HOUSE OF ASSEMBLY

Wednesday 18 February 1987

The SPEAKER (Hon. J.P. Trainer) took the Chair at 2 p.m. and read prayers.

MINISTERIAL STATEMENT: ROO BARS

The Hon. G.F. KENEALLY (Minister of Transport): I seek leave to make a statement.

Leave granted.

The Hon. G.F. KENEALLY: Yesterday in response to a question from the member for Peake regarding the use of roo or bull-bars in metropolitan areas, I undertook to have this matter investigated. I further stated that as this issue had not been raised with me previously I assumed it was not a controversial subject in the area of road safety. Officers of my department have subsequently advised me that the issue of roo bars on vehicles, especially in metropolitan areas, has been the subject of considerable debate amongst people interested in road safety.

Although it is clear that opinions differ about the advantages and disadvantages of roo bars, it is also clear that this is a significant road safety issue and has been (and still is) the subject of investigation throughout Australia. I have instructed the Division of Road Safety to prepare a report for the honourable member.

MINISTERIAL STATEMENT: PRISONERS' EMPLOYMENT

The Hon. FRANK BLEVINS (Minister of Correctional Services): I seek leave to make a statement.

Leave granted.

The Hon. FRANK BLEVINS: Yesterday in this House the Leader of the Opposition raised an important issue relating to advice given to prisoners seeking employment upon their release from prison. Over the past 24 hours the Leader has claimed that it is Government and Department of Correctional Services policy to advise prisoners to lie about their criminal history when seeking employment. I do not wish to dwell on the individual case raised yesterday, because that case is now subject to whatever action can be legally taken.

However, I do wish to inform the House of the Department of Correctional Services policy in relation to this issue and how that policy is implemented. The department's policy, which has been in place since 1954, is that offenders are to be advised to follow the open and honest policy of revealing their criminal records. This policy is an integral part of induction courses which are conducted regularly for new recruits into the Department of Correctional Services. This policy is widely known and understood throughout the department regardless of the classification of any particular officer.

In addition, departmental psychologists are issued a Department of Correctional Services Instruction No. 13 entitled 'Handbook of professional practice for psychologists working within the Department of Correctional Services, South Australia'. On page 44 of that handbook under the heading of 'Issues of competence' it states:

> Psychologists who work in the criminal justice system, as elsewhere, have an ethical obligation to educate themselves in the concepts and operations of the system in which they work.

On the basis of the transcript of a hearing before the Industrial Commission and a statement given by Mr Burns to the Department of Correctional Services investigator, it is clear to the Executive Director of the Department of Correctional Services that the actions of Mr Burns were completely contrary to that departmental policy.

After discussions with the Commissioner for Public Employment, the Executive Director of the Department of Correctional Services advises that on the evidence available so far he would charge Mr Burns under section 67 *(e)* of the Government Management and Employment Act, although preliminary Crown Law advice is that this may not be possible due to the alleged offence having taken place during the period of the now defunct Public Service Act.

In fact, the alleged offence took place in 1981—six years ago when the Leader of the Opposition's Party was in Government. As to how widespread the practice was, I cannot say, as it occurred during the period (as stated) of the former Liberal Government. However, in a recorded interview given yesterday, Mr Burns stated:

> It should be noted that the program was of limited duration and involved approximately four prisoners and, therefore, it should not be construed that the department has been giving this advice in a wholesale fashion over the years since the time the program was first initiated.

The practice of advising prisoners not to divulge their criminal history when applying for jobs is completely contrary to current policy. If it has occurred recently, as it did during the period of the Tonkin Government, it is not condoned. To re-emphasise this policy—if any re-emphasis is needed—all officers of the Department of Correctional Services will tomorrow be personally issued with a departmental instruction to highlight what the policy is.

QUESTION TIME

AMDEL

Mr OLSEN: Will the Premier confirm that the Government has been having discussions for almost three years about the privatisation of Amdel and that Cabinet agreed to this proposal in April 1985—eight months before the last State election? I have in my possession a Cabinet document. It has been provided to me by a Labor supporter and states that Labor Party supporters are absolutely outraged by the Premier's double-dealing, double standards, deceit and cheating over privatisation.

This document records that, first, the Amdel council first approached the Minister of Mines and Energy on this matter on 24 September 1984 and, secondly, that on 2 April 1985 Cabinet agreed 'to pursue the restructuring of Amdel into an unlisted public company' with the State Government retaining a 26 per cent share when Treasury and the Department of State Development recommended it should retain 40 per cent.

The document confirms that the financial restructuring of Amdel now proposed by the Government is in exactly the same form as the Cabinet decision of almost two years ago. Two statements in this document are of particular relevance. Referring to industrial relations problems, it states:

> The industrial relations implications of the restructuring are potentially the most problematical.

The document then goes on to deal with potential PSA opposition to this move in terms which make it very clear that the Government's real intentions were deliberately concealed until after the election so that it could have the luxury of first cashing in on the anti-privatisation campaigns of the Public Service unions. The Cabinet document also states:

The PSA has argued that the proposal represents a selling off of Amdel and is therefore inconsistent with Labor policy and principles.

The document emphasises:

This is a matter of interpretation.

The Premier's interpretation given last Thursday is that this move does not amount to privatisation, even though it is entirely consistent with the policy which was put in detail by the Liberal Party at the last election and which the Premier bitterly opposed and completely misrepresented. As well as exposing the way in which the public and the Parliament have been cheated over the Government's hidden privatisation agenda—

The SPEAKER: Order! The Chair has been extremely tolerant of the way in which the question has been framed by the Leader of the Opposition. It should have been obvious to the Leader of the Opposition as of last Thursday and yesterday that the Chair is going to endeavour to make sure that Question Time conforms as closely as possible to Standing Orders and the traditions of this House. Question Time is a time when questions are to be put on factual matters to Ministers of the Crown. It is not an opportunity for the making of speeches or conducting debates, and it has been quite obvious from the way in which the Leader of the Opposition framed his question that he has been attempting to make debating points. The honourable Leader of the Opposition.

Mr OLSEN: I am quoting from a Cabinet document that exposes clearly the Government's (and more particularly the Premier's) actions for what they are. The public revelation of this document today also shows that the Government was prepared to delay this proposal and, in so doing, force Amdel into a loss situation, which one can clearly identify is for purely selfish political reasons. The Cabinet document shows that the 'no tax rise, no privatisation' Premier has a disregard for open honest government.

The Hon. J.C. BANNON: The document that the Leader of the Opposition has advised the House of has nothing in it that was not public knowledge in 1985.

Mr Olsen: Absolute—

The Hon. J.C. BANNON: I can see that his technique is to try somehow to say, 'I have this special secret Cabinet document and I am going to release this to show something shonky is going on.' Everything in that document was in the public purview—and let me explain it. First, it was publicly known that the Government was examining the restructuring of Amdel—not its privatisation. Secondly, it was known also that certain safeguards and principles concerning public ownership, employment continuity, and so on, were the subject of that examination by the Minister of Mines and Energy on behalf of the Government.

Thirdly, discussions in detail had taken place with the Public Service Association on this matter and, indeed, at its request the Minister had commissioned a second independent study of the finances involved. Additionally, the industrial relations problems outlined had been directly faced and the Public Service Association and the Government had agreed to differ over this matter. I say that all this was public because, at a meeting attended by all the unions—including the PSA—at Trades Hall, convened by the United Trades and Labor Council to question the Government about its attitude to public sector employment and privatisation, I was asked a specific question about this issue.

I explained to that public meeting—and, indeed, it was reported subsequently very widely—that Amdel was not part of the Government's attitude in this area, because what we were doing for Amdel was ensuring its long-term continuity, its growth and its restructuring. All that was put on the public record. Not a word that the Leader of the Opposition has produced in this House was not publicly known before the 1985 election.

Let me bring further evidence to bear on this point, as my colleague the Minister will bear out, having attended most of the meetings with me. The Public Service Association and the Government agreed to differ about their attitudes to Amdel—and I am very surprised that the Opposition seems to line up with the Government's view on this: that is an interesting turn of events. But that aside, while we agreed to differ on this particular matter, the PSA understood that Amdel was not part of any kind of agreement in terms of the Government's attitude to so-called privatisation. In their election advertisements and in the specific references they made in that campaign, quite rightly aimed at exposing the outrage of the sell-off in which the Opposition wanted to indulge—the sell-off which would have left the Government with nothing, which would have put it on the market and sold it off and used the capital to pay off their recurrent expenses—Amdel was not mentioned. It was specifically excluded.

It was specifically excluded because publicly we had stated that we were examining it. In order also to set the Leader of the Opposition's remarks in context, let me say that, despite that agreement, despite that exclusion of Amdel, after the election the Minister received further deputations, submissions and information, and was prepared to do a further study, which indeed he did. If he had come back to Cabinet, having made that further study, and said that the results which we had looked at before the election, which we had communicated to the PSA, and which were understood, needed to be varied, then they would have been varied.

In fact, in some requests, in terms of certain conditions, there were changes made. But, Mr Speaker, I come back to the basic point that there is nothing in that document that is not publicly revealed. I, fortunately, can remember that and recall the sequence of events, unlike the Leader of the Opposition, whose lapse of memory extends, apparently, to getting up and trying to attack the Government, and putting the finger on a Minister over something that has allegedly happened in Correctional Services, a portfolio that he had when the policy he was attacking was being carried out.

Members interjecting:

The Hon. J.C. BANNON: This is gross hypocrisy.

Members interjecting:

The SPEAKER: Order! The Premier will resume his seat.

Members interjecting:

The SPEAKER: Order! Yesterday I pointed out to the Leader of the Opposition that it is highly disorderly for any member, let alone one who holds a position of leadership and responsibility, to continue to interject when the House is being called to order. I have called the House to order at this time because of this disorderly behaviour of the Leader of the Opposition over the last three or four minutes, and I ask him to desist. The honourable Premier.

The Hon. J.C. BANNON: It really lines up with this whole campaign that we have been seeing over the last couple of weeks of a very studied and careful attempt to package or market the honourable Leader of the Opposition as someone with some sort of credibility. It simply will not wash. It will not work, and I would suggest that, if he wants to establish credibility, the best thing he can do for us is, first, look at what he did in that mercifully brief period during which his Party was in Government and, secondly, tell us what he thinks about the threats being posed to his friends in the Federal coalition (is his friend Mr Peacock or Mr Howard? I am not quite sure); what Bjelke-Petersen's

impact will be here; what occurs as far as the member for Flinders is concerned, and so on.

Members interjecting:

The Hon. J.C. BANNON: There has been absolute silence in this matter.

Members interjecting:

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

Members interjecting:

The SPEAKER: Order! I warn the member for Goyder, I warn the member for Victoria. The Premier will resume his seat. Notwithstanding the fact that a certain degree of politicking has entered into this question and answer and may have provoked the Premier into making some of the remarks that he made immediately before I called the House to order, I ask him, in order to assist the Chair, to try to restrict himself to matters that are relevant to the question that was put to him.

The Hon. J.C. BANNON: In explaining his question, the Leader cast very extreme and gross reflections on me, hiding behind somebody else having said those words so that he could not really be blamed for them. It was a nice little piece of package.

Mr Olsen interjecting:

The Hon. J.C. BANNON: I hope that the Leader used his well modulated voice for radio, as well.

