildings.

In seeking to determine a fair allocation of the shares of these three sponsors in the currently existing company, the Government took account of all these contributions, and a formula was derived which gave a notional share of the company to each of the sponsors. It is no exaggeration to say that, without the direct and indirect contributions made by AMIRA (the Australian Mining Industry Research Association) to Amdel over the past 26 years, the organisation would not exist in its present form.

I now turn to the valuation of the company. Some coverage has been given to the figure of $30 million to $40 million as the value of the company. This figure represents an opinion as to the replacement value of Amdel and was given in 1982. Members will realise that the replacement value of Amdel is not its market value and the issue of replacement of Amdel is not relevant, because it is the firm intention of the State Government to ensure the continued existence of Amdel within the public sector and within South Australia. The technical valuation of the company was performed by Coopers and Lybrand using a formula which is an accepted accounting practice to incorporate two essential features of the company. The first of these is the net assets of the company and the second is the prospective earnings of the company.

Much has been made in the past few weeks about the value of Amdel's Frewville property, which has a stated capital value of $7.8 million. This property, which will be transferred in part to Amdel, has a capital value which exceeds the actual valuation of the company. The point that must be realised is that the new shareholders, who will be in a minority, will not have any capacity to force decisions about the disposal of Amdel's land and buildings.

These new investors, when they look at the company, are obliged by good commercial practice to view the earning capacity of the company because it is here their return on investment will come from. Let me point out that, whilst Amdel has a solid base as a research and development organisation, and whilst the State Government believes

Amdel has the potential for a positive future, the facts of the matter are that in the past 26 years Amdel has returned only a total surplus of $143 000, and in the past year it lost $115 000. I do not make these points to condemn Amdel or its current management in any way, but rather to point out the commercial realities.

As an indication perhaps of the valuation of the company, let me make two comments. When the Cooper valuation was first put to State Treasury and State Development it was their advice that this price may be a little too high. Secondly, in the process of seeking out suitable new investors in Amdel a number of companies approached have rejected the offer on the basis that they did not view the return on investment as convincing enough for their corporate strategy. Both these points should be realised by those who argue that Amdel is undervalued. There will be no secrecy about the new shareholders. The list has not been finalised yet, but it will be published when negotiations on the share price have been completed.

I can however assure members that more than 50 per cent of the new Amdel shareholding will be held within the public sector. The State Government's own shareholding of 25.25 per cent will be sufficient to allow it to veto any changes to the articles of the company. Four of the seven board positions will be filled by people from the public sector and, if one looks at the current structure of Amdel's management, one will see that this results in a lessening of the private sector board control.

In addition to these controls, Amdel will have a shareholding that is more than 50 per cent South Australian. This will ensure that the company continues to make South Australia its headquarters and that the benefits of its business accrue to South Australia. This does not preclude Amdel from operating in other States. Amdel has successfully done that in its current structure, and that is an approach that is being supported by even Amdel's most trenchant critics.

Amdel is a statutory authority only because it is established by a statute. It does not have any statutory obligations. Amdel does not perform any regulatory role in the areas of radiation monitoring or occupational health and safety. That function is performed by the Health Commission in cooperation with other Government agencies and, whilst on occasion Amdel may be used, it is not different from the hiring of any commercial organisation to provide a one-off service.

As part of the restructuring, the South Australian Government does not intend to transfer to Amdel ownership of its property at Thebarton which Amdel currently occupies. The South Australian Government will retain ownership of that piece of land and therefore be responsible for it.

Finally, the forgotten players in this saga are the employees of Amdel, and it is fascinating to me that, in all the publicity of the past week, today is the first time that the issue of the people involved is being raised. The State Government is mindful of the concerns of the employees of Amdel and has endeavoured to provide them with advice of our intentions as soon as possible. This was done by the Minister of Mines and Energy and me by attending a function at Amdel, to explain the Amdel workers Cabinet's decision on the restructuring at the end of last year. The Cabinet decision followed two years of consultation with the unions involved. As a result, the current regular employees of Amdel have received guarantees of permanent employment. The restructuring will not jeopardise either their jobs, their security or their accrued rights.

In conclusion, I express my disgust at the tone of some of the public debate on this issue. The Minister's personal integrity has been attacked in the most reprehensible way. In view of the extensive consultations that he was undertaken and the thoroughness with which he has dealt with the issue, these attacks are quite outrageous. At all times he has had the full authority and support of me and the Government on this matter. We welcome debate on our proposal, but such debate should be based on fact, not false information and personal attacks.

MINISTERIAL STATEMENT: GERARD RESERVE YABBIE FARM

The Hon. LYNN ARNOLD (Minister of State Development and Technology): I seek leave to make a statement.

Leave granted.

The Hon. LYNN ARNOLD: On 31 July last year, I informed the House of my serious concern over difficulties associated with an uncompleted CEP project to construct a commercial yabbie farm at Gerard Reserve in the Riverland. I first learnt of the matter on 20 June last year and requested an immediate report from the Office of Employment and Training. When the Commonwealth suggested that the project be shut down, I deferred making a decision on behalf of the State pending receipt of the Auditor-General's investigation of the matter which I had sought. I have now received his report but, before I table it, I would like to give some brief background to members.

More than $868 000 was committed to the CEP project by the Federal and State Governments and the Aboriginal Development Commission. Of this money, $142 591 was committed by the State Government. Of the total funding, $684 726 has actually been spent in consultancy fees, construction of yabbie ponds, a pumping system, an operations building and fencing. The Auditor-General's report says considerable funds would be required to complete the project and has recommended its abandonment as the most practicable course of action. Following receipt of the report, I have agreed with the Commonwealth that the project be wound up, and we are now examining issues relating to restoration of the project site. On first hearing of the problems with the project, I sought a review of CEP project monitoring procedures, and these have now been tightened and written into guidelines for future CEP programs. The Auditor-General has likewise found that action was required in this area. I now table the Auditor-General's report for the information of members.

PUBLIC WORKS COMMITTEE REPORTS

The SPEAKER laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Brighton High School—Redevelopment Stage II—Final Report,

Marla Township Construction—Progress of Work,

Roxby Downs (Public Facilities)—Interim Report,

Roxby Downs (Public Facilities)—Final Report.

Ordered that reports be printed.

QUESTION TIME

The SPEAKER: I indicate to the House that the Premier will take questions that would otherwise be directed to the Minister of Mines and Energy and that the Minister of

Lands will take questions that would otherwise be directed to the Deputy Premier.

AMDEL

The Hon. E.R. GOLDSWORTHY: My question was to be directed to the Minister of Mines and Energy but, as he is keeping a low profile lately, it is directed to the Premier. When will the Government introduce legislation to finance the restructuring of Amdel, and will the Premier give a guarantee that there will be no further inquiry before this move is pursued? The Government was expected to give notice of the introduction of that Bill today. The Bill was to come in next week, based on the information that came to the Opposition. However, at the hastily convened Caucus meeting this morning, at which the Minister was present, I understand that there was discussion about a move at the ALP State Council tonight to have yet another inquiry.

I remind the House that Amdel's latest annual report indicated that the Government had originally encouraged Amdel to believe that this privatisation move would be finalised in September 1985—before the election campaign and before the very expensive campaign to debunk privatisation. That is almost 18 months ago, and the long delay since has seriously affected Amdel's profitability. In fact, a $1 million profit in 1984-85 was turned around to a loss last year of $100 000.

The Premier mentioned the Coopers and Lybrand inquiry. In fact, three inquiries have been instituted by various parties since that time. That of Coopers and Lybrand was the first instituted by the board in December 1984. An inquiry involving Ernst and Whinney, another reputable international firm, was instituted by the Minister in September 1985, and there was yet another inquiry by Dr John McKee in September 1986. The Minister, in answer to questioning by me during the Estimates Committees, has on each occasion said that the legislation was 'imminent'.

Following the Premier's statement in his election policy speech that privatisation equalled fewer jobs, and the Government's action since to sell off the Roadliner buses, to transfer hundreds of millions of dollars of ETSA assets to private ownership overseas, to allow much greater opportunity for ownership of Housing Trust homes, and indeed with this privatisation of Amdel, Public Service Association officials believe they have been doublecrossed, duped and sold out by the Government. In that context, their campaign is understandable.

We all know—and I state a fact—that they spent hundreds of thousands of dollars on the Government's behalf misrepresenting privatisation before the last State election, so that they feel well and truly duped and double crossed. In response, the Government has tried to silence these friends—

The SPEAKER: Order! The honourable Deputy Leader will resume his seat for a moment. Because of the position of leadership of the Deputy Leader, the Chair has to date been somewhat tolerant of his contribution by way of question and explanation, but it is quite clear that he has been indulging in comment and debate. I have exercised a certain amount of tolerance in the hope that any second now he will stop debating the question and contribute to the House in the way that is appropriate in Question Time. If the Deputy Leader does not do so immediately he resumes his standing position, I shall withdraw leave. The honourable Deputy Leader.

The Hon. E.R. GOLDSWORTHY: I will put the last fact before the House and not debate it. The Government has threatened legal action (that is a statement of fact) via the Crown Solicitor for unfair and misleading advertising. So, in view of this, I wind up by saying that now is the time for the Government to tell us exactly what it is going to do.

The Hon. J.C. BANNON: Part of the matters raised in the Deputy Leader's explanation have already been covered in the statement that I have made to the House. Unfortunately, only one side of this story appears to have been put across recently. It is surprising, because the decision was made and announced last year. A full press conference was held and statements were issued and circulated, yet it is only now that we are seeing this campaign against that decision. The legislation is currently being drafted and will be introduced as proposed.

Let me tackle the central argument in this issue. It is not a question of privatisation, that is, the selling off of Government assets. On the contrary, by introducing private capital we are expanding and developing Amdel. Without the introduction of that capital, Amdel was in a situation where, in fact, it was going to go out of business. That is a fact of life. The industry had indicated that, given an expanded capital base and a broader shareholding of that base than the tripartite shareholding that we had, it would be possible to ensure that certain extra business and functions would accrue to Amdel.

If that did not happen, in fact the industry would go ahead and privately establish such functions in another location in another State. As a Government, we could not accept that situation. But, I would make the point, too: the Commonwealth Government at that time was also telling us that it intended to withdraw from its participation in Amdel, which would further increase the capitalisation and financial problems of Amdel.