Members interjecting:

The Hon. J.C. BANNON: I am happy to listen. I will not simply let that pass and ignore it as the honourable member is ignoring the mayhem, the complete disarray of his colleagues at the Federal level, all of which could have an impact here on South Australia. With the slightest murmur or rustle that occurs in the Federal Labor Party or Federal Government, I am asked to make a comment or to explain, yet at a time when chaos supreme is reigning in Canberra we have not heard from the Leader of the Opposition about it. Does he support the New Right, or does he not?

The Hon. B.C. EASTICK: I rise on a point of order. My question to you, Mr Speaker, is whether it is your intention to require the Premier—

The SPEAKER: Order! Is the honourable member for Light directing a question to the Speaker or raising a point of order?

The Hon. B.C. EASTICK: I am raising a point of order.

The SPEAKER: What is the honourable member's point of order?

The Hon. B.C. EASTICK: I am asking you, Sir, whether, having raised the requirements of the House, and having drawn them to the attention of the Premier not five minutes ago, it is your intention to see that they are carried through.

The SPEAKER: Would the honourable member draw attention to the particular tradition of the House or Standing Order that is involved?

Members interjecting:

The SPEAKER: Order! Will the member for Light please do that, for the sake of clarity?

The Hon. B.C. EASTICK: The very same one that you quoted from, Sir, in indicating that the Premier was out of order in pursuing the course of action that he was pursuing when you warned him a short time ago.

The SPEAKER: I presume that the member for Light is referring to the question of relevance, although he was not specific about that point. If that is the point of order raised by the honourable member, I ask the Premier to try to maintain a reasonable degree of relevance to the question that was put to him, notwithstanding the extraneous material which was quite out of order and which was attached to the question.

The Hon. J.C. BANNON: I have no more to add, Mr Speaker, because I think that I have effectively indicated in answer to the question that what was put before the House was old stuff—an attempt to stir up something. I am saying to the Leader of the Opposition that, before he starts abusing me and my integrity, we should find out where he stands. Let us have no more phoney attitudes from him! He had better watch out for the member for Flinders, because he might have one or two supporters.

PUBLIC TRANSPORT

Ms GAYLER: Can the Minister of Transport advise the House whether State Transport Authority transport services are likely to be threatened this week due to the long running bus roster dispute? Articles appearing in the press yesterday and today suggest that Adelaide bus and tram services may be disrupted on Thursday by industrial action. Public transport users, particularly outer metropolitan residents in my electorate, want to know whether bus services will be interrupted so that, if necessary, they can make alternative transport arrangements.

The Hon. G.F. KENEALLY: My direct response to the honourable member's question is that I know of no reason at all why STA services in the metropolitan area should be threatened this week, next week or in the foreseeable future. I thank the honourable member for her question, because it gives me an opportunity to give a brief potted history of what is now being described as 'the roster dispute'.

Some 12 months ago I met with the executive of the ATMOEA, the bus drivers union, on a number of occasions. They were concerned that changes to rostering had decreased their take home pay, that is, the amount of penalty and overtime that was available to them. That was disputed by the STA, which pointed out to me that the constraints imposed by the union on the authority's capacity to roster meant that when there were changes to the rostering procedures it required the employment of more drivers, who in turn had to be spread over the system and participate in the penalty rates and overtime available. As a result, the authority became involved in greater cost because it had to employ more people, and it was possible that there could have been a reduction in the take home pay of drivers.

At that time I pointed out to the union that, if it was seeking a $14 increase in wages, it should take up the matter with the Conciliation and Arbitration Commission because, certainly, its claim was outside the wage fixation guidelines. Because the dispute and the discussions were continuing, and at the request of the union, a committee was established and chaired by Glen Broomhill who, as a previous State Minister of Labour and Industry and Secretary of a major South Australian union, has considerable industrial expertise.

The committee also included three officers of the bus union—the Federal Secretary, the State Secretary and the State President—two members from the STA and, representing the Government, an officer from my colleague the Minister of Labour's department. Those seven people met on 30 occasions and took evidence not only in South Australia but also in New South Wales, Victoria and Western Australia to ascertain the rostering procedures in those States and how they impacted on the labour force. The committee was established in, I think, June last year.

On 23 December 1986 I received the report and its recommendations, signed and thoroughly endorsed by all members of the commitee. In fact, the report would not have reached my desk unless there had been agreement

amongst the committee members. As a result of the report, which was endorsed by the union executive in South Australia and which would have provided an increase of about $11 a week in the take home pay for bus drivers, and at the same time—because the productivity gains for the Government would have meant no increase for taxpayers (it would have been paid within the same funds currently paid to the work force)—I agreed to the report on the behalf of the Government. I then wrote to the union saying, 'Yes, it is a good report, I accept it and it should be implemented as soon as possible.' The union then rejected it.

So, as Minister I was left with a report prepared for me by a committee comprising some senior union representation. When the Government agreed to the report, the union rejected it. Therefore, everyone should understand why today the Government is telling the union that the Government is not prepared to negotiate outside the wage fixing guidelines. The union can still approach the Federal Commission if it is not happy with the Broomhill report. The document that we are prepared to speak to the union about is the Broomhill report. The union has offered to approve the recommendations that are beneficial to the union and reject the productivity trade-offs that benefit the taxpayers of South Australia.

I have told the union that there will be no negotiating on the Broomhill package, which has benefits for it and the taxpayers. That is the position that remains. If the union is unhappy with that, it can take the matter through the appropriate arbitration process. In any event, I as Minister and the Government are still prepared to speak to the union. I always believe that discussion is fruitful, and there are no closed doors in my department.

There was an initial request that this matter be investigated and also an initial request for a $14 increase, with a subsequent request now for a $30 per week increase, and to put further constraints on our capacity to roster, which in turn would require the authority to employ an additional 160 people, with this factor then being spread across the penalties and overtime available to them and in effect reducing their take home pay again, is something that the Government cannot contemplate.

There are no grounds at all for the union to be threatening the commuters and citizens of Adelaide with further industrial disputation or dislocation of services. Having said that, I just repeat that my door remains open and will do so for discussions with the union. I will be trying to impress upon them that they should accept the Broomhill recommendations, and there will be no negotiating with me for an agreement outside the Broomhill recommendations or outside the appropriate wage fixation guidelines.

AMDEL

The Hon. E.R. GOLDSWORTHY: Will the Minister of Mines and Energy reveal how much taxpayers' money has been wasted simply to delay action on the privatisation of Amdel because of the Government's fear of retaliation from the Public Service unions, and will he also say when the legislation will be introduced into the House? A Cabinet document given to the Leader reveals that almost two years ago Cabinet agreed to restructure Amdel. The form of restructuring is precisely that which the Premier described to us in his ministerial statement last week. So, almost three years down the track, nothing has changed in relation to this proposition.

Following Cabinet's decision, the Minister ordered two reviews by consultants which, as I say, have led to no basic change to the proposition. As part of my question, I ask what is the cost of all this, taking into account the profitability of Amdel turning around from $1 million profit over this period to a loss of more than $100 000 last year. I think the Minister owes the House an explanation, as we are three years down the track, two consultants' reports later, with no change to the proposition.

The Hon. R.G. PAYNE: I am almost tempted, Mr Speaker, to seek your guidance and ask which question I am supposed to answer. In the beginning I was asked by the Deputy Leader how much taxpayers' money has been wasted in relation to the Amdel proposal, and I can answer that quite simply: the answer is 'None'.

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. PAYNE: He then threw in all sorts of other matters, and we are well aware of this tactic by the Deputy Leader. I can remember quite a few years ago when he resorted to hardly any of this tactic in framing questions: he actually asked the question sensibly and logically, and behind it there was sometimes a modicum of factuality. From the examples given by the Deputy Leader nowadays, one is almost tempted to say, 'The way Joh does it is acceptable.' I stress 'tempted' only. The question has been raised in the House of two investigations into this business proposal, which is what this whole matter really is: it is a rescue operation for Amdel, quite properly promoted and supported by the Government to ensure that the 250 jobs at Amdel continue, as well as providing for possible increased employment. I take it that up to that point the Deputy Leader is not in opposition to that aim.

Is the Deputy Leader arguing that by simply drawing up a business plan then automatically it must be right? There is a sudden silence from members opposite, and I must at least give them credit for that—they do not have a response. That is what this matter is about—a proposal which contained alterations of a business nature to provide for the restructuring of Amdel.

I would not be surprised, after I have completed my reply, if some members think I set up this question as a Dorothy Dixer. I hasten to say that I have not. However, it gives me the opportunity to remind the House that Sir Thomas Playford, whom one would expect members opposite would revere, would be disgusted at the behaviour of members opposite in this matter. I invite members to look at pages 816-7 of the 1959 *Hansard* report of proceedings in this august Chamber wherein the then Premier (Sir Thomas Playford) exhorted the House to understand that the South Australian Government could no longer continue to provide for the total upkeep of the laboratories (as they were then) which it was proposed become Amdel. He said that—

Members interjecting:

The Hon. R.G. PAYNE: The Leader does not like the reply, and I can clearly understand that.

Mr Olsen: Just answer the question.

The Hon. R.G. PAYNE: I am answering the question.

Mr Olsen: No you're not.

The Hon. R.G. PAYNE: Yes, I am. Part of the question was a slur and innuendo that the Government is engaged in privatisation in this matter when the Government is not engaged in that at all. In 1959 it was clearly shown that three parties proposed to be engaged in Amdel: the Commonwealth, the State and AMIRA. Will members opposite dispute that if a monetary figure is put forward it does not constitute shares and a partnership? If the figures referred to in *Hansard* (£135 000 to be put forward by the State; £45 000 by the Commonwealth; and £45 000 by AMIRA) do not constitute a three-fifths and two one-fifths partner-

ship, I have never heard of one. From day one Amdel has been a hybrid vehicle of a partnership between the private and public sectors.

I think that we have probably disposed, for all time, of this argument about restructuring. Members opposite would do well to support the aim of the operation—never mind putting labels on it—which is to ensure the future of Amdel, employment in the Amdel laboratories and an expansion of those laboratories if at all possible. I have been asked to say whether there were some expenses. The Deputy Leader asked first how much money has been wasted, and clearly the answer is none. He went on in a rambling way and said that he would like to know the costs involved, and so on. Costs were involved for no reason other than in a genuine and honest attempt by the Minister and the Government to allay the quite legitimate worries and concerns of the work force at Amdel, including those employees who are members of the Public Service Association.

This Government has never been involved in confrontation in industrial relations. The Labor Party stands for commonsense and conciliation in these matters, and that has been a driving force in the Government's actions. A study was undertaken by Ernst and Whinney—and I know that members opposite realise the significance of those names—at the time, in response to some concerns expressed to me by the Public Service Association. In the event, the answers provided by Ernst and Whinney did not, it seemed to me, go far enough to satisfy further concerns expressed by the Public Service Association. So, as the Premier has already pointed out, I sought a further inquiry. If members had been more careful in their research, they would have known that what I did finally was to get a review of earlier work and a final assessment. So, the earlier reports were reviewed.

Members interjecting:

The Hon. R.G. PAYNE: No, that was not the case at all. I believe that the honourable member opposite has actually stated in the media that he supports the proposal. What did the Opposition do about Amdel when it was in Government? What did the honourable member opposite do about it? He did nothing, except make suitable noises and hope. Members opposite hoped that Labor would get back in and rescue all those things that they were not taking care of. That is what we are about, and what we will continue to be about.

The Hon. E.R. Goldsworthy interjecting:

The Hon. R.G. PAYNE: The Deputy Leader is trying to say that the expenditure of the sums involved is not warranted. I do not agree with that. I am sure that responsible members of the House do not agree with that, and I look forward to finally getting their grudging support when we do succeed in restructuring Amdel for the benefit of all South Australians.

CRIME

Mr DUIGAN: Can the Minister of Emergency Services advise the House whether, on available evidence, it is more dangerous to be out and about in Adelaide as compared with other cities in Australia, and whether recent newspaper reports that Adelaide is Australia's crime capital ought to inhibit people being prepared to walk the city streets on the way to entertainment and other venues? Recent newspaper reports, including one report in the *News* of 13 February, based on work undertaken by the Office of Crime Statistics and the previewed copy of the Police Commissioner's report, suggest a level of reported crime in Adelaide higher than average, more alarming in its incidence and more disastrous in its effect than elsewhere in Australia.

Whilst those reports acknowledged in passing the various efforts undertaken by the Government to both reduce the incidence of crime—particularly violent crime—and improve the means by which members of the community are encouraged to report crime, there still remains a feeling of unease and a fear that we are becoming an unsafe society due to increases in the incidence of crime and the level of offences, particularly sexual offences.

The Hon. D.J. HOPGOOD: Adelaide and its suburbs are possibly the safest urban community in Australia, with the possible exception of Moonee Ponds, where the cultivation of gladioli induces people to undertake other activities. However, recent trends in crime statistics, to the extent that they can be regarded as an accurate indication of where we are going, are sufficient to give some considerable cause for concern. Having said that—

Mr S.J. BAKER: I rise on a point of order, Mr Speaker. This matter has been fully reported in the *Advertiser*. The Government has had the crime statistics bureau rushing around—

The SPEAKER: Order! What is the honourable member's point of order?

Mr S.J. BAKER: He is wasting the time of the House.

The SPEAKER: The honourable Deputy Premier.

Members interjecting:

The SPEAKER: Order! The Deputy Premier has the floor—not the honourable member for Mawson.

The Hon. D.J. HOPGOOD: It is generally conceded in parliamentary tradition that an Opposition has a considerable stake in Question Time. Therefore, I suggest that the honourable member and his colleagues might look well to the reason why thus far we have had only four questions in Question Time today.

Members interjecting:

The SPEAKER: Order! The honourable Deputy Premier.

Members interjecting:

The SPEAKER: Order! The honourable member for Briggs is out of order. The honourable Deputy Premier.

The Hon. D.J. HOPGOOD: Stastistics need to be handled very carefully because, in relation to crime and serious crime, they are notoriously lumpy. That can be illustrated by the fact that, if a gang commits seven bank robberies over a period of three weeks, that statistic looks quite alarming over that period. But, like the rainfall, a period of drought following that, of course, averages it all out. Indeed, movements of statistics over, say, five or 10 years would give a much better reflection of what is happening than over these fairly short periods of time.

Government, of course, in any sorts of circumstances, has to look very closely at what its response should be to any sorts of trends, and I can point perhaps to three things. First, there are the resources that are put into the policing effort, and the recent report from the Australian Institute of Criminology made it quite clear that the resources put into the policing effort in this State are significantly higher than in any other jurisdiction in Australia.

Secondly, of course, there is the matter of the sentences actually laid down by the Parliament and, of course, this Parliament has reviewed sentences upwards quite vigorously over the past two or three years. Thirdly, there is the interesting provision in this State whereby the Attorney-General can appeal against sentences which, in the view of his advisers, are manifestly lenient, and that is something about which the Attorney-General has been quite active in recent times. So, I believe that a continuation of the sorts of

policies that this Government has had operating for some time is the best way to go.

I point out that general crime rates are very much a response to all sorts of community movements, to urbanisation, to the rate of unemployment, and those sorts of things—and, indeed, to the general attitude which people express through their community structures. It is not simply the responsibility of elected people alone.

WINEPAK

The Hon. JENNIFER CASHMORE: Following the Premier's allegations in Parliament and in the media yesterday, does he deny that the evidence given to the Industries Development Committee and public statements by senior officers of Munno Para Cooperative clearly indicate that the $400 000 Government guarantee sought for the 250 ml winepak was not only for the export market, but for the Australian youth market; that a senior officer of the Department of Environment and Planning advised representatives of the liquor industry on 6 January this year that all 250 ml packs—wine and wine cooler—had been banned and must be removed from retailers' shelves; and that the South Australian Minister of Health, together with the Federal and other State Ministers of Health, issued a statement last Friday that the minimum size of combination paper board and plastic containers holding an alcohol product must be no less than one litre?

Despite the Premier's protestations to the contrary, evidence given to the Industries Development Committee clearly showed that the principal reason the Government guarantee for winepak was sought was to develop the youth/leisure market in Australia. In fact, one witness gave evidence that (and I quote) 'Johnny four-year-old can help himself.' Discussions with the wine and local liquor retailing industries today have also confirmed that the Government banned not only the Tropicana pack but instructed that all 250 ml wine and wine cooler packs were to be removed from sale in South Australia. Friday's Health Ministers meeting has confirmed that State and Federal Governments will now take regulatory action to enforce this ban. In the light of these facts, does the Premier now admit that his Government gave a $400 000 guarantee to a product which it has subsequently banned?

The Hon. J.C. BANNON: I am disappointed that the honourable member seeks to continue with this area, because she really is working in ground and joining in associations which can only damage the wine industry in South Australia.

Members interjecting:

The Hon. J.C. BANNON: I would suggest that, if any members opposite who are chortling about this have any doubt, they start talking to a few people involved in the wine industry, and they will discover that what I am saying is correct. I also suggest that, in doing so, they ask whether they understand the distinction the Government has drawn in 1987 between a pack devised and marketed in 1983 for wine and wine only, with particular emphasis on the export market, and a tropical fruit wine cooler pack marketed for the domestic market in order to look like a fruit box or fruit juice.

That is all that I ask. The honourable member did me a favour this morning by posing for a picture of herself with the two packs. Unfortunately, it was not in colour. If it had been in colour, the distinction between the two forms of pack would have been even clearer. I say again that I did not recall immediately the details of this matter when the question was asked yesterday. Subsequently, I studied the docket and I now remember the situation well. The prime emphasis in moving into a tetrapak for a wine product labelled in the way that they are by the Munno Para Cooperative was to gain access to international markets. Indeed, we had discussions about refrigerator sizes in Japan, and about the fact that that market was not used to wine drinking and so was not inclined to buy in large or bulk packs.

All this is on record and whatever banning is taking place, or whatever further action occurs in this area, cannot be traced back to the Government supporting a particular package in 1983 (a decision which I wholeheartedly supported, as did colleagues of the honourable member—one of whom is no longer with us—the former member for Todd, who was displaced at the last election—and the other the Hon. Legh Davis, who prances around with his bow tie on in another place).

Members interjecting:

The Hon. J.C. BANNON: The member for Henley Beach has a bit more style. Those decisions were perfectly valid. What is occurring is what I feared would happen if the honourable member kept persisting in this area, that is, that the banning of these products and the marketing of wine will become more and more restricted and we will see at the national level, under the guise of health, restrictions on our wine industry which will be very damaging to South Australia.

Every member in this place, particularly the member for Chaffey and a couple of his colleagues, including the member for Kavel, who actually directly represent winegrowers and those involved in the industry, must be concerned about this matter, and for them to allow their so-called tourism spokesperson to get away with this nonsense is quite shameful, and I suggest that they do something about it.

TRAFFIC LIGHTS

Mr GREGORY: Can the Minister of Transport advise the House of the commencement date for the installation of traffic lights at the intersection of Montague, Ladywood and Reservoir Roads, Modbury North? Residents of Modbury North have for a long time been requesting that traffic lights be installed at this intersection. The only positive action taken in this matter was when the Highways Department accepted responsibility for those roads and, consequently, the intersection in June 1985. I was advised at an Estimates Committee meeting that traffic lights would be installed at this intersection in the first half of the 1986-87 financial year, yet work has not yet commenced. Can the Minister advise when work will commence?

The Hon. G.F. KENEALLY: I thank the honourable member for his question. If my memory serves me well (and it usually does), the first phone call I received when I became Minister of Transport was from the member for Florey, who asked me to consider the matter of the installation of traffic lights at the intersection of Montague, Ladywood and Reservoir Roads, Modbury North. I was happy to do that. I recollect giving the honourable member an assurance at the Estimates Committee that lights would be installed at this intersection during the first half of this year. I apologise to the honourable member, as there has been a bit of a hiccup in starting this work, largely brought about by negotiations between the Highways Department and the local council about cost-sharing for the project. In any event, work will start in March. That work will involve the relocating of public utilities such as water, power, gas, sewer and whatever other utilities are there.

With engineering tasks of this nature, one cannot be entirely specific, but it is hoped that the work will be completed by June, and that the construction of the lights will follow immediately thereafter. Work will certainly begin in March. So, the honourable member can advise his constituents that, although there will be a delay (which I regret), the work is in the pipeline and construction will commence in March; the original engineering work will be completed by June; and installation of the lights will commence immediately thereafter.

CRIMINAL RECORDS

The Hon. B.C. EASTICK: My question is directed to the Minister of Correctional Services. Does the Government's reaction to the Opposition revelation yesterday, of the practice in the Correctional Services Department of advising prisoners to lie to prospective employers about their criminal records, mean that the Government no longer intends to proceed with the introduction of a system of suspension or expunction of criminal records? I refer to current Labor Party policy which proposes:

> The introduction of a system of suspension or expunction of criminal records.

The departmental psychologist's action which the Government now says was disgraceful and improper was, however, consistent with such a policy. In November 1984, the Attorney-General issued a discussion paper on this issue which stated:

> The Government of South Australia considers this to be a desirable reform.

Accordingly, the discussion paper called for public comment by the end of February, 1985. That was two years ago, and since then nothing has been heard on the subject from the Government. However, the way in which the Minister reacted to the raising of this matter yesterday suggests that the Government no longer intends to proceed. If this is so, it will be welcomed by all those in the community who were concerned that, under this system, a person convicted of rape, child assault, robbery or fraud would be able to hide their criminal records when applying for a job.

The Hon. FRANK BLEVINS: First, it seems that the honourable member is deaf or that he did not listen. In his explanation the honourable member said that the Government's policy, through the Department of Correctional Services, is to advise prisoners to conceal their criminal records. That is what the honourable member just stood up and said, and *Hansard* will show that. I will make it perfectly clear: the actions of a Department of Correctional Services officer in advising ex-prisoners to conceal their criminal records occurred in 1981 when the Liberal Party was in office. That is not and never has been this Government's policy. I hope that I have at least cleared up that point—yet again.

As regards the question of expunging criminal records, I am quite certain that the Attorney-General, who is our spokesman in this area, will provide the honourable member with a full and detailed exposition of where the policy is at the moment and what is being done. If the honourable member had read the newspaper, he would have seen recently that the Government had stated quite clearly that access to personal records held by the Government would be made available. I am not in charge of that policy, but I can read a newspaper the same as anyone else, and I would have thought that the member for Light would have been able to do the same.

An honourable member interjecting.