What has happened in the result is, in fact, not only the continuation of the involvement of the Commonwealth Government but also the ensuring, by the financial packet that has been put together, that more than 50 per cent comes from public sector sources. I have outlined those things in the statement that I have made; in other words, that participation in Amdel is strengthened, not reduced. However, that expansion and larger capital base is also being achieved. Members opposite, and indeed everyone who is interested in jobs at Amdel, should be 100 per cent behind the solution that has been discovered. It is not an issue of privatisation.

In relation to the attitude of the Public Service Association, that fact was made quite clear to it by myself and the Minister at a number of meetings, including a public meeting. When the privatisation issue and the Government's attitude to it were discussed, Amdel's situation was clearly distinguished. That was clearly understood by those bodies. So there is no question in any way of the Government having changed either its policies or its intentions. If into this equation of obscurantism the Opposition wishes to introduce some of the financing arrangements for ETSA—

Members interjecting:

The SPEAKER: Order! One would assume that the first question asked in Question Time, particularly coming from the Deputy Leader of the Opposition, is of some importance. Accordingly, the Chair would anticipate that those members stationed architecturally on my left would listen to the Premier's reply in silence and not attempt to drown him out.

The Hon. J.C. BANNON: The Opposition shows a complete misunderstanding of the financial arrangements that the Government is able to make, particularly using the vehicle of SAFA in order to accrue direct financial benefits

to the State. Not one of those arrangements in any way means that the State is either surrendering assets or abandoning its control over those assets. If members opposite do not understand that, it shows why their privatisation policy was such a total mish-mash and a mess. We are not in the business of selling off Government assets. If that is how it will be interpreted, it is quite clear that the Opposition does not understand its own policy.

AMERICA'S CUP

Mr RANN: Could the Premier provide the House with a report on South Australia's part in the defence of the America's Cup and the benefits which can be expected from that involvement? In the aftermath of the America's Cup challenge there have been numerous questions regarding the value of the event to Australia, the return on the amounts of money invloved and the possible investment in attempts to bring back the cup. It has been put to me that, given South Australia's high profile during the series, there should be some assessment of the value to South Australia of being part of this international event.

The Hon. J.C. BANNON: I thank the honourable member for his question. There is no doubt that, in the aftermath of the cup and the unfortunate fact that its defence was unsuccessful, many calculations are being made about the benefits that have accrued to all those involved in the challenge and about the expenditure incurred. That is of particular relevance to South Australia. I remind the House that the Government was involved, in conjunction with major South Australian businesses and the community, right from the earliest stage of South Australia's involvement in the America's Cup. We received considerable promotional and publicity value from it (that is why we were in it), and the record is there for all to see. We would have received even more benefit if we had been more successful competitively.

One reason why we could not be more successful competitively was that it was a community funded project and our yacht was not some multimillionaire's toy. In other words, we had to rely on financing and funding from all those interested and involved members of the South Australian community to keep our yacht competitive. Indeed, it performed well. However, we could not match some of the expenditure that was incurred by other syndicates. I might add that the original estimate of the cost of the challenge by the South Australian syndicate was $3.5 million. The overall cost on the figures to date (and they have not yet been finalised) is in the order of $7 million, which is a substantial increase in expenditure.

All of that increase, incidentally, was raised by sponsorship and other community activity—a fantastic effort. The Parry syndicate, which became the eventual defending task force and which originally budgeted for $6 million, ended up spending something like $28 million. The Bond syndicate's original budget of around $10 million escalated to something like $20 million in the course of the defence, so one can see what an expensive business it proved to be, unanticipated by those embarking on it.

While some of those costs naturally were required through sailcloth, specialised components, and so on, I was very surprised to find on a detailed analysis of the figures that in fact some of those cost increases over the sort of budget we were looking at came in very unusual places. One, of course, relates to devaluation and its impact, which was quite substantial on all syndicates, including the South Australian syndicate—not that some allowance was not made, but this defence took place over the period 1984 through to the current year, a time in which massive changes in the valuation of the dollar occurred.

Even more interesting to me was the fact that our syndicate paid an excess of $750 000 to the Federal Government for customs duty and sales tax. At the time the defence was mounted, it was understood that in fact syndicates involved in the defence—and the South Australian syndicate specifically attempted to ascertain this—would not be required to pay that or, if they were required to pay it, there would be some form of remission. Despite a number of approaches, including approaches from me directly to the Prime Minister and the Ministers concerned, we have been unable to get them to budge on that matter.

Members interjecting:

The Hon. J.C. BANNON: The reason is one that I will come to in a minute. Overseas syndicates did not have to pay customs duty and sales tax: we did, and all the others did. The reason, we are told, was that certain purchasing decisions made by the Bond syndicate overseas resulted in the Commonwealth Government's saying that it would apply taxes to it, and we got caught in that. I think it was quite wrong, and I publicly put it on the record. There is $750 000, unbudgeted, being paid directly to the Federal Government. Something of the order of $250 000 being paid in group tax and income tax for salaries and wages of crews and consultants again is going to the Federal Government. A further $115 000 is being paid to the Port of Fremantle Authority.

The Hon. E.R. Goldsworthy interjecting:

The Hon. J.C. BANNON: No. As explained, syndicates were advised that they would not be required to pay it. It is interesting that, having examined the figures, one can analyse them in this way, Mr Speaker, and therefore in relation to the South Australian Government's contribution, as decided in principle and discussed last year, we advanced moneys to the syndicate on the basis—

Members interjecting:

The Hon. J.C. BANNON: The community's money. We advanced those moneys on the basis that, whatever residual was available at the end of the day, we would have to convert that amount of loan into grant. We will not make decisions about that or the actual figures until all accounts are finalised and audited. I am told that that is imminent. A final statement of receipts and payments is being prepared. The Government and the Auditor-General will peruse them and the Auditor-General's certificate and report will be required before any decision comes into effect.

So, that is the situation in which we find ourselves today. Incidentally, the sale of the yacht and equipment yielded some $478 000. The syndicate is confident that all debtors and all expenses will be met, not only as a result of the State Government's contribution but of that very substantial business sponsorship contribution and over 1 000 individuals and companies who have donated all sorts of services, cash and kind.

I remind members that we made arrangements to ensure that our berth, prominently located as it was, would be used as a base to promote South Australia during the course of the cup. The yacht itself remained at the berth until 23 January and the site operated on through the period of the cup challenge. I am told that many thousands of visitations, inquiries, sales of material, and so on, took place during that time. When one looks at the balance sheet, as far as the Government's intention was concerned, I am confident that we got value for money. Certainly, I think it is a bit rough that syndicates based around community support undertake to be involved in an event such as this and end

up paying more than $1 million in taxes to the Federal Government, which is meant to be sponsoring it as well.

WAKEFIELD PRESS

Mr S.J. BAKER: When the Premier approved, on 23 January, the sale of the Wakefield Press to the *Adelaide Review* for $17 500, had he been provided with a detailed statement of the assets and liabilities of Wakefield Press and, if so, what were they?

The Hon. J.C. BANNON: The situation that confronted the Government at the end of 1986 with the Wakefield Press virtually concerned three propositions. The first option was to try to continue the press on an ongoing basis based around the Government Printer and an operation which, quite clearly, was going to require considerable annual recurrent subsidies by the Government in the future. Many people argued for that, and said that the Wakefield Press had demonstrated its value in the course of the Jubilee year and that, therefore, it should be continued, that we were the only State that did not have a university press or something equivalent, and that therefore it was justified for the Government to make an annual accretion.

The second option was to wind up the press, which had done its job as far as the Jubilee was concerned. In fact, the anticipated 10 or so publications became more than 50 during the course of that operation, and they have made a massive contribution to scholarship, learning and entertainment in South Australia. The third option was to ask, if the Government is not prepared to make recurrent amounts available to keep it going, whether some other publishing firm or private interest was prepared to take it on against the background it would never be a major profit earner or massive commercial proposition, as is the nature of publishing. Indeed, if it had been that easy then the Government would have continued the press—there would be not question about that. However, I could not impose on the Government yet a further recurrent burden that we had not anticipated.

In order to find out whether private interests were prepared to take on the press, considerable discussion and public advertisement took place. The interests that approached the Government were taken through the records and accounts, the stock in hand and other details of the Wakefield Press. So an assessment was made of its full finances. The commercial agreement finally made with the publishers of the *Adelaide Review* was concluded on what we believe is a sufficiently commercial basis to protect the Government's interest.

I come back to the point that as far as the Government was concerned it was a Jubilee 150 activity. It required and indeed was budgeted for subsidy from the Jubilee 150 Board. Like all of those commercial activities there were assets and income deriving. The assets of the Wakefield Press consist of unsold stock, and the extent and pace at which that can be sold will determine the final finances of the Wakefield Press. The full finances of the press have been assessed and evaluated and are known to those who are taking it over. However, it was on the basis that the Government was interested in seeing the Wakefield Press kept alive, the Government not being responsible for any losses it might make, the Government's asset being protected, and the press being located in South Australia, that the agreement was made.

INDUSTRIAL RELATIONS

Mr GREGORY: Has the Minister of Labour considered the repercussions on the excellent industrial relations systems operating in South Australia in the unlikely event of a Joh-led Party taking power in Canberra?

The Hon. FRANK BLEVINS: I thank the honourable member for his interesting question. First, I wish to contrast the industrial relations position in South Australia with that in Queensland, which the Queensland Premier Joh is apparently leaving. That contrast is worth stating. In the 12 months to September last year, South Australia lost only 89 working days per 1 000 employees because of industrial disputes whereas, on the other hand, Queensland lost 223 days per 1 000 employees for that reason. That is almost three times the level of industrial disputes that we have in South Australia. So, regarding industrial disputes, I do not know whether Joh is taking all his policies to Canberra with him or even adding to them, but certainly those policies do not seem to work too well in Queensland. One example, which is often raised when one talks about the Queensland Premier, concerns the SEQUEB dispute, which Joh claims is a great victory for Queensland but which reputable financial analysts estimate is costing the Queensland economy $1 billion. That was the cost of the confrontation approach which was adopted by Sir Joh Bjelke-Petersen and which we do not want here.