The Hon. FRANK BLEVINS: As regards the member for Mitcham, I would not have accepted that. The member for Mitcham can only speak; he cannot think. However, the member for Light usually can do both. So, I will get from the Attorney-General a complete brief of where we are and have it sent direct to the member for Light. However, I suggest that he reads the paper, and he will see that access to personal information held by the Government is to be made available to all those people. So, I cannot see what the mystery is.

TAFE COLLEGE FEES

Ms LENEHAN: Will the Minister of Employment and Further Education investigate the current practices at TAFE colleges regarding the charging of a general service fee of $40 for enrolling students in almost all courses except those included in stream 5? I have recently been contacted by a number of constituents who are in receipt of either pensions or benefits or who are low income earners complaining that they are required to pay on enrolment a general service fee of $40 per subject. These constituents have been told that no concessions were available at the college where they sought enrolment.

On investigating advice provided to me by several other constituents, I find that one college in the southern area is giving student concessions following the completion and assessment of a concessional form, while another college has interpreted a departmental memo in the strictest sense of the definition of 'hardship'. This has resulted in a number of poor people in the southern community being denied access to TAFE college courses which would enable them to gain the necessary work and personal skills to obtain employment and to improve the quality of their lives. I therefore ask the Minister to investigate the anomalous situation which currently exists with regard to the granting of concessions for students applying to TAFE college courses and the general service fee.

The Hon. LYNN ARNOLD: I am certainly very happy to have this matter investigated to determine how the policy of the department and the Government is being implemented by different TAFE colleges. I may say that the formal situation is that the Government and the department in introducing the general service fee for most TAFE courses—and the honourable member is partly correct in that stream 5 is not covered by it, but there are also some other exceptions in some of the other streams that are also not covered—indicated that a reasonable attitude should be taken to those students who are unlikely to be able to afford it or who face some real hardship by the payment of such a fee. Guidelines were issued in that respect by the department to colleges and the matter was then left in the hands of the colleges to administer.

I might say at the outset that it is always difficult with a guideline situation, or even quite a prescriptive situation, that they are interpreted in different ways by different people, and that applies at all levels of Government at any time. So, you will never gain 100 per cent consistency of action at the chalk face, so to speak, in any kind of decision, because human beings being different will have different assessments of a particular situation. Nevertheless, it may well be, given the question raised by the member for Mawson, that inconsistencies beyond the realm of the reasonable appear in the way that the concession policy is applied with respect to the general service fee. If that were the case, that would clearly mean that the guidelines were insufficient and needed redrafting to provide, first, for a greater consistency between colleges and, secondly, a reasonable approach to

hardship. As I have said, I will have that matter investigated. I will instruct the Department of Technical and Further Education to do that and, as I receive further information on the matter, I will report back to the House.

SAMCOR PADDOCKS

Mr INGERSON: Why will not the Minister of Recreation and Sport front up tomorrow night at a public meeting which he asked the Enfield council to arrange to discuss opposition to proposals for a sports park on the Samcor paddocks? Tomorrow night's meeting was called following strong opposition from local residents to this move which breaks previous Government undertakings about development on the Samcor paddocks. Having asked the Enfield council to call the meeting, the Minister will not, I understand, be present. This has heightened the concerns of local residents about his behaviour.

An honourable member interjecting:

Mr INGERSON: It is in a letter that you wrote. They were not consulted in the first place about the Government's proposals. The Minister then asked the Enfield council to deal with the proposals in secret. Now, local residents are being further insulted by the Minister's refusal to front up tomorrow night to answer in person their concerns. While the facilities proposed for this sports park are important in the wider community interest, sporting groups have suggested to me that there would be much more chance of their proceeding without resident opposition if the Minister was prepared to deal openly and honestly with the local community.

The Hon. M.K. MAYES: Once again the honourable member has got it wrong. He may have read his notes fairly accurately, but he certainly did not prepare the script very well. The meeting tomorrow night is being organised for an explanation by the officers of the proposal, which is for a sports park to be established at Samcor. The Chairman of the meeting will be the Mayor of Enfield, who was formally requested through the council to do so. That was held in discussions with the officers and my department. So, we have seen clearly that the member does not understand the background.

He makes some comments regarding the residents' distress and discomfort about the concept. Last night I met with the members of the 'Save the Paddocks' committee who have been vitally interested in what is happening out there, and it was a very fruitful and useful discussion. They have agreed with the general philosophy, and Mr Hull has indicated that he personally agrees with the philosophy of the Government's stand. He has been given undertakings by me in relation to the future of the proposed sports park, and he is more than delighted with the way in which the matter is being handled.

Unfortunately, when the press approached him with regard to this matter, he reflected on what had happened with regard to the consultations. I accept that there was an oversight in not involving him, but that was immediately corrected. We involved some of the Pooraka groups and have since held extensive discussions, and all the residents are delighted with the proposal. They will, I am sure, express that delight. They indicated to me last night that they are more than interested to offer their support for the proposal and, contrary to what the member for Bragg wants to achieve, this will be seen as a sports park and an opportunity for South Australians to recreate successfully. It will be one of the first of a kind in South Australia, and I am sure that the residents will have an opportunity tomorrow to hear from the officers, who will explain in detail the exact proposal. We, as a Government, will be very pleased, with Enfield council, and the residents, to put forward this proposal.

Members interjecting:

The SPEAKER: Order!

MARINE POLLUTION

Mr RANN: Can the Minister for Environment and Planning inform the House whether the State Government intends to introduce new marine pollution legislation to protect South Australia's coastal waters? I have been informed that there are now considerable concerns for the marine environment of St Vincent Gulf as a result of various discharges along the coastline, including those from treatment works at Bolivar, Port Adelaide and Glenelg, as well as surface run-off. I understand that State Government officers have documented a loss of more than 20 per cent of the seagrasses along the urban coastline of Adelaide. Seagrasses are vitally important to our fishing industry, and our seagrasses have evolved in a very low nutrient environment. I have been informed that we are killing seagrasses with kindness by overloading them with nutrients such as superphosphates and nitrates.

The Hon. D.J. HOPGOOD: Currently the Government is reviewing such legislation as already bears on this particular problem. Something like 30 separate pieces of legislation have some bearing on the impact that we make on the marine environment. That in itself may be seen as sufficient regulation, but it may well be that in fact the plethora of legislation which applies is self defeating and that the replacement of a good deal of this by one comprehensive Act would be a better way of tackling the problem.

I make the point to the honourable member and the House that it is not necessarily the lack of legislation which is the problem. I can confirm that there has been a good deal of erosion of seagrass communities in this gulf and elsewhere along the South Australian coast. I can also confirm that that relates, in part, to nutrient laden waters, which certainly lead to excessive algal growth on the seagrasses, inhibiting further photosynthesis for the seagrasses themselves because the water becomes increasingly turbid.

However, the problem seems to relate less from those discharges which come from industrial activities and more from the nutrient loads which enter the gulf from the normal natural outfalls—the Onkaparinga River, the Torrens River, the Gawler River, parts of the Port River, and so on. Indeed, it is as much as anything an engineering problem to determine how that matter should be resolved. For example, it has been suggested that some terrestrial impounding of waters at certain times of the year would be a better way of approaching the problem, and that is something that requires engineering expertise and some resources to apply to the subject rather than having to add to or subtract from such legislation that we have at present.

The marine environment is a broad environment: more of the planet is covered by water than by dry land, as is well known. There is a diversity of organisms there. Such things as the introduction of exotics which have long been observed in the terrestrial environment are not unknown in the marine environment. One of the things that is noticed in the Port these days, for example, is bryozoan impact on hulls of ships and that sort of thing. These appear to have been organisms which have been introduced into our environment from overseas. It is a complex question, and I cannot guarantee to the honourable member that I will be

legislating in the next few months. However, we are reviewing the legislation to determine whether the course he has outlined is the appropriate one to take.

PETROLEUM (SUBMERGED LANDS) ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

STATE EMERGENCY SERVICE BILL

Adjourned debate on second reading.
(Continued from 3 December. Page 2678.)

The Hon. B.C. EASTICK (Light): The Opposition supports the general thrust of this Bill. In fact, it is not very different from the State Disaster Act, for which the Opposition was responsible during 1979-82. This Bill is complementary to the State Disaster Act, but with some finetuning differences. I pick up the point that was made by the Minister in his second reading explanation:

> This Bill has been introduced to put the South Australian State Emergency Service upon a statutory footing. The Bill will assist the service by clearly defining its responsibilities and duties and, most importantly, by clarifying its powers and legal obligations.

Recently the member for Hartley referred to an exercise that he and I undertook when he was the member for Morphett (which puts it well back beyond 1979). We went to Mount Macedon to have discussions with representatives of other State Parliaments and the Commonwealth Parliament and members of the community, and it was clearly laid down then that there was a degree of urgency for the implementation of State emergency legislation. However, it has taken a long time from when those representations were made to the presentation of this Bill.

I cannot but hazard a guess as to why it has taken so long to come through the system. In fact, this measure plagiarises to a degree the State Disaster Act and also the more recent amendments made this session to the Country Fires Act where we sought to provide compensation in respect of volunteers who were injured or who had died while rendering a service to the community. Word for word, except for those necessary changes stipulating the different services, the clauses relating to compensation are the same.

I note that the clauses providing for the service to fulfil its responsibilities in the field are along the lines of the original 1980 State Disaster Act, as subsequently amended, and extend from disasters, such as fire, flood, lightning, earthquakes or other phenomena, to providing for assistance in relation to animal or plant disease. In fact, clause 12 is similar to the corresponding provision in that Act. Clause 12 (1) provides:

> An emergency officer may, while an emergency order is in force, do or cause to be done such things as the officer considers necessary or desirable for the protection of life or property under threat as a result of the emergency to which the order relates.

There can be no argument about that. It is an essential part of setting the general parameters in which the service will work. Subclause (2) provides:

> Without limiting the generality of subsection (1), an emergency officer may—
>
> *(a)* require the owner, or the person for the time being in charge of, any real or personal property to place it under the control or at the disposition of a person nominated by the emergency officer;
>
> *(b)* direct the evacuation or removal of persons or animals from an area or place, and their removal to an area or place nominated by the emergency officer;
>
> *(c)* enter and, if necessary, break into any land, building, structure or vehicle;—
>
> and I stress 'break into'—
>
> *(d)* take possession of or assume control over any land, body of water, building, structure or vehicle;
>
> *(e)* remove, demolish or destroy any building, structure, vehicle, vegetation or seriously injured animal;
>
> *(f)* shut off, or cut off, any supply of fuel, gas, electricity or water, or any drainage facility;
>
> *(g)* direct or prohibit the movement of persons, animals or vehicles;
>
> *(h)* remove to such place as the emergency officer thinks proper any person who obstructs or threatens to obstruct the taking of any action pursuant to this section;
>
> or
>
> *(i)* direct any person to assist the emergency officer in the exercise of the powers vested in the emergency officer by this section.

That is very far reaching, and I believe that every member here would be able to identify circumstances in which each and every one of these particular directions might become essential. That apart, the provision imposes on the populace at large a very serious threat to their property and rights, and more specifically the enjoyment of their property and rights if action is taken by what has sometimes been referred to as a tin star general as opposed to a person with a very real sense of purpose.

There have been examples in other areas of service, where a person given authority has overshot the responsibility intended. I take great comfort in the fact that the central authority in relation to this Bill is the Commissioner of Police and, through him, his Director and other persons who may be elected or delegated to take certain actions.