What has intrigued me during the media debate on this little fascist march south is the attitude of the South Australian Leader of the Opposition because, apart from some rather engaging photographs in the newspapers over the past couple of weeks, we have heard nothing from him—nothing at all. So, I had to go back to my clippings file to see what the Leader of the Opposition thought about the policies of the New Right that this little revolutionary is bringing south. In the *Advertiser* of 9 September 1986 I found the following under the heading 'Olsen supports the New Right' (and this is pre-Murdoch):

> The Leader of the South Australian Opposition, Mr Olsen, has thrown his support behind the New Right move in Australian politics. Mr Olsen defended the New Right philosphies of market and labour deregulation . . .

So, we can only assume, in the absence of a clear statement from the Leader of the Opposition, that that report is correct and that he indeed supports the Queensland Premier in his march south. If that is not the case, I should like to hear the views of the Leader and I am sure that the ladies and gentlemen of the press will be only too pleased to ask him.

Mr S.J. BAKER: I rise on a point of order, Mr Speaker.

Members interjection:

The SPEAKER: Order! The Chair would appreciate enough silence to enable me to hear the point of order.

Mr S.J. BAKER: Mr Speaker, you and the House have been overly generous, given that the original question was hypothetical. The Minister seems to be wasting the time of the House. Given that the original question was hypothetical, I ask you, Mr Speaker, to rule it out of order.

The SPEAKER: Order! There is no point of order. However, I draw to the attention—

Members interjecting:

The SPEAKER: Order! A greater degree of cooperation from Government front and back benches would be appreciated.

Opposition members: Hear, hear!

The SPEAKER: And from members on my left, architecturally speaking. I draw to the attention of the House my statement of 7 August 1986, as follows:

> The Chair has no wish to unduly restrict the liveliness of Question Time, but calls on Ministers to refrain from introducing irrelevancies or unduly provocative comments in their replies, particularly when questions have not incorporated material of that nature.

The Chair is not sure whether that last remark is applicable in this case, but I believe that the first part of the paragraph could be of some relevance to the Minister's reply.

The Hon. FRANK BLEVINS: Thank you very much, Mr Speaker. It is interesting that they really cannot take it over there. However, in deference to your ruling on the point of order, I believe that there is a serious point here. We have by far the best industrial relations record in Australia, and Queensland has by far the worst. Queensland has also the highest rate of unemployment in Australia. Members opposite support the march south by this person who has been described as a 'Gadaffi revolutionary' by members of his own political party—and they should know.

If this person succeeds in his objective of capturing the Liberal and National Parties in Australia and the federal treasury benches, that would be quite disastrous for industrial relations in this State. Both employers and employees in this State want no part of the policies of the New Right. I hope that the Leader of the Opposition will stand up and tell us clearly that, like the employers and employees of this State, he repudiates the New Right and the support that he gave that movement in September last year.

WAKEFIELD PRESS

Mr OLSEN: Will the Premier ask the Auditor-General, as a matter of urgency, to report to Parliament on the sale of Wakefield Press? It appears that the Premier misled the House, in his reply to the question asked by the member for Mitcham, when he said that the Government had a full list of assets and liabilities of Wakefield Press prior to the announcement of the sale. From documentation and information made available to me, I have established the following facts.

Taxpayers' money amounting to at least $702 000 has so far been allocated to Wakefield Press in return for which a sale price of $17 500 has been obtained. When he approved its sale to the *Adelaide Review* on 23 January, the Premier had no idea of the assets and liabilities of Wakefield Press. This is shown by a letter dated 5 February—a fortnight later—in which the Deputy Head of the Premier's Department seeks from the Government Printer information about the assets and liabilities of Wakefield Press. The letter also suggests that even now no legal document has been drawn up for the sale and that the Government has little, if any, idea of what assets and rights it has sold—an extraordinary way to do business with taxpayers' money.

Also, for $17 500 the *Adelaide Review* is getting the name and logo of Wakefield Press—all rights, all available typeset, manuscripts, artwork, colour separations, packaging material, and a computer. Further, the Government will pay *Adelaide Review* $200 a week to help organise publication of remaining titles commissioned by Wakefield Press and $3 600 for editing work. For its part, *Adelaide Review* can reasonably expect to earn an estimated $45 000 as its share of future sales of books originally published or commissioned by Wakefield Press without having to meet any of the costs normally associated with bookselling, such as storage and distribution, which will continue to be met by the taxpayer. Indeed, under the terms of the sale taxpayers will have to pick up all past and continuing liabilities of Wakefield Press, which I understand could involve a net loss of least $200 000. If you add that to the $700 000 that has been poured down the drain at the yabbie farm, plus the money to restore that area, and if you look at the $1.4 million to $1.8 million relating to the 12 metre yacht challenge which was recently funded and which has gone to a grant from a loan—

The SPEAKER: Order! The Leader of the Opposition will resume his seat for a moment. The purpose of Question Time is for questions to be asked about matters of fact—not for debate. The Leader of the Opposition is aware that he is now launching into an area of debate and comment, and I ask him to restrict himself to his question.

Mr OLSEN: Mr Speaker, I just restated the facts as presented to this House by both the Premier and the Minister of State Development earlier, just prior to Question Time. In his report to Parliament last September the Auditor-General raised some serious questions about the financial management of Wakefield Press. On the face of it the sale of the press amounts to a good business deal for the *Adelaide Review* at considerable expense to the taxpayers of South Australia, a situation which demands further explanation. I invite the Premier to initiate an urgent report from the Auditor-General under section 31 of the Audit Act and also to indicate to the House how a sale could be negotiated without even the Deputy Head of his department having a full list of the assets and liabilities before determining the sale price.

The Hon. J.C. BANNON: I point out at this stage that I do not believe a special investigation of the kind requested is warranted.

Mr Olsen interjecting:

The Hon. J.C. BANNON: Not at all. If it is warranted it will take place. I will certainly not embark on that unless a case has been made for it to take place. I am certainly prepared to provide a report on this agreement to the House, and I will do so. Let me make the point again: Wakefield Press was a Jubilee Board subsidised activity. It was budgeted for and, like some of the Jubilee events, it has cost more than was budgeted. Because it is also an operation that relies on the value of stocks—of books produced—for any return or recoupment, then obviously the price and rate at which those books will be sold are relevant factors in terms of the value of the press.

Having apprised members of that, I state that any loss that the Government may have suffered in this must be set against the overall return or result for the Jubilee year, which in fact has been quite favourable in terms of the budgeted result. As I said right from the beginning it should be the aim of the Jubilee Board to contain expenditure and that, whatever happened with individual events because of the nature of those events, some would succeed financially and others might not. That is exactly what happened: some have exceeded expectation by far and others have failed, and those few failures of course are constantly highlighted by the Opposition because it sees that as its role.

Those things that have succeeded we hear not a peep about, but the brief of the board was that at the end of the day it should ensure that it contained its expenditures within the broad limits of the budget proposed. In fact, that is what it has done: it has not just contained the figures but in fact has returned money to the Government from those overall budgets. That is the fact. That ought to be set aside against the nonsense that the Leader of the Opposition was talking about.

Members interjecting:

The SPEAKER: Order! The Premier will resume his seat for a moment. The Chair is determined to try to maintain an even-handed stance, but certain members of this House making constant and repeated interjections make such an approach very difficult. The honourable Premier.

The Hon. J.C. BANNON: As far as Wakefield Press is concerned, many people wanted the Government to continue it. I have already explained to the House the decision taken was that Wakefield Press should not be a continuing,

ongoing recurrent drain on Government resources. That is surely a sensible and responsible decision. If the Opposition is saying that we should have wound it up in those circumstances, that is one approach that can be taken. We chose to take a line that would allow publication to continue and to allow the press to continue to function. Surely that decision should be welcomed by the community.

LITTLER DRIVE INTERSECTION

Ms GAYLER: Will the Minister of Transport ask the Road Safety Division to solve the mysterious case of intersection confusion in my electorate where neither the police, the Royal Automobile Association, the local council nor the Road Safety Division is able to say who has right of way at a particular intersection? A traffic management scheme has been devised for a series of intersections in Fairview Park. The scheme involves one-lane angled slow points and speed humps along Littler Drive, and appears to have had the desired effect of slowing vehicles and reducing through traffic and accidents. However, a constituent finds drivers failing to give way at what was, and perhaps still is, a 'T' junction. My constituent would like clarification and installation of 'give-way' signs so all drivers are playing by the same road rules at the mystery intersection.

The Hon. G.F. KENEALLY: I thank the honourable member for her question and hope that the mysterious intersection is not such a mystery that we will not be able to find it when inevitably my department looks at this problem. Within the Department of Transport we have the Transport Planning Section, which comprises a number of officers, including Sam Amamoo, who has been able to put into place, with the cooperation of local councils, some very sensible traffic management plans that have made our suburban roads safer.

In fact, they have ensured that our suburban roads are dealing with the traffic that they were designed to accommodate. I am certainly not aware of the intersection to which the honourable member has alluded. I assume that the traffic management plan is a local government traffic plan. In any event, my department can speak with the appropriate local government authority. I know that there would not be any point in my intervention as Minister when the police, the RAA, the council and the Road Safety Division cannot resolve the matter.

Members interjecting:

The Hon. G.F. KENEALLY: My modesty prevents my applauding some of the comments that are coming from this side of the House, no matter how true they are. There is a problem in ensuring that traffic signs are understood and that traffic is able to flow unimpeded or, if the impediment is there, in ensuring that it is programmed, understood and sensible so that the roads are a safer place for everyone. I shall be happy to take up this matter with my department and see who are the appropriate people to help my colleague and her constituents with what appears to be a very real problem.

WORKERS COMPENSATION CORPORATION

The Hon. B.C. EASTICK: Will the Minister of Labour say whether his predecessor, Mr Jack Wright, or the former Ombudsman, Mr Robert Bakewell, is to be appointed Chairman of the corporation that is to be established under the new workers compensation legislation and, if not, who the Chairman will be and when the composition of the corporation will be announced?