However, once one gets beyond the first one or two delegations one may get into difficulties with the calibre or opportunity for the officer concerned to necessarily fulfil his total responsibility to the community in which he lives. Where action is undertaken with the best of intent there can be no argument and, indeed, there is provision within the legislation allowing for actions taken with the best of intent to be indemnified. That is as it should be, but I come back to the fact that it is extremely important, and it will be in the line of command that is developed to ensure that specific difficulties that can arise through the implementation of clause 12 are understood fully by those people having authority.

I have no doubt that, as in the State Disaster Act, and as in the lines of command of the Country Fire Services, the Metropolitan Fire Service and the Police Force in general every opportunity is taken to demonstrate and instruct those people who have delegated authority to exercise it properly, notwithstanding that from time to time we find that there are breakdowns. In the delivery of service through this Bill I suggest it is going to be extremely important that the line of command is given only to those people who can be totally trusted, and, especially where a person is exercising major authority away from the direct oversight of a senior officer, the correct selection and testing of the individual who may be in such positions is undertaken.

Otherwise, the respect that a community might have for the State Emergency Service could fall into question, and that is the last thing on earth that a community would want, especially when a service such as this is its last line of defence in emergency circumstances. I cannot belabour that point too greatly, because it goes against the minds of many people of all political persuasions to allow such depth of authority as is envisaged in this clause but which exists in other legislation which the Parliament has passed. If the Minister does not approach this subject in his summing up of the second reading, there will be further questioning on this matter in Committee.

I wish to refer now to another aspect of the issue. The Bill provides for a person's property to be taken out of their possession for good purpose. The State Disaster Act contains provision for proper compensation for loss to a person whose property is removed from his possession for the purpose of fighting fire, flood, or whatever the case may be. I find no provision, no money and no funding to provide for just compensation for a person whose property is taken from his possession. That is either an oversight, or possibly it is intended that the provisions of the State Disaster Act will apply to provide for any such costs. I do not know. I cannot see any direct linkage but, because this provision is present in the State Disaster Act, and because it is essential that no person be disadvantaged to the benefit of the community at large, there must be a means whereby adequate compensation can be paid.

Not even in the regulation making powers of the Bill are directions given similar to those that appear in the State Disaster Act, which would allow for that compensation to be undertaken. In fact, because there is no reference at all to a fund or a cross reference to the State Disaster Fund I cannot identify any fund from which moneys could be drawn.

One would expect a responsible Government to ensure that funds were made available to fulfil the requirements that I have just outlined. However, with a matter which is so sensitive and so important to the future wellbeing of persons who may have their property removed from their possession, it is necessary that it be spelt out in rather more positive terms than is apparent now. The State emergency services have applied since 1961, being a follow through from the civil defence organisation, the purpose for which they exist is somewhat different today than in 1961 and earlier. Indeed, the funding has been three tiered, really four tiers, as I will show shortly.

First, there has been funding from the Commonwealth; then funding from the State, which has been by way of a subsidy in many circumstances to local government bodies; also, there has been positive local government input as well as fund raising input by members of the State Emergency Service. For example, I comment on the SES at Spalding, which used to be in my electorate and which provided a back-up for the wheelbarrow push from Burra to Broken Hill and from Broken Hill to Burra. By providing assistance to participants they have raised funds that were put back into their own service.

The Local Government Association, through its Secretary-General, has been the only organisation that has drawn to my attention concern about the legislation as presented. The Secretary-General states:

> We have noted that it makes no reference to local government, other than that the SES units will be exempt from local government rates. Further, the Bill makes no reference to funding arrangements for the SES. In making the above observations and assuming that local government will be expected to fund in part the operations of SES units, as it currently does without statutory obligation, we express concern that local government will contribute to the overall funding without having a say in the operation of the local SES.

I draw the Minister's attention to that concern of local government that comes on top of a number of other public utterances that local government has been forced to make in recent times that it appears to be taken for granted by the current Government, and is the last to be advised of its responsibilities in a number of important financial areas. One could refer to the additional cost that local government have been asked to undertake in relation to the provision of rolls for elections; the additional cost that it has been asked to pay in relation to valuations; concern in respect of the amount of money that it is expected to find for the creation of libraries, and other circumstances directly associated with the CFS which have caused it a great deal of concern.

I am not wanting to be critical of the fact that, perhaps, local government has not a rightful part to play in providing some of those funds. I believe that, if it is expected of local government that it will make those funds available, then it ought to have had consultation in relation to the part it is expected to play. Indeed, in the ongoing arrangements associated with the SES surely there ought to be a direct line of representation which allows for that very close and necessary interrelationship which is required to exist between the service and the local governing bodies, or, so that the local governing bodies may well continue as they have in the past to provide facilities or, more particularly, headquarters for a number of the services at no cost to the service, they ought not to be taken for granted.

The Local Government Association also makes some comment relative to the phrasing of clause 9 of the Bill, which provides for the registration of the SES units, that they shall be incorporated, and that all rights in property will transfer from an organisation to an SES unit. However, the clause also provides that, on dissolution of the unit, all property vests in the Minister. Here we have the other very contentious issue which has been very much to the fore in public debate in recent times in a document which was circulated relative to possible alterations to the Country Fires Act, that various units may be deployed anywhere in the State at the direction of the Director.

I do not want to develop that argument, because I believe that it has been misunderstood and misrepresented in a number of very particular ways, but it highlights the sensitivity of a body which requires major input from volunteers at having its property—whatever its property means in the broadest of senses—whisked away from it without having been consulted. More specifically, where the community itself has been responsible for the provision of large sums of money for those services, for it to be suddenly advised that, in case of dissolution, the benefits will disappear from the community (because it will be vested in the Minister and the Minister may do with it as he will) does not make for happy relationships. I think that those matters need to be discussed down the line. The letter continues:

> If a council has made significant contribution to a unit, it would lose all right to property on dissolution. Although the Minister can dispose of the property as he wishes, there is no guarantee that he would transfer it to the council.

The council, for example, might believe that a particular piece of equipment provides, far beyond the specific needs of an SES unit, some other backup and complementary benefit to the community; that it can suddenly be brought into line to pump water if there is some problem with the local oval; that it can be used, perhaps, to pump sewage or effluent if there happens to be a problem within the common effluent drainage system. Those are the sorts of local issues which cause a great deal of concern to the members of the local Government fraternity.

I have drawn attention to the general aspects of the Bill. Having given it approval to the second reading stage, perhaps I should point out where we go from here. We need answers to a number of questions as to whether it is necessary, for example, to frame amendments to correct deficiencies. If the Minister can indicate that the perceived deficiency does not exist or that there is some other way of handling the matter, that will be considered before the matter is debated in another place. It would be natural, I would think the Minister would understand, for a Liberal

Party or an Opposition of the present persuasion to seek to remove subclause *(c)* of the interpretation of 'emergency', which provides that this shall not apply in relation to an industrial dispute.

We ask why, for example, the union movement should be ahead of the rest of the community in this matter as in other matters that we have questioned. I do not seek to take that up at the moment, because I recognise that it is in the State Disasters Act, and was put there by a persuasion similar to my own. However, I draw attention to its existence. The only other question that I would raise in the general address to this matter is that which relates to penalties, where we find that penalties under clause 15 in both instances are $5 000. I question whether that is a realistic figure in this day and age, having regard to the very serious matters which can be involved.

Having identified that this extends, for example, to matters involving animal and plant diseases I refer back only a short time ago to the problem of tuberculosis being found in the deer population of two or three properties at Virginia, where a great deal of emotion was generated. A number of questions were asked as to whether there would be compensation (there was not in that case, and we will not go into that in any degree), but what arose from that and what is cause for great concern was the view expressed by some other deer breeders, including some quite senior people in a deer association, that they would beat the Government on the matter by releasing all of the deer into the wild, or they would hide the deer that happened to be on their properties, without the Government being able to have access to them to test whether they had tuberculosis.

That would have been a completely irresponsible action and, had it been taken, $5 000 would not have even touched the top of the cost to Government to correct the damage that could have been done. The self-same situation arises in relation to human or plant disease. If a person decided not to cooperate, even though an emergency circumstance had been suggested in relation to that issue, and was to transgress, $5 000 would not necessarily be a very meaningful cost in relation to that set of circumstances.

If we put $250 000 there, it might under some circumstances not be adequate, but I offer the suggestion to the honourable Minister in the area in which we are dealing that I would not be at all unhappy about that figure being $20 000 or $25 000 as an indication of the importance with which the Parliament views the need to respond and to react favourably or positively to this sort of legislation.

One of the big problems in the general community at the moment in relation to the whole matter of crime has been highlighted by the Attorney-General's making public statements that the courts are not being responsive or responsible in the penalties they are handing out. It begs the question, although I do not debate it any further at the moment, whether the Parliament, as it did some years ago in matters which related to drink driving and which were introduced by the Hon. Geoff Virgo, is not having to prescribe in a number of areas of the law minimum as well as maximum penalties.

The courts should be clearly shown the importance that the Parliament thinks these matters ought to be accorded. I am not introducing this factor for any reason other than to highlight once again that, if we are genuinely of the belief that we have a part to play and that a penalty must be a deterrent, this is an area to which we should be giving consideration here and now rather than blindly accepting the $5 000 penalty appearing in clause 15. With those remarks, I support the second reading.

Mr GUNN (Eyre): I am taking part in this debate because I recognise the need to have adequate legislation to deal with emergencies. Having been in this place for a considerable time, I have grave reservations about handing these sorts of powers to unelected public officials. One of my concerns as a member of Parliament is about public officials making arbitrary decisions which violate and grossly affect people's civil liberties. The longer that I stay in this place, the more concerned I become about the arrogance of certain public officials who take it upon themselves to make disgraceful decisions which affect people's rights, on which people have no redress, and which they are bullied into letting go by.

I am currently arguing with a Government department about a course of action involving a person who was convicted of a relatively minor offence and upon whom another Government department has arbitrarily imposed a double penalty whilst the matter is before the Supreme Court pending appeal. Even worse than that is the fact that the local inspector had the arrogance and audacity to go to the media and strongly attack the individual who was convicted. If that is the sort of thing that will take place, I do not intend to stand idly by and allow these sorts of provisions to be inserted in legislation without seeking some strong guarantees from the Minister that commonsense will prevail.

Will the Minister say how many officials in this State will be permitted to exercise this authority? What training will these officials receive? What counselling will they have? How often does the Minister anticipate that these sorts of orders to break into people's homes will be given? As I read this legislation, motor vehicles can be taken and directions can be given that heavy earthmoving equipment may be seized and used. As someone who has had considerable experience in operating large tractors, I ask who will be responsible if some person who has had no experience in operating such equipment is appointed to do so. One of the problems is that when people are given a little bit of power it tends to go to their head. If an untrained person is directed to take one of these large pieces of equipment, that person could injure himself or other members of the community. This is likely to happen if that person is not experienced or allows other people to ride on the steps or the back of an articulated vehicle. People who have had anything to do with such vehicles know what can happen.

What happens when the owner of equipment objects to such action because he knows that it is fraught with danger? The same thing applies when there is a bushfire. If people who have authority, but who do not know the local terrain, move in to give orders, they could send people in a certain direction. However, unless such persons sought the advice of the owner or the occupier, they could in the smoke send a fire truck straight over a gutter where it could tip over. That sort of local advice ought to be sought. I ask the Minister to ensure that before such action is taken attempts are made to reach agreement with people who might object to a course of action because, as I read this legislation, if a person objects to officers taking such action in relation to their property that person could be liable to a $5 000 fine.

I have always believed that people have a right to express their point of view. In my view, a person should have the right to strongly express their point of view to any public official. I have seen at first hand how people are treated. It is an unfortunate characteristic of human nature that many people who might not have been in the boy scouts will, when dressed up in a uniform, take upon themselves a completely different stature. It concerns me that more and more people are dressing up in uniforms and that matters are getting completely out of control.

People can smile, saying that I am on this particular subject again, but this is true, and the public know that. It concerns me that this obviously necessary measure contains these most dangerous provisions. I want to know what right of appeal people will have when they are directed by others who should not give directions. What happens when a mistake is made? Who will pay? Parliament should be careful about passing clauses of this sort. I realise that other legislation containing similar provisions has passed this Parliament, but that does not make it right. The longer I stay in this place, the more I hold the view that the Parliament should be careful about giving authority to inspectors or boards of this nature, because such action is fraught with danger.

I hope that the Minister will answer the queries raised by the member for Light and me, because I have grave reservations about some of these powers. I know that these orders can last for only 48 hours and be extended for another 24 hours, but that is a long period, particularly if someone is having some of these provisions used against them. I hope that the Minister can answer these questions so that it will not be necessary to take other action in relation to some of the provisions of this Bill.

Mr PETERSON (Semaphore): In the metropolitan area we mainly see the State Emergency Service during a crisis, and it does an outstanding job. I have listened to the comments of previous speakers and understand what they are saying. I think that, in the main, this service is highly regarded. During times of need, it responds to the call and does a great job. As the representative of a metropolitan area electorate where there may be a greater need for this service than there will in other metropolitan areas. I will now raise a couple of matters.

The first point relates to the oil berth facility at Birkenhead. I support this Bill because I see a need for it. An incident occurred at a terminal where a fire started, causing much damage and the death of a person. If that fire had got any larger the emergency service would have been needed to a greater degree. About 18 or 20 months ago a Government report stated that the facilities at the ship loading and discharge terminals were not of an acceptable standard. I now get on the record the fact that not one thing has been done to improve that situation—not a tap, hose, pipe, or anything.

While we have organisations like the State Emergency Service to cater for calamities such as fire, flood or whatever, there is a responsibility on other Government departments to ensure that the best possible protection is available in the first place—not that these people would not place themselves at risk or not respond to an incident that should not have occurred.

The other type of incident that I raise again relates to my electorate, and I refer to industrial units which produce lethal gases and materials such as ammonia and chlorine. These units have an ongoing record of spills, damage and resident unrest. It is felt that one day there will be a calamity in this area and, as a result, the services of an organisation like this will be needed quickly. That is why I want the State Emergency Service to be as effective and efficient as possible: so that it can cater for the needs and dangers that I see in the metropolitan area. On that basis, I give my support to the Bill.

The Hon. D.J. HOPGOOD (Minister of Emergency Services): I thank honourable members for the consideration that they have given the Bill. I have listened very carefully to their comments and I will accept their invitation to address in some detail some of the matters that have been raised by them. I can certainly confirm what the member for Light said in relation to the Bill's compensation clauses being identical in principle to those that apply under the Country Fires Act. Since we passed that legislation only recently, I assume that that will present no real problems for either this House or another place.

The member for Light raised the question of clause 12. That is perfectly proper, because the powers envisaged are very strong indeed. These powers will be conferred on individuals only in extreme circumstances and under stringent conditions. Of course, the powers can be exercised only while an emergency is actually in force. The mechanism for the declaration of any emergency is spelt out in clause 11. I think the fact that clause 12 is subject to clause 11 in relation to this matter should be an important mitigating factor to any honourable members who feel nervous about the conferring of these powers.

I also draw the attention of honourable members to clause 21 (2) *(a)*, which indicates that regulations may provide for the manner in which any of the powers of emergency officers may be exercised. So, there is an opportunity for the further specification of the way in which these powers will operate. That in itself is subject to parliamentary scrutiny through the Subordinate Legislation Committee and is a means whereby, if honourable members believe that the exercise of any of these powers is getting out of hand, some pressure can be brought to bear. There will be some prescription of the way in which this will occur by regulation as envisaged by clause 21 (2) *(a)*.

Of course, not every volunteer is an emergency officer, and the member for Light requested specific information from me on this; I have that information for him. There are 14 permanent staff, including the Director of the SES, and all of them would be emergency officers for the purposes of the Bill. In addition, the local controller and his or her deputy in each of the local units would be designated as emergency officers for the purposes of the Bill. At present there are 64 local units so, under the present structure of the SES, that is 128 officers plus 14, making 142 emergency officers in a State force of something like 3 000 volunteers. So, I think honourable members can see that the actual exercise of the powers as set down in clause 12 will be in the hands of a very limited number of people in terms of the total size of the SES throughout the State.

Training already takes place, and it will be further stepped up following the passage of the Bill. I can certainly accept that training is most important in relation to the exercise of these powers. In relation to the remarks of the member for Eyre, I do not think his evident sincerity in bringing forward his remarks can allow us to excuse him for the fact that he went somewhat over the top when he spoke of people in funny uniforms and the way in which they exercise their powers. By implication the member for Eyre was criticising every police officer, fire brigade officer (MFS or CFS), ambulance officer, CES officer, bus driver and those people in the STA who clip tickets, and so on. I do not believe that that is a responsible way to look at this matter.

If the member for Eyre wanted to make the point that there are degrees of training in the way in which people deal with the community—from the very intensive training undertaken by police officers through to perhaps the more informal on-the-job training for a ticket clipper at the STA—it is quite true. No doubt that in turn reflects the sensitivity of the nature of the dealings that these people have with the community at large. I accept that and I know that the Director of the SES accepts that. Indeed, I know that he would seek to ensure that the training reflects that degree

of sensitivity and the extreme situations into which his officers would be placed from time to time by the very nature of the work that they must undertake.

The member for Light raised the matter of compensation for circumstances where property is actually taken from an individual. I believe that I should obtain further advice on this, as the honourable member has raised a valid point. I think that, rather than reporting progress at the appropriate stage in Committee (although, of course, it is open for any member to attempt that process while we are in Committee), I will obtain further advice. It seems appropriate that verbiage similar to that in the State Disaster Act should be used here. I can give an undertaking that similar wording will be placed in the Bill for consideration in another place.

The member for Light also raised the matter of clause 9 and clause 9 (6). In relation to local government, I see little point in mentioning local government in this Bill merely for the sake of mentioning local government. Over the years and during the time I have been a member the tendency in parliamentary drafting has been for leaner, if not meaner, legislation and for it to say merely what it is required that it should do. Of course, in relation to clause 9 (6) the Local Government Association has suggested that there should be a specific requirement of the Minister to consult with local government before disposing of property in the way that the clause envisages. Considerable resources in the SES have been provided by grants from the Commonwealth Government. Therefore, it would probably be equally valid to argue that the same level of consultation should occur where a disposal of assets was envisaged. I believe that the clause contains sufficient safeguards.

I point out that the dissolution of a unit cannot be undertaken capriciously, because clause 9 (5) clearly provides that that solution can only occur:

> Where—
> *(a)* an S.E.S. unit wishes to be dissolved;
> or
> *(b)* the Director is of the opinion that an S.E.S. unit has become defunct or is not properly performing its functions.

So, only in those two circumstances can the Director, by way of an instrument published in the *Gazette*, cancel the registration and dissolve the organisation. Then, at the dissolution, the property is vested in the Minister—because, after all, it has to be vested somewhere or other and that seems to be the appropriate way to go—and the Minister can dispose of the property as he sees fit, but as he considers will best promote the objects of this Act.

So, for the Minister to act capriciously or fancifully in the disposal of the property, or for the Director to act capriciously or fancifully in the dissolution in the first place, would be in breach of the legislation. I assume, therefore, that a legal remedy would be available to such as would want to exercise it. So, while I have no strong feelings about subclause (6), I do not really think that it is necessary to envisage an amendment to that clause.

The member for Light mentioned the matter of industrial disputes. I point out to the House that the definitions as set out in clause 3 of the Bill exempt occurrences in respect of which a declaration under the State Disaster Act is in force—a civil riot or disturbance or an industrial dispute. So, the Government is not herein legislating the way it is specifically singling out industrial disputes: there are other circumstances where the form of emergency that we envisage here would not apply. In the case of civil riot and disturbance, quite clearly the Police Force would have a role to play. For anyone to suggest that the SES should have a role to play in an industrial dispute would probably be wishing on the SES a role that clearly it would not want to exercise in any circumstances. I accept the argument that there could be circumstances in an industrial dispute where one simply cannot isolate that dispute to the immediate players in the dispute—employer, union, whatever it might be—and that other forces might be brought to bear. I would have thought that the SES was not the appropriate force that would be brought to bear in those circumstances.

The member for Light also raised the matter of penalties. I have taken advice—I think that is the appropriate form of parliamentary verbiage one uses on these occasions—as to the penalty. I have no strong feelings about that. I would be quite comfortable with higher penalties written into the legislation than those already there. If one likes to look at clause 15 of the Bill, which is the appropriate clause, I can imagine that people might want to argue that the offence created by clause 15 (2) is likely to be a more serious offence than under subclause (1), because in subclause (2) we are talking about deliberate obstruction or interference with an officer. That, of course, would be an argument for a heavier penalty applying in relation to subclause (2) than in relation to subclause (1). It may well be that we should consider a heavier penalty.

Again, I would suggest that maybe this is not the appropriate time to pluck a figure out of the air but, if the honourable member and I and our colleagues in another place who will eventually deal with this legislation perhaps take further advice on it, I would be perfectly comfortable with a higher level of penalty if that further advice suggested that it was merited and perhaps in line with the sorts of penalties applying in complementary legislation. However, I would also accept that maybe we should be looking at that complementary legislation if in fact it can be demonstrated that the penalties are here because they are a straight transliteration from the State Disaster Act or some such legislation. I think we can take further advice on that, and I would be quite comfortable with an amendment in another place if in fact that seemed to be appropriate.

So, I would like to commend the legislation to the House. I have already indicated that in relation to the matter of compensation where property has to be taken from an individual I am prepared to consider an amendment that would have to be introduced in another place. In relation to the penalties, I am also quite relaxed about that. In relation to other matters, I believe that we have before us a Bill that can quite properly be translated into an Act. The member for Semaphore made a valuable contribution to this debate, but I thought some of the remarks he made were more pertinent to the State Disaster Act than to this Bill. Particularly in relation to a major disaster at the oil berth, while the SES would have a role to play, I would imagine that the major role in most circumstances at the oil berth and similar installations would involve the Metropolitan Fire Service rather than the SES.

The member for Eyre raised the whole question of the conferring of powers. I would point out to members that legislating the way we are, while we are conferring powers, we are also limiting and defining powers. We have had the SES operating for some time in this State, and operating very effectively indeed. In order to operate effectively in the circumstances with which its officers are confronted from time to time, it is necessary that it often has to take quite drastic action. It is better that that drastic action is taken in the light of a Bill which has been debated by the representatives of the people here and in another place, rather than in the absence of a proper definition of these powers. So, I do not really think it is for the member for Eyre to query what we are doing here in principle, although it is quite proper to query some of the specifics of the

powers being conferred, and that has been done by members. I hope that I have satisfied them, and I urge upon them the support of this legislation.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—'The Director of the Service.'