The Hon. FRANK BLEVINS: The short answer is 'No'. I am not prepared to enter into debate on this. The Government is considering a very extensive list of very distinguished South Australians to take this very high office. The honourable member will be delighted to know that no-one is excluded from our deliberations: we are roaming far and wide throughout the State to choose the best possible person and, when that has been done, when the Government's deliberations have resulted in the name of the person who will assume this very important office, it will be conveyed to the public and Parliament in the usual manner.

RESERVE HOLDINGS

Mr DUIGAN: Can the Premier, in his capacity as Treasurer, inform the House of the extent of the reserve holdings held by South Australian Government authorities and instrumentalities, and can he say what the consequences would be of cutting public sector borrowings by up to 33 per cent and being required to use reserves to finance that cut in borrowings? Further, can the Treasurer indicate what discussions he has had with the Federal Treasurer on such a proposal, and whether or not there is any desire or intention on the part of the Federal Government to lessen the State Governments' use of their borrowing rights?

Early last year a report appeared in the *Sydney Morning Herald* which suggested substantial reserves were held by the South Australian Government, and that would be used as the basis for slashing grants to the States. In response to a question, the Treasurer indicated that, while there had been some massing together of State assets for the purpose of making more efficient use of South Australian reserves—namely, through SAFA—those funds were not available to finance expenditure, and that there was no way that an argument to reduce Commonwealth funding could be sustained.

In the *Advertiser* on Tuesday 3 February of this year it was reported that a major Australian trading bank, the Macquarie Bank, had called upon the Federal Government to enforce a cut of up to one-third in borrowings by the States. That article called for a reduction of between 15 and 33 per cent in the loan-raising limits for the States, and said that it was ludicrous that the States and their instrumentalities had been able to accumulate cash reserves.

The Hon. J.C. BANNON: I thank the honourable member for his question. To pick it up with reference to the statement purportedly coming from the Macquarie Bank, I suggest that that is a very uninformed comment and reflects some of the things that are said in other circles about the way in which State Governments must manage their finances. Surely, it is not being said that we cannot have any reserves at all. That would be an absolutely disastrous situation. In fact, in the period 1982-83, just after we came to office, one of the alarming things that confronted us in the Treasury was the rundown of our cash reserves to the extent that they were at a dangerously low level, even in respect of paying the salaries of public servants on a regular basis.

If that trend continued through to the next year, we would have had to go cap in hand to the Commonwealth to try to get some emergency assistance. We resolved we were not going to put ourselves in that dangerous position. That would be totally wrong. At any time, any Government or business—and, indeed, any bank, I would suggest—must have at its disposal liquid assets it can call on if it needs to do so. The level of those assets is obviously a matter of decision from time to time, depending on the circumstances.

I point out that, in South Australia's case, of something of the order of $2 billion in financial assets of all forms,

including capital for the State Bank, loans for housing, investments in the South Australian Oil and Gas Corporation, and so on, only a relatively small part is what one would call readily liquifiable financial assets, perhaps in the order of a few hundred million, and that is what we deem to be a prudent and sound buffer against swings in receipts levels, as a means of funding lumpy receipts of capital items and, of course, of capital expenditure itself.

From a State perspective, there is no guarantee that the availability of funds, particularly from the Commonwealth, will correspond with an economically rational timing of some major State capital expenditures, so we must have access to those reserves, and we have kept them, I suggest, at a prudent level. It is quite wrong—indeed, ignorant—for financial institutions such as the Macquarie Bank to criticise that. It is true that there has been a significant increase in the net borrowing requirement of the States, for a number of reasons, but it has been against a background of an overall restriction on public sector borrowing requirements which have been agreed by all the States and the Commonwealth, which has seen a net reduction in our demands on the market.

In South Australia's case, it is worth noting that the estimated growth in net borrowings is significantly below that of other State Governments. In *per capita* terms, this State's level of net borrowings is the second lowest of all the States, so we are by no means being irresponsible in terms of our borrowing policies. Why do we need to rely more on borrowings? Partly because of a policy of ensuring that our capital projects remain in place. There would be severe social cost and indirect economic cost if we allowed that program to run down simply on the basis that we were prepared to run down our liquid assets and borrowings.

It is also, I think, important to note that the States have been forced to rely more heavily on borrowings as a source of funds because of the restrictions applied to us by the Commonwealth on traditional sources. A major fact behind the Commonwealth Government's success in reducing its deficit has been its restriction on growth in Commonwealth grants to the States. In other words, much of the pull-back of the deficit which the Federal Treasurer, quite rightly, says is an example of good economic management by the Federal Government, has been at the expense of the States. We have had to somehow make allowance for that. In other words, the problem has been passed from the Commonwealth to the State level, and it is not easy. It is particularly not easy when we are being constantly confronted with expenditure proposals.

Just today, the Opposition health spokesman was calling for increased expenditure on hospitals, which, as it is, represents something like 25 per cent of our budget in the health sector. We would love to increase expenditure there, but we do not have the capacity to do so. As to the honourable member's suggestion of a cut of 33 per cent in the semi-government program, that would be absolutely disastrous for the State. We have already had savage cutbacks in 1986-87. It would have extremely severe consequences, not only as far as capital grants are concerned but, in particular, in its impact on the housing sector, because concessional funding loans for housing have been absolutely crucial to our maintenance of a strong and healthy public housing sector.

The withdrawal of those funds and the conditions under which they are given create enormous problems for us, because if we are to continue our housing program we have to draw those funds from somewhere else at the expense of some other program. We will certainly—and I guess I speak for all the States—be fighting very hard to ensure that that kind of cutback does not take place, because the net result of it will be a greater impact, I would suggest, on Commonwealth outgoings as a consequence of the social cost that will arise from the cutbacks. Also, of course, it means that we have a loss of interest income stemming from the associated rundown in our financial assets or reserves. To the extent that they are healthy, they can also generate revenue for us which can go in to our cash balance and help support our program. So, I reject completely those sorts of statements which are made, particularly as they relate to this State—and indeed which come sometimes from the Federal Treasury—about the States having some sort of fat on which they can draw.

We are living very close to the bone, indeed. We have a very large debt to fund and we want to keep that debt under control. If we do not, future generations will pay very dearly.

SOUTH AUSTRALIA

Mr INGERSON: Can the Premier say how much the America's Cup yacht *South Australia* was sold for? How much of the $1.4 million the Government loaned to the syndicate does the Premier expect to be repaid? It was said earlier by the Premier that the yacht was sold for a sum in the order of $470 000, but it was reported to Parliament prior to Christmas that it was in the order of $350 000, so it is really just a matter of confirming that comment as it relates to the amount to be repaid. As it is my understanding that, in the washup of the total accounts of the whole syndicate, there is only a couple of thousand dollars surplus, does that mean that the total of $1.4 million will be completely written off by the Government?

The Hon. J.C. BANNON: To a large extent, I covered this matter in the answer I gave earlier. The figure I gave earlier of $478 000 includes the sale of the yacht and related equipment. The yacht itself was $385 000 and the equipment was $93 000 (on the figures supplied). I repeat: these are not the final audited figures, although I am told by the syndicate that it is most unlikely that there are further accounts or other expenses that have not been included following the full scale assessment made by the syndicate. However, that will be determined when the books are finally audited.

The way in which the residual is treated will depend in part on how things such as the berthing fees are paid (bearing in mind that the Government had use of the berth recently as a promotional vehicle). I would like to see all the accounts relating to the yacht settled within the syndicate's balance sheet. If that means at the end of the day that there is no cash balance for the Government, that is fine as long as it is understood that that is the bottom line. The principal decision has been taken that we will convert to the extent that that is necessary. Certainly, as I indicated last year, it is most unlikely that we will receive more than a few thousand dollars as a consequence. If we chose to treat these expenses in a different way, the amount could be inflated. I repeat: I think the most sensible and logical way of treating it is as an all-up overall cost (which includes promotional and other costs in that figure), and the Government loan is then written off to that level.

AVIATION REPORT

Mr RANN: Will the Minister of Transport inform the House of the State Government's response to the Independent Review of Economic Regulation of Domestic Aviation Report? In January, this comprehensive review of domestic aviation reported to the Federal Government its

finding that there was widespread public support for partial deregulation of the airline industry and argued that the two airline agreement should be terminated as soon as possible. It has been put to me that there is widespread disquiet in the community about the two airline agreement, parallel air scheduling, excessive restrictions on the ability of airlines to offer discounted fares and the excessively high fares incorporated into holiday packages.

The Hon. G.F. KENEALLY: I thank the honourable member for his question and for giving me notice of it because it enabled me to be sufficiently briefed to respond. The long awaited report of the Independent Review of Economic Regulation of Domestic Aviation was released by the Commonwealth Minister for Transport (Hon. Peter Morris) on 7 January 1987. The review, which is known either as the May review or the Two Airline Policy review, was set up in March 1985 and took two years to complete. As the House is aware, under the Two Airline Policy, traffic on the major national or trunk routes is largely reserved for two operators—Australian Airlines and Ansett Airlines of Australia.

Under the Airlines Agreement Act, the Commonwealth or Ansett Transport Industries Ltd (ATI) may terminate the agreement by giving notice of termination after 26 January 1987. Termination can take place not less than three years after the giving of notice; hence the agreement is formally in place until 1990. However, I understand that both airlines have agreed to make any future notice of change retrospective to 27 January 1987.

The review notes widespread dissatisfaction with the current regulatory system (alluded to by the member) with supporters essentially confined to the two airlines (Australian and Ansett) and unions involved with the industry. According to the review, the current regulatory arrangements emphasise enforcement of the conditions of the Airlines Agreement and preservation of the current industry structure, rather than the more fundamental objective of satisfying consumer needs.

The review presents five options which are suggested to provide the practicable range in the regulation-deregulation spectrum. The review, however, offers no judgment about which of the options may be more appropriate, suggesting that such judgment is a matter for Government, although I understand the review Chairman (Mr Tom May) is on record as suggesting that the first and last options are unrealistic. In addition, the review argues that the ultimate option selected need not even be one of these five with derivation of further policy options based on the review being possible. The five options are as follows: the *status quo,* revised regulation; modified regulation; partial deregulation; and deregulation. So all members can see that there is fair scope for anyone to determine what they will of the report.

The review does, however, recommend that a number of actions be taken, irrespective of the particular approach Government may eventually adopt:

If Government chooses to alter *status quo,* notice of termination of present agreement be given as early as practicable;

economic regulation to be the responsibility of a single regulatory body;

no requirement for airlines to consult among themselves;

all new passenger terminal facilities being provided on a common user basis;

reduced constraints on inclusive tour charters within Australia;

a more relaxed attitude towards charter proposals from operators already having aircraft in the country;

Qantas being permitted to carry domestic freight on domestic sectors of its international flights.

The review contains little specific commentary on South Australia. The Commonwealth Government is currently assessing the review and will accept written comments on its contents.

The South Australian Government made a major contribution in its submission to the review. The State Government submission argued that the present two airline policy did not benefit this State, producing adverse effects such as high air fares and parallel scheduling. The South Australian submission did present a case for economic deregulation. The submission argued that we were in a strong position for deregulation in the longer term, given the State's experience with an 'open skies' policy.

A member of the review consulted with the South Australian Department of Transport in December 1985. However, no public hearing was held in Adelaide. It is important to note, however, that, whilst the State argued for economic deregulation, this does not preclude the State accepting any of the review options (other than the *status quo* option) on the understanding that the adoption of any particular option would provide the means of achieving long term economic deregulation. The State Government is certainly not intruding into regulation of safety areas, which is absolutely essential. The Department of Transport is currently undertaking an analysis of the review, with a view to determining the possible contents and appropriateness of any further submission to the Commonwealth by the South Australian Government.

Finally, it should be borne in mind that East-West Airlines is currently mounting a High Court challenge to the validity of the two airline policy which, if successful, would make a substantial part of the review redundant.

TEACHERS' COUNTRY SERVICE

Mr BLACKER: Will the Minister of Education consider altering the Government policy which allows teachers, when appointed to country schools, to take four years leave without pay and then return to the education system and be deemed to have completed their obligation to country service? It has been brought to my notice that it is possible under the present arrangement for teachers to avoid the obligation of country service by taking four years leave without pay. In some cases it means that teachers are effectively having four years accouchement leave, which is a benefit that no other teacher (particularly country teachers) is allowed. Secondly, there is the possibility of inconsistencies in standards developing between country and city education. Parents and teachers in my electorate have expressed grave concerns to me that this situation should be allowed to occur and have requested that action be taken to rectify this anomaly.

The Hon. G.J. CRAFTER: I thank the honourable member for his question, and I appreciate his concern to maintain high standards of education in remote areas of this State. I know that this matter causes a great deal of concern in the rural areas of South Australia. The current arrangements result from an agreement entered into by the South Australian Institute of Teachers and the Education Department. I believe that that agreement was established under the Tonkin Government and that it has worked to the considerable satisfaction of the education community. However, it may contain some shortcomings. I understand that there is an ongoing structure to review this mechanism and indeed other aspects of the teaching service. I will be pleased to obtain for the honourable member a more detailed response on the implications of the situation that he has described.

PERSONAL EXPLANATION: MISREPRESENTATION

Mr GUNN (Eyre): I seek leave to make a personal explanation.

Leave granted.

Mr GUNN: I claim to have been misrepresented by an article which appeared in the *Advertiser* on 3 January 1987 concerning a Mr Jan Palo, a long term Marree resident and invalid pensioner, who was instructed by Australian National to vacate the house he leases from them. The article stated that when attempts were made to contact me, as the local member of Parliament, I was not able to be contacted. This is not correct. I was contacted by the local publican, who telephoned my office at Parliament House on 24 December 1986, and a message was relayed to me. I had my office contact Australian National and the Department for Community Welfare at Leigh Creek, and both outlined the position as they understood it in relation to this difficult situation.

I also wish to point out that the *Advertiser* journalist did not take the trouble to contact me to see whether I was available, and my secretary spoke to me on two occasions in relation to this problem. She made a number of telephone calls to endeavour to assist this person. I further point out that the matter was one of a commercial nature between the person concerned and Australian National, and I suggest to the *Advertiser* journalists that in future, when they wish to comment about my ability or inability, they first contact me.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 6)

Adjourned debate on second reading.

(Continued from 26 November. Page 2357.)

Mr INGERSON (Bragg): In rising to support this Bill on behalf of the Opposition, I would like to mention a few areas of concern to support very strongly the need for increased road safety measures. Any member who has spent time in the last month or so driving around the city and who has taken note of what happens at intersections would clearly recognise a need for the introduction of some type of safety unit at intersections in an attempt to stop red light jumping. One night when I went into the city I passed through half a dozen sets of traffic lights, and at each set someone deliberately jumped the red light. Whilst I am not so concerned about those people taking their lives into their own hands, I am concerned about the secondary flow on of people who are injured or killed because of the non-observance of a very fundamental area of traffic safety: taking notice of traffic lights. I intend later to move some very simple amendments, because we believe that the way in which some changes will take place through this Bill needs to be corrected.

I have spent considerable time discussing this problem with the community at large, the Law Society, the State Government Insurance Commission and the RAA, and I have had a very brief discussion with the Police Association and with representatives of the Motor Traders Association. There are, however, many areas of concern that I hope the Minister will cover in his reply.

First, I think it is a pity that, with the introduction of such a major change, there has been no explanation to the public of how these cameras will work. Whilst the legislation is set up specifically to discuss owner onus, it seems a pity that this opportunity has not been taken to clearly spell out how these cameras will work, where they will be installed, and what sort of advertising and promotion exercise will cover the setting up of this new road safety campaign in this State. There has been much talk previously about how these cameras will work, but I think that the advertising and promotion campaign, which needs to be clearly set out so that the public knows how this system will work, could have been set out in the general explanation of this Bill. It is a pity that it has not occurred. Other questions to be posed are how it will be signposted and how we will explain to the public the likely increase in the number of rear end collisions. In other States where this system has been implemented there has been a significant increase in rear end collisions and, as a consequence, an increase in whiplash accidents.

I hope the Minister will explain the sort of promotional scheme that he will set up to explain what this onus of proof is all about, because it really is a brand new concept for the community in this State, particularly with the scale that we are talking about at the moment. I would like to know the cost of the scheme, which is a very costly advance in modern technology, and that should be spelt out very clearly. What will be the role of the police and how will they change the cameras? Will we have a special squad as we have for random breath tests?

My concern starts really in the very first clauses of the Bill, when one realises that we have eight different reasons for people being picked up by red light cameras, commencing with exceeding the speed limit, driving recklessly—and it will be interesting to know how a camera will define driving recklessly; I am sure that the Minister will explain that—exceeding a speed limit in a town and, finally, disobeying traffic lights or signs. Obviously, that can be geared very simply, but the other interesting one is driving a vehicle with a gross weight exceeding 4 tonnes at more than 80 km/h. I can understand how the speed can be worked out, but how will the camera work out that the weight is more than 4 tonnes?

If this Bill becomes law, then it will have two effects. First, if by the use of a photographic detection device a vehicle is shown to have committed one of the offences set out, the owner of the vehicle is guilty of an offence under the proposed new section 79b and the authorities may proceed against him accordingly, unless he proves on the balance of probabilities that there was no offence, and he was not the driver or, if the owner was a company, it was not being driven by an officer or employee of the company. Secondly, the authorities do not have to proceed under section 79b. They can prosecute for the substantive offence, i.e. under section 24 or 46 (1) or 48, etc. That means basically that the police can prosecute, even though the other two reasons have not been satisfied.

In the event of a prosecution under the new section, then the owner must be given a chance to expiate the offence together with the opportunity of viewing the photographic evidence and the opportunity of having the complaint withdrawn upon furnishing a statutory declaration. Where the police do not charge under the new section, but allege the substantive offence either by a traffic infringement notice or by summons for the offence, then an opportunity to view the photographs must also be given.

Two prosecutions cannot be brought in respect of the same offence and if a person is convicted of an offence against this section (as opposed to the specific offence) then there is no chance of disqualification. I notice that the Minister nods his head at that. That is interesting, because it seems odd that if someone is caught for the same offence

and it is found proved (and that is what we are talking about in the sense of onus of proof) other than in relation to red light cameras, it is an offence and one can lose demerit points. It is an interesting concept that we are now doing away with that when in fact the legislation indicates that, unless one takes up the right to defend oneself under the statutory position, one is proved guilty. It seems odd that we do not have demerit points or any other penalty in this particular case. There are some evidentiary provisions relating first to a certificate that an opportunity was given to expiate, and next various certificates relating to the nature of and accuracy of the operation of the detection device.

It should be remembered that the expiation of traffic offences has nothing to do with the Road Traffic Act but is dealt with by the amendment to the Police Offences Act (now the Summary Offences Act), being Act No. 39 of 1981. Reference should be made to that Act. These comments obviously are made from a legal point of view, and I would like the Minister to comment on that when he comes to it. In that Act one will see that before any offence under the Road Traffic Act can be expiated it needs to be (by regulation) prescribed under the Act. Therefore to start with the whole scheme of the Bill fails unless it designates a breach of section 79b of the Road Traffic Act to be a prescribed offence under the Summary Offences Act. Even then regulations would have to be made under the latter Act in respect of penalties. Whilst on the topic of regulations, I draw members' attention to the fact that section 176 suggests that it is not wide enough to allow regulations to be made under the proposed new section 79b. Again, I would like the Minister to comment on this.

This brings me to what I consider to be a real and all too common vice in the legislation. Let me say at the outset that I have much respect for scientific instruments, particularly those which are now capable of measuring distances and speed. We stake our lives on them every day (aircraft navigation, Olympic Games swimming pools, etc.). I have no reason to doubt that the red light cameras currently available are capable of detecting vehicles which disobey traffic lights. I have no reason to doubt that scientifically constructed and programmed cameras might be foolproof in detecting and recording vehicles travelling at excessive speeds. I find it difficult to imagine how any form of photographic detection device could record dangerous driving or be able to ascertain that the weight of a vehicle exceeded 4 tonnes.

Strange though the inclusion of sections 46 and 53 in the legislation is, that however is not my point. I have a firm belief that Parliament ought to make the law, and those laws (that is, regulations, rules, by-laws, etc.) which are not made in Parliament ought to be strictly under parliamentary control by virtue of the Subordinate Legislation Act 1978. The Joint Committee on Subordinate Legislation established after the amendment to section 55 of the Constitution Act still exists. Certainly, subordinate legislation is still subject to review and disallowance by either House of Parliament, but in this Bill the Subordinate Legislation Act has been circumvented in several respects.