The Hon. B.C. EASTICK: I appreciate the Minister's comments in replying to the second reading, picking up a number of the points that have been discussed. As the Director, who is defined in clause 3, may be a public servant, there are no problems about that element of responsibility which is so necessary a part of the interrelationship and contact with the Minister. We also find that under clause 6 the Minister has an input. It is the degree of delegation which is very wide, unless the Minister is exercising full responsibility.

There have been occasions when the Minister—not this Minister, but a Minister—has ducked the flack because he did not know how far the delegation was going. It is his fault and it should not occur. Clause 6 provides for delegation by the Director to any person appointed to the Public Service of the State, so that power is getting very wide indeed. That is where I am sure the question arises in the mind of the member for Eyre. It is one that I raised and one that I am sure the Minister has been asked by other colleagues. The control in this area is not as fine tuned or as positive as that existing under the State Disaster Act, for example, where there is much closer involvement by Cabinet and ministerial appointees in the provision of ongoing services.

I merely draw attention to the scope of this power but do not seek to change it. It is one of those areas where the control and responsibility exercised by the Director through his relationship with the Minister must be ever so properly carried through so that one does not get what I have referred to as the tin star general situation, which has occurred in voluntary and other organisations, where power goes to a person's head. This applies particularly where the person concerned is operating at a distance from the central authority. Training and monitoring are important in connection with delegation. The closer the delegating authority is to the Director or the Director's deputy, I suggest the better it will be for the whole system.

Clause passed.

Clause 6 passed.

Clause 7—'Commissioner to administer Act and submit annual report.'

The Hon. B.C. EASTICK: This clause involves the Commissioner of Police. Subclause (3) provides:

> The Minister must, as soon as practicable after receiving a report submitted pursuant to subsection (1), cause a copy of the report to be laid before each House of Parliament.

In a matter as sensitive and important as this, having regard to potential public involvement, I believe that consideration should be given to inserting a time limit such as 'within three days of the Parliament's sitting'. I do not believe, in a matter which has been so seriously considered and documented according to the constraints imposed by the Act, that it would be difficult for that information to be laid on. While I am not seeking to insert that at present, I suggest that it is another area that would finetune or even do away with some of the questioning that might remain in the public mind as to what can be hidden. Let us be frank about it: people will always fear that something is being hidden if it is not spelt out. I cannot see any reason why such a provision could not be complied with, but I am open to suggestion.

The Hon. D.J. HOPGOOD: I am prepared to give that matter further consideration. Until now, the SES report has been a chapter in the report of the Commissioner of Police over the whole of the operations of the Police Force. I will look at other similar pieces of legislation referring to the MFS, CFS, and so on and undertake to see what can be done before the legislation reaches the other place.

Clause passed.

Clause 8 passed.

Clause 9—'SES units.'

The Hon. B.C. EASTICK: I noted with interest the Minister's response to the request that was made to him through me and obviously through other channels, such as local government, and I concede that one does not necessarily have to have large numbers of people becoming involved with any administrative structure to make it necessarily effective. However, I pick up the point again, that where local government is expected to provide some of the wherewithal—as has been the case in the past and no doubt will be in the future, particularly in relation to subclause (7), which provides for rates to be waived—it might have been better to consult with local government or at least its central authority and find out whether this would be acceptable before appearing in the legislation. This matter should be one involving the consultation process.

I notice exemptions in relation to land tax and rates under the Waterworks and Sewerage Acts and the Local Government Act. However, there is no mention of FID or any arrangement or agreement with the Commonwealth about sales tax. The Premier recently drew our attention—and in fact this matter is reported on in today's *News*, to the embarrassment of the State Government—to the payment of over $1 million to the Commonwealth in relation to a certain yacht. I for one believe that a voluntary organisation providing a community service ought to be given every exemption conceivably possible so that the service it renders is provided at the best possible cost to the community, which is happy to have the service, although in this case it hopes it never has to use it.

The Hon. D.J. HOPGOOD: The individual units can apply for exemption from FID, and those that have done so have received that exemption. I assume that all units will ultimately apply and that this exemption will be granted. In those circumstances I do not know whether it is necessary at this stage to envisage adding that verbiage to subclause (7). I am also told that the SES, as a body, has received exemption from the Commonwealth Government in relation to the fringe benefits tax. It may be that there was no consultation with local government in relation to subclause (7) *(a)*, to which the honourable member referred, about rates under the Local Government Act being exempt. I think it was probably assumed that this was unremarkable because that has been the situation up to now and it is in line with what occurs under the Country Fire Services Act.

The Hon. B.C. Eastick: You're taking them for granted.

The Hon. D.J. HOPGOOD: I can understand that, but I assure the Committee that subclause (7) *(a)* is virtually word for word with what is contained in the Country Fire Services Act.

Clause passed.

Clauses 10 to 16 passed.

Clause 17—'Compensation.'

The Hon. B.C. EASTICK: I have indicated how this clause has been taken from the recently amended Country Fire Services Act, and that is as it should be. When that matter was debated it became quite clear that there was another area of compensation which really ought to be available and in fact was available to members of the Coun-

try Fire Services, that is, for personal loss—the wrist watch that was dropped or lost; the trousers that were burnt; the various personal items that might have been purloined by someone else in the depot or while the person was out doing a service for the community. I am not aware of what arrangement presently exists for the State Emergency Service to provide that compensation to its volunteers. If it is not and has not been provided for I believe that in the equality that ought to exist between these various voluntary services some provision needs to be made for that.

Concerning the compensation clauses of the Country Fire Services Act, the Minister's adviser was able to indicate a recent Executive statement to members of the CFS providing a means whereby any such losses would be covered. In the interests of equity between the services I would want to be quite certain that it is not a deficiency in the Act we have been asked to pass or in the administrative procedures which flow from that Act.

The Hon. D.J. HOPGOOD: The Director assures me that that matter will now have to be examined following the passage of this legislation. The only arrangement we have had in the cover that has been arranged to date for volunteers would arise only where this is a loss associated with personal injury. It has not been a large problem because, for the most part, the uniforms being worn and that sort of thing are supplied by the SES, so there is no loss to the individual. The matter of a wrist watch or the loss of personal effects while the person is busy putting an emergency roof on a house or the like is certainly one that we will have to take up, and we will do so.

Clause passed.

Clauses 18 to 20 passed.

Clause 21—'Regulations.'

The Hon. B.C. EASTICK: I draw attention to subclause (3) *(c)*, which opens Pandora's box to anything anyone wants to put through. I am not suggesting it would happen but 'may vary according to any other factor' is wide. What does 'any other factor' include? I suggest that it is an escape route that was never intended. It is not specific, as ought to be the case in legislation. If there is a contingency that has not be thought through, it can be provided for under this subclause, which is wide enough to allow for some activity behind the parliamentary process to not be known about until some time later when the regulation is tabled. Does the Minister really believe that he needs a provision as wide as this? I have not seen a provision expressed in quite the same terms as this in other legislation. I am not denying that it may be there, but it is wide open.

The Hon. D.J. HOPGOOD: I was given to understand that this was a fairly standard thing that is placed in legislation. I must join with the honourable member in saying that I cannot envisage the circumstances in which it would be used, given the conditions laid down in clause 21 (2) *(a)* to *(e)*. Again, it is simply one that I took on advice: I was told that that was fairly standard procedure in a clause in legislation referring to the making of regulations.

Clause passed.

Title passed.

Bill read a third time and passed.

ADJOURNMENT

The Hon. D.J. HOPGOOD (Deputy Premier): I move:

That the House do now adjourn.

The Hon. J.W. SLATER (Gilles): One of the unfortunate aspects of our modern society is the increasing trend towards what I call impersonalisation through the use of high technology and computers. We are all familiar with the impersonalised and perhaps predatory nature of large business corporations. Almost daily we read in the press of takeovers, mergers, and so on. I noted recently in an article on this subject in *Time* magazine that the American public is fast becoming sick and tired of the trend: it is fed up with the system where the individual is at the mercy of large corporations. One would expect, as I said, because of the predatory nature of large organisations having access to high technology and computers, that they would be inclined to disregard the public interest. However, one would not expect that semi-government instrumentalities or organisations, particularly those that rely on customer service and satisfaction, would initiate action that I believe is not in the best interest of the public at large.

The organisation to which I am referring specifically is the State Bank. Members will recall that this House passed legislation about 18 months or two years ago to amalgamate the Savings Bank of South Australia and the State Bank, a move with which I agreed and which the House passed. While I appreciate that the new State Bank had a need to develop its corporate image, it certainly should not do so to the detriment of its customers and customer service. Over recent times a decision has been taken, as I have become aware, to close a number of State Bank agencies in the metropolitan area. I am not sure whether this decision was taken by the bank's board or whether it was an executive decision by a bank executive.

The agency about which I am concerned specifically is located at the Northfield Serv-Wel store at 321 Hampstead Road, Northfield. This agency has operated at that site for some 14 years and early in January this year written advice was received by the proprietors of the store who run the agency that it would cease to operate from 9 February this year. The advice was in written form, signed by Mr Follet, Manager, Retail Banking Services—Administration. The letter states:

> We advise that following a recent number of armed hold-ups and frauds perpetrated at agencies considerable losses have been incurred by the bank. In these circumstances the bank has been forced to review its policy regarding private agencies, and as a consequence it has been decided to close agencies which are situated in those areas regarded as 'high risk'.

To my knowledge, it has operated for 14 years, and I am not aware that there has been an armed hold-up at the Northfield agency. The letter continues:

> We would like you to accept our sincere thanks for the excellent manner in which the agency has been conducted in the past.

That is somewhat contradictory. The letter continues:

> You may be assured that the decision to close this agency was only made in view of the unacceptable losses being incurred by the bank, as a result of deliberate actions by well organised unscrupulous persons—

whatever that means! Following receipt of that letter the proprietors came to see me, and I wrote to the Premier seeking his support, not only as Premier and Treasurer of this State but as the member for Ross Smith, because the agency is on the border of my electorate. Certainly, many of the agency's customers receiving service would come from the electorate of Ross Smith.

Following my approach to the Premier I received advice from the bank and from the proprietors of the agency that it would continue for the time being. The deadline was 9 February, and on that day they were advised that it would continue but that the matter would be further investigated.

As I say, this agency has operated for some 14 years. Many of the residents of this area are elderly people, many of whom do not have transport and are unable to walk any great distance to do their banking. I have in my possession a number of letters substantiating that fact, and I will quote

from some of those. The first one, addressed 'To whom it may concern', states:

I have been a regular customer of the Northfield branch, which is within walking distance from my home. It would be much more convenient if your branch could be continued, as I have not a driving licence and rely on myself to carry all shopping. Also, having had operations for varicose veins, I find my legs ache if I have to walk too far, and if I had to either walk to your other agency, or use more of my aged pension on bus fares, I would find it difficult to budget, which I have now been forced to regulate since my husband's recent death.

Another letter says:

I wish to protest at the closing of your bank's agency at Northfield. I am a widow with no car, and have recently suffered a heart attack. The agency at Northfield is five minutes walk from my home, and is also a supermarket, which means I have access to both money and groceries, etc.

Another states:

I wish to lodge my protest at the closure of your Northfield agency. I have a son in a wheelchair.