First, in relation to section 79a, the Governor is to approve a detection device. In other words, Cabinet has complete power without parliamentary review of determining what devices can be used. In my opinion this is wrong and will not be supported. Secondly, in relation to section 79b (5), the infringement notice or summons in respect of an offence is to be accompanied by a notice in a form approved by the Minister. For a start, the Act does not say how the Minister should signify his approval; secondly, the form itself cannot be controlled by Parliament. The situation is even worse when one looks at paragraph *(c)*, where the form is to contain such other information or instructions as the Minister thinks fit. In my view the Bill should be amended to provide for any forms to be prescribed by regulation. Thirdly, the same comments apply to subsection (6) as apply to section 79b (5). In my view it is wrong for Parliament to abrogate its powers in favour of the Executive without retaining control. This is a favourite trick in recent legislation, and it is time it was stopped. Thus, the proposal for simple regulation changes.

I hold the traditional view that, if the Crown wants to obtain a conviction or penalty against any of its citizens, it ought to prove that citizen's guilt beyond all reasonable doubt. There is always a fear that, when the onus of proving innocence lies on the citizen himself, this is the thin end of the wedge. I share that fear, but nevertheless have no objection in principle to the provisions in this Act. Bad driving kills and maims innocent citizens. There is no God given right to drive motor vehicles, and I have no objection to imposing conditions on people who wish to drive vehicles on the roads provided for all members of the community. If one of those conditions is that in certain circumstances they have to account for their own driving then, provided the provision is generally for the safety of others, so be it. No-one is obliged to drive a vehicle. In my view, it is a small price for an individual to pay in aid of general safety. I believe all proper means to detect traffic offenders should be supported.

Discussion was held with the RAA and it expressed concern about the owner onus provisions. It was happy to accept the principle but was concerned that the Bill should more clearly spell out the ways in which one could get out of this offence easily if one was not the owner. The RAA put forward suggestions that the Bill should contain provisions in relation to letting an owner off when a vehicle is stolen or illegally used, or when the owner did not know or could not ascertain who was the driver at the time of the offence.

Although the RAA put forward those suggestions, it is my understanding that that is reasonably well spelt out in the Bill, and I would like the Minister to comment. One of the major flaws in the legislation is that there seems to be no follow-up on the person who actually committed the offence if an owner is charged but it was a member of the family or someone else who drove the car.

While I understand that it is not easy to find out who was the driver, there must be many occasions when the owner of the vehicle knows the identity of the driver and is able to pass on that information. I know that not everyone in the community will do that, but surely we must have some follow-up. The person who offends should be liable.

This follows my earlier comment. It seems quite unreasonable that, if a person is proven guilty of the offence, they lose no demerit points and are merely fined. I know that the fine is fairly heavy, but we should follow up the matter and find the person responsible for what is a very serious road safety problem. As the Minister is aware, it is one of the major concerns and the reason for this legislation.

The other area which I think will be difficult for the Government to police concerns making companies responsible for their employees, because companies are to be made responsible for the driver whereas the owner will not be responsible for them. That seems to present an anomaly, and perhaps the Minister could explain it.

It has been put to me that it seems unreasonable that, if a camera detects someone committing an offence and the police detect another person committing the same offence, demerit points are incurred only in respect of the offence

detected by the police. That, too, seems to be an anomaly. I should also like the Minister to explain the position of Commonwealth and State employees because, as he and I know, they are not immune from the practice of driving through red lights. It seems to me that their position has not been clearly spelt out. Possibly, under the definition provision Commonwealth and State employees will be covered by the corporate section in the Bill. It would be unreasonable if they were not covered by the legislation because a section of the community would be getting away with breaking the law. Having made those few comments, I indicate that the Opposition in principle supports the Bill.

The Hon. G.F. KENEALLY (Minister of Transport): I thank the member for Bragg and the Opposition for their support of the Bill, and I also commend the member for Bragg for his thoughtful and useful contribution to the debate. I will certainly take on board a number of the legal questions that he has canvassed and have them considered before this legislation is debated in the Legislative Council. The Government intends that this Bill should proceed through the House of Assembly but that opportunity should be given for many of the concerns that have been expressed by the honourable member to be investigated before it goes to another place. That is common procedure and I believe that it is appropriate here. In saying that, I do not suggest in any way that the honourable member's concerns cannot be adequately answered.

If I have all his queries correctly, the honourable member's first query was based on his concern that the Government had not been involved in a publicity campaign to tell the community what this legislation meant and how it would impact on the motorist. I have two responses to that query. First, there has been a trial period so that South Australian motorists (certainly those in the Adelaide metropolitan area) are aware of the cameras. Indeed, it has been widely publicised in the press that the Government will introduce five red light cameras at 15 locations and that they will be moved from location to location as the police determine.

Further, we will be involved in a six-week comprehensive education program before the cameras are installed because, as the honourable member has pointed out, South Australian motorists really need to know how they should behave in relation to the cameras. That means that we should alert them to the potential problems which the member for Henley Beach has highlighted on a number of occasions and again today and which, at least in the initial stages in Victoria, have resulted in a large increase in rear-end collisions. Although it is argued that rear-end collisions are not in the main as dangerous as right angle collisions, they can have serious consequences. Therefore, we must tell the community about the red light cameras in order to prevent the potential for rear-end collisions, about which we have learnt from the Victorian experience.

The member for Bragg asked whether the Government could indicate the likely costs of introducing red light cameras with the owner onus system, but I cannot give the honourable member those figures offhand. The larger part of the costs will be borne by the Police Department and the installation cost by the Highways Department, and I can ascertain that cost. Certainly, the costs of the ongoing operation of the red light cameras will be borne by the Police Department. It is true that the owner onus legislation will make the operation of the system much cheaper than it could be without owner onus, and this has been the experience in Victoria, where police were being involved in costs which, according to the advice that I have received, were well over $1 000 to prosecute an offence that brought in a penalty of only $50 or $60. So, the nonsense of that is apparent. The owner onus legislation will result in a much cheaper application, to South Australian taxpayers, of the red light cameras. As I understand it, there will be no special police squad, as the honourable member described it, similar to the STA transit squad, for instance.

The police will certainly have to employ people within their resources—people who are skilled in the reading of photographs and the data and information that comes from that. The honourable member has raised some points. He believed that it was fairly difficult for a camera to determine whether a motorist was driving recklessly. The honourable member would also know (I think he mentioned it) that the intention of the legislation is to provide for the future use of speed detection cameras—static cameras or those that are held by police officers—so that in those circumstances police officers can make the judgment as to whether or not a person is driving recklessly.

In any event, I am not convinced that the sophisticated nature of the technology, with the expertise the Police Department possesses—is sufficient to enable that charge to be made. However, the police would need to be able to sustain any action before a court if the alleged offender wanted to take it that far, so the police need to have the appropriate technology and the justification for it. However, the point raised by the honourable member is well made, and I will once again check it out. My advice is that the problem as the honourable member has canvassed does not exist, but I believe it to be a matter that should require further examination.

The honourable member referred to a need to make amendments to the Police Offences Act and the Summary Offences Act. Again, the advice that I have is that the appropriate amendments have been made to the relevant legislation. I am not in a position to argue whether the legal advice that the member has available to him is correct or otherwise, but I am willing to say that I will have it looked at and, if the honourable member is correct, we can take the appropriate action to ensure that the necessary amendments are made to other Acts.

My advice (and I must take advice from those people who are charged with the responsibility of advising the Government about the writing of statutes and amendments thereto) is that on this occasion we have appropriately amended the necessary Acts, but I will look at that. The honourable member also felt that the powers of section 176 were not wide enough to make regulations. My reading of paragraphs *(k)* and *(l)* would suggest that section 176 enables the Government to do that. Paragraph *(k)* provides:

> prescribing any other matters which by this Act are required or permitted to be prescribed by regulations or which it is necessary or convenient to prescribe for the administration and enforcement of this Act.

Paragraph *(l)* provides:

> prescribing any matters, additional to those prescribed in this Act, which it is necessary or convenient to prescribe for securing the safe or convenient operation of vehicles and the safety or convenience of persons on roads, or for improving or regulating the flow or management of traffic.

In any event, I will have the honourable member's comments looked at by my legal advisers to see whether he makes a valid point and whether amendments need to be made. I have to say that my advice is that those powers do exist in section 176.

The honourable member also makes a very strong point in relation to what is perhaps one of the fundamental objections to the way in which the legislation is written rather than in relation to the intention. I accept that the

Opposition supports the concept of the Bill but that it has some concerns about how the Government is going about implementing the law. The honourable member feels strongly that the Government should not allow what will be significant changes in the method of policing road behaviour to be introduced by proclamation or at the whim of the Minister and that such changes should come before this House for Parliament to adjudicate on by way of regulations through the Subordinate Legislation Committee.

I am not terribly committed to either method frankly, so long as the change is made and done well. Nevertheless, I am forced to comment that there is a strong move within the community, within Parliament and within the Party that the honourable member represents against over-regulation, and this I would have thought was such an effort—not to establish a new set of regulations and not to make the implementation of the Act even more difficult than it ought to be. However, I certainly recognise the honourable member's reservations. It is fair to say that, if I was in Opposition and the Government was introducing this legislation, I would be asking the same questions. Such questions are appropriate for the Opposition or anyone examining the legislation in its process through Parliament.

Nevertheless, I believe that the Government has taken the appropriate step for the more efficient operation of the Act and the use of red light cameras. That is something else to which I will give consideration before this legislation reappears in the Legislative Council. Although I accept that these changes should occur, I am saying that the Opposition has in my view made a sensible and reasonable contribution to this debate that needs to be looked at, and I will do that.

The honourable member felt that somehow or other the Bill should spell out in more detail some of the defences against prosecution relating to red light cameras. I prefer to leave that to the legal profession and the courts to determine appropriate defences. All that one can write into legislation is what the offence is and the penalty that it is likely to attract. The appropriate defence against that penalty ultimately will be determined by the court in any event, and I guess that that will be so on this occasion.

The court's interpretation of Acts that have been passed by this Parliament in the past have resulted in amendments to the Act so that the will of Parliament is expressed in the legislation. Sometimes we need the clarification of the courts to be sure of that. Probably, the honourable member anticipates that we should go further than I am willing to go in spelling out the full defence against this provision.

The other critical point that the honourable member has addressed is the question of owner onus itself. In Victoria, before owner onus was introduced the system was very cumbersome and resulted in very few prosecutions because the cost of chasing down every alleged driver where everyone denied being the driver and all one had was the identification and registration number of the vehicle was very costly and difficult.

Really, in some respects it made a farce of the legislation. Victoria introduced owner onus. We have used Victoria's experience to introduce the same principle here. The committee looking at red light cameras advised the Government that without owner onus the legislation would not work, and we accepted that.

The simple owner onus system works this way: if the cameras pick up a vehicle that is in breach of the law in going through an intersection at which a red light camera is placed, a notice is sent to the owner of the vehicle. The owner is either the driver or in most cases knows who the driver was. So, the owner must make the choice whether to accept the liability and pay the expiation fee or say who the driver was. If the owner says, 'I was not the driver' it is reasonable to assume that the owner knows who the driver was but is not willing to identify the driver, in which event he accepts the responsibility.

If a car is stolen or if for some reason the owner of the vehicle legitimately does not know who the driver was, a statutory declaration can be submitted to the police, who will then investigate the matter further. If the owner does not know who the driver was, or if the vehicle was stolen, those offences will come together with the stolen vehicle charges.

The whole idea is to ensure that the owner is responsible, unless the owner identifies who the driver is. The police will follow up where there is some discrepancy, but only if it is quite legitimate or clear that the owner of the vehicle does not know who the driver was. The companies are really in no different position. If a person working for a company, the South Australian Government or the Australian Government breaches the law in passing through red lights, that person will be responsible if the vehicle owner identifies them. If they do not, they will be responsible. South Australian Government employees who drive vehicles will be in the same position as everyone else.

They are the critical matters, although members will obviously raise some matters in Committee. However, I finish by saying that we appreciate the Opposition's support. We will look at all the matters that the honourable member has raised in his second reading speech prior to this legislation being introduced in another place.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Insertion of new heading and sections 79a and 79b.'

Mr INGERSON: I move:

Page 1—

Line 18—Leave out 'by notice published in the *Gazette*' and insert 'by regulation'.

Lines 21 and 22—Leave out subsection (2).

I think the explanation was made fairly clear during our response: we believe that, when there is a major change or the introduction of a new type of photographic detection device, that matter ought to come before Parliament either directly in terms of a Bill or by regulation. We understand this is normally done by regulation, and we are moving this amendment to give that effect.

The CHAIRMAN: Is the honourable member moving these amendments *in toto* or *seriatim*?

Mr INGERSON: If the first one is defeated, it would flow through.

The Hon. G.F. KENEALLY: The Government opposes the amendments, but I give the honourable member an undertaking that I will look very closely at the comments he has made. If the Government then believes that it ought to make changes, I will have those changes effected before the legislation reaches the other place.

Amendments negatived.

Mr INGERSON: I would like to ask a question in relation to new section 79b (2), which provides:

Where a vehicle appears from evidence obtained through the operation of a photographic detection device to have been involved . . .

I have been advised that the word 'appears' is used for the burden of proof on the prosecution but 'proved' is the onus put on the defence. It has been put to me that it is dangerous, to use the word 'appears' in this way, and perhaps the Minister can explain what is meant by it. I know it is technical, but from the legal point of view it was put to me that the word 'appears' could cause future legal problems.

The Hon. G.F. KENEALLY: We were not intending to give the prosecution any advantage over an alleged offender in any action which might be taken under this legislation. It is legal terminology, and I will obtain advice from Parliamentary Counsel. The provision seems clear to me, but I do not think that this is the time to get into a legalistic debate, when it can more simply be settled by the reference to the appropriate authority.

Clause passed.

Title passed.

Bill reported without amendment.

The Hon. G. F. KENEALLY (Minister of Transport): I move:

That this Bill be now read a third time.

Mr INGERSON (Bragg): I thank the Minister for putting forward his suggestions, and, in particular, for his comment relating to looking at whether this should be done by regulation. I hope that it will be done, as he said, before the Bill goes to the other House, so that we will know where we stand.

The Hon. G.F. KENEALLY: I should put on record that I will have my officers speak to the honourable member before this legislation is put before another place. That will give them a better appreciation of his concerns so that they can be adequately addressed.

Bill read a third time and passed.

PETROLEUM (SUBMERGED LANDS) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 19 November. Page 2107.)

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): The Opposition supports this Bill and, although it is not inconsiderable in size and number of clauses, there is nothing in it which is particularly contentious. I was led to believe that the Bill was the result of agreement between the States and the Commonwealth in relation to the exploration and exploitation of the submerged lands area adjacent to the coast. I asked the Minister to ascertain the position of this legislation interstate, and he was good enough to provide me with some information to which I think I will refer briefly.

The current interstate situation in relation to this joint legislation is as follows. The Victorian Petroleum (Submerged Lands) Amendment Act No. 68 of 1986 was passed in the current session of the Victorian Parliament and received the Royal assent on 14 October 1986. It has not yet been proclaimed to become operative. The Northern Territory Government passed two separate sets of amendments, so they have dealt with it. The Western Australian Department of Mines has completed drafting complementary amendments but has delayed presentation to Parliament pending resolution of its concerns over the registration provisions. These concerns are peculiar to Western Australia and do not apply to South Australia.

Queensland is drafting complementary amendments based on the Victorian model which are expected to be presented to Parliament early in 1987. Amendments to the Tasmanian Petroleum (Submerged Lands) Act have been submitted to Parliament and are expected to be passed in the very near future. The New South Wales Government passed two separate sets of amendments. That information is contained in a letter to the Minister, and it satisfies my queries in relation to the complementary nature of this legislation and the movements of the other States in relation to implementing it. In those circumstances I see no point in prolonging this debate. The Opposition supports the Bill.

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

ADJOURNMENT

The Hon. G.F. KENEALLY (Minister of Transport): I move:

That the House do now adjourn.

Mr HAMILTON (Albert Park): I refer to a matter that I raised during the Christmas recess. Like many other members of the House, I have been concerned for some time about the question of drink driving and the reality of life that many people like to go to hotels and consume alcohol. I also realise that the cost of public transport has been addressed by successive Governments, particularly in relation to the availability and timetabling of buses. I floated an idea about four or five years ago in respect of the use of local government community buses, which are idle after 5 p.m. on weeknights and on weekends. I am also advised that, under the relevant legislation, these buses cannot be provided to anyone but the council in which the moneys for the buses have been vested. I believe that the question of amending legislation should be considered so as to provide an opportunity for hoteliers in particular to hire (as it were) these buses after normal working hours. In fact, restaurateurs may be interested in adopting this idea for some of their patrons.

When I first raised this matter in my electorate a number of hoteliers expressed interest in it. Indeed, the Manager of the Leg Trap Hotel on Bartley Terrace at West Lakes said recently that he was very interested in this proposal. After talking to people who patronise hotels I know for a fact that they would be most interested if it was possible in using community buses after 5 p.m. on weeknights and on weekends to convey them to and from a hotel or, as I have suggested, to restaurants in and around my area. Of course, this idea could apply equally in other areas of metropolitan Adelaide in relation to these buses, which are provided from ratepayers' and taxpayers' money through State and local governments.

Why should these buses lie idle after 5 p.m. on weeknights? If we are serious in our attempts to reduce drink driving in the community, I believe that this is one area that should be looked at. The reality of life is that there are people in the community who are prepared to run the gauntlet by taking their car to a hotel. One could go to almost any hotel in Adelaide and see large numbers of cars, particularly on Thursday, Friday and Saturday nights. Obviously the drivers of those cars—hotel patrons—are consuming alcohol. If one returned after the hotels had closed, one would find that many of the cars had disappeared. I am enough of a realist to understand that many people do drive their cars out of hotel car parks while under the influence of alcohol. That is patently obvious. This is an ideal opportunity to assist the hospitality industry, for local councils to perhaps make additional money, and to also provide employment.

In this context, I raise the question of the disposal of money from the sale of bingo tickets and other raffle tickets sold in the front and saloon bars of hotels. Invariably, that money is vested in the local hotel social club. I will not go into depth about some of the abuses of the money raised through the sale of bingo tickets and liquor. I believe that

hoteliers could use some of that money to hire these community buses from local councils. If that is not possible, they could consider—particularly in an electorate such as mine, with five hotels—sharing a community bus among the five hotels. Restaurants could also become involved, if they were interested. Of course, that would have obvious implications for STA services in and around not only my electorate but many electorates throughout the metropolitan area. I suggest that it could ultimately contribute to a reduction in the State Transport Authority deficit.

The other side of the equation is the impact that it might have on State Transport Authority employees engaged in the driving of buses and trains. This is a question that I seriously pose to Parliament. I hope that the Minister will consider it. I have received numerous representations from constituents and hotel patrons who have suggested that it is a good idea. The hotels could make a financial contribution, councils could hire out their buses, employment could be generated, restaurateurs could benefit from it, and it could persuade those people who presently drive while drinking to no longer run that gauntlet. I hope that the Minister will look at this question of drink driving again because it does impact on all members of the community.

I have spoken mostly about my electorate, but the member for Price has a large number of hotels in the Port Adelaide area of his electorate. I cannot see any reason why councils cannot get together on this. I am not aware whether Port Adelaide council has a community bus. My colleague nods his head in affirmation, so I take it that it does. This bus service could be operated jointly throughout the western suburbs. So I think there is an additional string to the bow.

I have no doubt that when it is thoroughly investigated the opportunity for such a scheme could eventuate. I do not like the phrase 'booze buses', because I do not believe that it is a positive description. I believe that they should be called 'safety buses' or something of that nature, because that would engender in people's minds a more positive attitude towards this proposal.

Mr S.J. BAKER (Mitcham): I wish to address two topics very briefly. One relates to an announcement that certainly has been given some coverage recently concerning sporting policies in primary schools. I read with some distress that the Education Department is now issuing a discussion paper stating that primary schools will be instructed to take away trophies which relate to achievement at the primary school level. Whilst this lies outside my shadow portfolio area, it is something that should be of concern to me and each of the other 46 members of this House. I do not know what policies the Education Department is employing in this area, nor do I know why it has so many excess resources that someone can sit down and dream up these incredible policies. It worries me that the department does have excess resources and people who have nothing better to do with their time than invent new ways of taking incentive out of the system.

Everyone in this House knows that when they went to school there were incentives in the system: there were little stickers if you got full marks for an exam; mention was made at assemblies about those people who had done a good job or who had excelled, and so on. There have always been sporting trophies within the school system, and sporting trophies are not only for the elite. They are not given only to those who are the best, but they are given also as a form of encouragement. The best and fairest player inevitably in a sporting situation receives recognition by way of a trophy or memento, but we have always had 'most improved' and 'most consistent' for those people who are putting in, for those who are dedicating themselves to the sport. I find that a very positive policy. I find it very positive in life that people are given encouragement, and I know that, at the schools I attended, there was always positive encouragement. During the whole time I was at school, I received one little trophy, but I know that I strived—

Members interjecting:

Mr S.J. BAKER: I was a very indifferent sportsperson, but I wanted to get a trophy and I really tried my heart out, just as I know a number of people on the other side of the House would have for that incentive—

An honourable member: We'll give you a trophy.

Mr S.J. BAKER: Do not worry, I will give the Government a trophy shortly. It will be not for the best and fairest or for the most improved, but for the most consistent in attempting to destroy incentive, whether in the workplace, the schoolyard, or elsewhere.

I ask the Minister of Education to explain to this House—and perhaps he can do it by way of a public statement on Tuesday—why he has someone who has nothing better to do with their time than to put out this rubbish—and it is rubbish. It does not do anything for our schoolchildren. It just takes away from anything that is decent. All the time I find the ALP attempting to tear down any incentive within the system. Its members believe that if there is no incentive within the system they will always accept second best.

The very important point is that, when people strive, when people are determined, and when they put in an effort, there should be some recognition that that has taken place. For the Education Department and the little lefty minions that it seems to put into the various areas of power to go ahead with policies like this is something I find quite disgusting. I thought I would bring it up because it is very important to me, both as a member and as a parent. I want my children to get out there and do their best, and if indeed the occasional carrot is needed then I think that is a very positive thing in the system. The fact of life is that we all know that, if we do not have something to strive for, we will no longer strive.

What is happening out in the community today is that too many people are giving up. They say that the system is cheating them, that an atomic bomb will hit them tomorrow, or that something else will prevent them from getting a job. The bottom line really is that there is a lack of incentive, a lack of desire.

Mr Rann: He might explain incentivation—

Mr S.J. BAKER: If the member for Briggs wants a long dissertation on incentivation, he might well reflect on the fact that there is a very strong opinion in the community that there should be more incentive, more motivation. If the member for Briggs wishes to discuss the matter further, then I will give him plenty of incentivation. The real topic of my grievance tonight was to address the debacle—

Members interjecting:

The DEPUTY SPEAKER: Order! I call the House to order.

Mr S.J. BAKER: —that we have in our building industry today. We have had revealed in the paper once again the problems just 100 metres from this place. I believe that that situation reflects very poorly on this State and on this Government, and it certainly reflects very poorly on the union movement. Importantly, when the delays that have been built into the system by the extravagant claims and the disruptive nature of certain members of the union movement bring the State down, I believe it is high time that a responsible Government takes the appropriate action. It is important to understand that it is not just the fact that something is delayed. We have international investment in

that project; we have jobs tied up: we have South Australia's reputation on that project; and we have failed miserably, and members opposite have failed miserably.

They can countenance that projects as important as ASER can wander on because a few individuals who have the support of certain elements of the union movement can continue to disrupt and destroy. When a firm or organisation such as Kumagai Gumi, a multi-billion dollar enterprise, says that it is putting some investment in South Australia and may well invest there again in the future if the climate is right, and given the historically good industrial relations record, what is its reaction now? If one member of the Government talked to representatives of Kumagai Gumi and asked if they would invest again in South Australia, I wonder what they would say? I know what they would say. I will relieve the anxiety of members opposite. They would say, 'We will never invest in South Australia again because South Australia cannot perform. It has a pathetic industrial relations record. South Australia cannot even put up a building which does not run 50 per cent over time.'

It is up to members opposite to sort out their so-called friends. It is no longer good enough to continue to make excuses for them. It is no longer good enough for them to disrupt the fortunes of this State. We are in a very difficult situation in South Australia. We need as much help and assistance as we can get. Certain elements of the union movement (the BLF and their cohorts the BWIU, and to a lesser extent the carpenters) have all been involved in a process of delaying that site, to the ultimate demise of our building industry here in South Australia, and it has even affected domestic moneys. They will not flow to South Australia when we cannot even get those buildings up. My message to the Government is that it is about time it got its act together, and it is about time the union movement got together and asked whether we want jobs in South Australia and whether we want South Australia to get back on top again.

Ms LENEHAN (Mawson): I publicly thank the member for Adelaide for giving up his place in this debate this afternoon. He was listed to speak but, because of the urgency and importance of the matter I want to raise, he gave up his position for me, and I thank him for that. Members may be aware that for some time I have been urging that the Government, through the Minister of Local Government, urgently change parking fine laws in South Australia. This is of concern not only to me, but to my colleague the member for Henley Beach, to you, Mr Speaker, and a large number of other members. For some time these members have expressed concern about the responsibility for parking fines being placed with the owner of the vehicle rather than with the driver.

Mr Ingerson: You've just passed legislation!

Ms LENEHAN: We have passed legislation regarding the Private Parking Act, but at this stage we have not amended the Local Government Act to ensure that the person driving the car is the person responsible for paying the fine. As a result of media publicity, a number of my constituents have contacted me about their experiences. One of these cases is so serious that I want to raise it in the grievance debate this afternoon. My constituent, who is a sole parent of three children aged 14, 9 and 3 years, sold her vehicle last year and in July the police arrived with a summons. She told them that the parking fines were not hers and that she had sold the vehicle to someone else. She had the name of that person and found that information. The police told her that they could not do anything about it and suggested that she get the money from the person concerned.

Of course, she did not know the whereabouts of that person and, indeed, had given the registration papers to him. The person who buys the vehicle is responsible for notifying a change of ownership, and one can read this on the back of the registration papers. My constituent was then taken to gaol, and her three children were left unattended in her home for almost three hours before friends could organise that the children be separately taken by relatives throughout Adelaide. My constituent spent the rest of that day and overnight in gaol.

The next day she was taken to the women's prison at 10 o'clock in the morning. She was photographed, showered, and in her own words 'treated like a criminal'. She felt absolutely shattered by this. She had spent most of the night in extreme distress because she was worried about her children. Fortunately, she knew a lawyer, and was able to contact him. She subsequently managed to pay $262 and was allowed to leave gaol. However, her friends had been told by the police that if they were not able to come up with the money she could spend 'several weeks in gaol'. No thought was given to the welfare of her children and to the fact that she was being gaoled for something she had not done. We have an innocent person going to gaol for the actions of someone else. In November last year this matter went to court, and recently six more warrants were issued. I understand that the Clerk of the Court has suspended these warrants.

My constituent came to see me (and what I have told the House is background) asking whether she would receive a gaol sentence for the non-payment of these fines and whether I could make representations for her so that she could work through a community service order to pay the remaining fines. My constituent has already paid $700, and members should recall that she is a sole parent who is a part-time employee. My constituent owes another $450, is living under extreme emotional and financial stress, and will lose her job unless she pays the fines. I am not a lawyer and I cannot give her legal advice; I have referred her to the Noarlunga Community Legal Service. I checked with her before coming into the House and unfortunately she has not been able to get an appointment as yet because of her part-time work. I suggested that she do so as soon as possible.

There are some other interesting facets to this situation. When she was arrested she was arrested by two policemen, and she asked me whether it was customary that there was no policewoman present, given that she was then taken to gaol. Her friends who visited the police station to try to see my constituent were told by the police that they were to go to the Department for Community Welfare 'because she was likely to be in gaol for two to three weeks and the children would need to be put into a home'. Members can imagine the fear that that struck into her friends and family when they, not knowing the processes of law (as is the case with 90 per cent of the community), thought she was going to be gaoled for this period of time.

I have recently been contacted by two other constituents who are also facing the threat of gaol or have been to gaol. Therefore, I raise this matter in Parliament today to urgently call on the Minister of Local Government to amend the legislation to provide for the responsibility to be placed on the driver of the vehicle, not the owner. In fact, when I was discussing this matter with one of my colleagues this afternoon he told me about an experience where, out of the goodness of his heart, he had lent his vehicle to a person who was suffering a deal of distress and he ended up in the same situation, of the police arriving with a summons for him to pay the fine. Fortunately, he was in a position where he was able to take out a cheque book and pay.

We are talking not about isolated circumstances, but about things that happen to the constituents of probably every member of this Parliament. For that reason I believe we must urgently amend the legislation to enable justice to be done. If we go a step further and think about the consequences of the present law, the implications in terms of resources are quite horrendous. We are spending enormous amounts of police money in serving warrants on people who are innocent and enormous amounts of taxpayers' money in gaoling innocent people and clogging up the gaols with people who very often cannot pay the fines for someone else because they are poor.

Are we on about a community which is gaoling the poor and innocent because of the actions of immoral, deceitful and dishonest people who will take a car, run up a number of parking fines, and then say they do not care, that someone else can pay the fines? I do not believe that any member of this Parliament would support that. We have set a precedent in this Parliament, (as alluded to recently by an Opposition member), through the hard work of the member for Hayward, in ensuring that we now have driver onus with respect to the Private Parking Act for people who infringe regulations under that Act and, in particular, who park in areas set aside for people with a disability.

This will not be too difficult for the Parliamentary Counsel to draft because we already have this type of legislation on the Statute Book. I ask all members of Parliament to support me urgently in my call to the Government and, in particular, in my call to the Minister, who I know is very supportive of amending the legislation, so that once and for all we can stop innocent people going to gaol for something they have not done.

Motion carried.

At 5.9 p.m. the House adjourned until Tuesday 17 February at 2 p.m.