It is difficult to read this writing. Certainly, this person lodges a protest. She finds the situation very difficult. She continues:

It appears the decision to close was made with blatant disregard to longstanding clients, many of whom in this area are aged or have no transport. I request the agency remain open.

There are quite a substantial number of letters, although I have quoted from only a few. I believe that the fundamental issue in this case is whether the State Bank, which I believe is the people's bank, is really interested in people or whether it is making a corporate decision to close agencies to the detriment of persons residing in that area. I think they are, and I am quite disturbed about it, because those letters show conclusively that some people will be disadvantaged.

I received a phone call from another person (whose position I do not readily recall) from the Savings Bank, advising me—as I already was aware—that the decision to close the agency had not been finally taken, so the letter I wrote to the Premier had the effect of stopping the closure on 9 February. I hope that the circumstances I have outlined today encourage the bank not to close the agency at all, in view of the service it has provided over a considerable number of years.

I repeat that the State Bank is supposed to be the people's bank. If it closes the agency at Northfield, it has lost me, my family, and anyone else I can influence as far as the State Bank is concerned. It is all very well to have a corporate organisation where one can click one's fingers and get an Easy-Loan (they do not tell you the rate of interest), but, the important and fundamental issue as far as I am concerned is service to the customer. That agency provides the service, and I believe that it ought to remain open. So, I will appeal to the persons responsible, whether it be the State Bank board or the executives of the State Bank, to ensure that that agency remains open in the interests of the residents of that district.

Mr BLACKER (Flinders): I wish to use the time available to me to raise in this House a crisis situation which is developing in the rural areas. Last Friday I attended one of the most serious and heart-rending meetings I have ever attended. I was invited to a meeting at Port Neill which had been organised by the Port Neill Progress Association to render, if possible, community help and moral support to the many farming families who are in the throes of being forced off their land.

I did not know what sort of meeting I was going to. I knew the Chairman of the Progress Association, and I knew that he would be acting in good faith and in the best interests of the community. When I got there, 150 people had turned up. Virtually every citizen in the immediate district of Port Neill, as well as other interested persons or persons in other communities facing similar crisis situations, came along.

An honourable member interjecting:

Mr BLACKER: The honourable member can mock and carry on. This issue is far too serious to play Party politics at all. To that end, I pay a compliment to the departmental officers who attended that meeting at the invitation of the Progress Association. They were from the Department of Social Security; Community Welfare Department; the Department of Agriculture; two members from the Lower Eyre Peninsula Rural Crisis Committee; a banker, and although no doctor was present it had been intended that a doctor be there, because of the situation.

I am given to understand that, of the 31 farmers in the immediate hundred surrounding that township, six are in the throes of walking off their land. That figure was given to me a month ago, and I have since been told that nine are now going off the land. This is because of costs and charges exceeding the possibility of any recovery or any balanced operation in the farming community. We have a situation where, three years ago, there were relatively wealthy people on the land and, in many cases, they had bought land to assist their families, and so on.

One case, which is not in the Port Neill district, is that of a farmer who had $250 000 worth of assets. He had purchased land and had built up a debt of $500 000, so effectively at that time he was dealing with a $750 000 asset. He was assisted into that operation by departmental officers and advisers of the Rural Industries Assistance Commission, so he had Government assistance and Government advisers in that operation. Only last week there was a clearing sale to sell him up totally. That man is finished. After 40 years of farming he walked off without a cent. I believe that he now has a Housing Trust home in Whyalla and is endeavouring to get work there.

This is only the tip of the iceberg. I could quote example after example, but the real crux of the matter is interest rates. I do not know whether or not this Government has done anything to encourage the Federal Government to do something about interest rates, but I have people coming to me saying, 'I purchased land three years ago. I used the Rural Industries Assistance, acting on their advice. I had a viable operation at that time, but I am now facing an extra $39 000 interest,' and in that situation it is impossible for anyone to succeed.

There are some major problems. Some of them are political problems: one, interest rates; two, the high cost of Government charges; three, the lack of ability to attract a realistic return for the commodity, because of international marketing and because some of our competitor nations are in fact subsidising to an extent that makes it impossible for us to compete on a fair basis. The Australian farmer is still proven to be the most efficient in the world. He still produces more food and fibre per farmer than any other in the world.

An honourable member interjecting:

Mr BLACKER: I am saying that some of this is outside the immediate Government province. The problem is that, with the EEC and the American Government subsidising primary products to an extent which is sometimes 100 per cent or more of our cost of production, we cannot compete. Obviously, if we could say, 'Let everyone throughout the world compete on an equal basis,' Australia could hold its head up high. Australia sells quality products and can compete quite economically and effectively if it gets a fair go in a fair market operation. However, it is not a fair market

operation, because we have the EEC and the American Government strongly subsidising—

Mr Tyler interjecting:

The DEPUTY SPEAKER: Order!

Mr BLACKER: —the dumping of mountains of grain that have been stored around the world. I suppose that one could be callous and say that the best thing that could possibly happen would be for the Northern Hemisphere to have a massive drought. However, I do not want to inflict that on anyone. I am saying that that is probably the only thing that will rectify that aspect of the present rural crisis. At the meeting at Port Neill the No. 1 issue was interest rates, which are presently forcing people off the land. There is nothing that the farmer can do: he cannot rearrange his finances; he cannot rearrange his farming operations; he cannot diversify into a different type of product; and cannot sell his farm.

There was a mortgagee sale on 6 December. The person involved does not mind my giving details of this matter. He acquired land three years ago. His principal mortgagee endeavoured to sell him up on 6 December at a mortgagee sale. The parent property and the extra piece of land that he had purchased were involved. However, the home farm never drew a bid. The second farm drew a bid for about half its value, but that was the auctioneer's bid, anyway. So, here is a man who is pushed to desperation, who has done everything, but who cannot get out of his problems. What does he do: walk off? That is the position that he is in.

Regrettably, in that case the farmer, thinking that he was doing the right thing by his family when he acquired the second piece of land, put his two sons' names on the title. This meant that neither of those boys qualifies for unemployment benefits, so there is a dilemma there. I beg this Government to do everything in its power—although I know that its powers are somewhat limited—to get out and fight for the rural community.

The problem for Australia at the present time is its balance of payments and trading figures. There is no industry other than the rural industry (and perhaps the mining industry) that has the slightest hope of rectifying this situation. Manufacturing industry definitely cannot, and there is some doubt that the rural industry can do so unless it can get assistance, relief or a breathing space in its operations to enable it to get back to producing effectively. If it is given that opportunity, that balance of trade gap which presently exists and for which we are all paying dearly by way of high interest rates and everything else will be addressed.

The second issue raised at that meeting related to charges and costs of operation. If one draws a graph using 1980 as the base one finds that most costs have increased by 50 per cent or 60 per cent. Interest rates have increased by 160 per cent to 180 per cent; that is really the problem in this area. The cost of fuel, chemicals, general farming operations and spare parts are making matters so much more difficult. The banks are now telling the farming community that when they do their budgets for next year they should work on only $80 per tonne for wheat when this year we were paid $117 a tonne first advance less costs. In addition, we have extra costs, in some cases up to 35 per cent handling charges, all of which come off before the farmer is paid. All those things are going on and on.

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

Mr RANN (Briggs): I am delighted to follow the member for Flinders. I can see the nervousness in the faces of Liberal Party members when he speaks. I think that they fear that the farmer from Cummins can be as dangerous to them as the farmer from Kingaroy is to the Federal Leader of their Party. On a lighter note (because after an arduous two days we need a bit of light relief), we heard the Leader of the Opposition today, which helped. The Premier raised some important questions about the Liberal leadership in this State in his reply to a question from the Leader of the Opposition.

Essentially, the Premier called on the Leader to show his colours and to say where he stands on the New Right, on its policies and on the Federal Opposition leadership debacle. I doubt that the Leader will do so, because he has shown in recent weeks that he is terrified of events in Canberra and in Brisbane. Last week we saw the Leader in various interviews doing cartwheels in a Jim Hacker like attempt to praise the New Right whilst condemning their extremism. He demonstrated to us all why his own colleagues keep telling us that he is a loser.

It is the same Leader of the Opposition who last October, when the New Right was the flavour of the month, publicly embraced them and their policies in what he described as a major policy speech; that was done in a major policy speech to the Stirling Chamber of Commerce, Junior Division, or something like that. In that speech he said that the New Right was not extremist and endorsed their policies outright. I would like the Leader of the Opposition to show that he has the right to call himself a leader. I can see members opposite nodding in agreement. Where does he stand? I will now ask six questions. Where does he stand on John Howard's consumption tax?

Mr OSWALD: I rise on a point of order. I ask that the honourable member withdraw his statement about members on this side nodding in agreement, because not one member of this side of the House nodded in agreement.

The DEPUTY SPEAKER: There is no point of order.

Mr RANN: Perhaps they were nodding off following their Leader's performance today; I do not know. Does he support or oppose Joh's flat tax? Would he prefer Andrew Peacock or John Howard to lead the Federal Liberals? Would he prefer Joh or Ian Sinclair to lead the National Party? Would he like to see Joh leading the Federal coalition? Would he defend Steele Hall against the attacks of the New Right and against the Australian Small Business Association?

All we have heard is an absolute dismal silence, because he is scared stiff. I doubt whether the Leader will have the courage to reply to those six questions. He is terrified that his comments will come back to haunt him and further erode his stature in the Party. However, I am reliably informed that the Leader of the Opposition has been trying to lift his game recently, and I congratulate him on his efforts. I am told that he was getting media coaching in January. He has been advised how to come across as not being a whinger. Apparently Nick Minchin, who is known to us all, is worried that Liberal polls show that voters do not trust the Leader of the Opposition so they have to spend money tarting him up, and his shadow Ministry have to ensure that they have lessons in sincerity. It is as phoney as that! Basically the Liberals' polls say that the public does not like the real John Olsen, so they are trying to manufacture one to give him some credibility.

Mr D.S. Baker interjecting:

Mr RANN: The member for Victoria is trying to impress the Leader with his loyalty, which is not what he tells his mates. In December a secret Liberal document was leaked to Kym Tilbrook of the *Advertiser*. That document revealed that Liberals could pay to get advice on how to appear sincere. Obviously John Olsen was first in the queue. We

were told how they could learn to appear trendy, to talk about Bruce Springsteen, whistle Madonna songs and appeal to the young. We were told that they were told how to stack talk-back shows in the evening and how to sound hip, or something. We were also told that there was to be a roster of members to phone in, not revealing that they were Liberals but to pretend that they really did support John Olsen.

Mr Klunder interjecting:

Mr RANN: Yes, they are taking sincerity in turn. The same document revealed that candidates were asked to carry cameras around so that they looked important, although I could not quite see the point of that. Apparently in 1987 we will see a new John Olsen: it is not the 1985 version of 'No ifs or buts; I am tough.' It is 'genial John' that we are going to see in 1987. Let us look out for this phoneyism and new sincerity. It is good to see that members are now coming into the Chamber to support me; they know what I am talking about.

I want to talk now about developments at the Lyell McEwin Hospital, now known as the Lyell McEwin Health Service. I am pleased to be able to announce that stage 1 of the $50 million Lyell McEwin redevelopment will be open for business very shortly. Indeed, on 30 March the ground floor of the $14 million stage 1 will be open for patient use. The upper floor will be opened on 27 April. Stage 1 of the redevelopment will include the accident and emergency department, the medical records department, outpatients, the main entrance, a child minding facility, paramedical departments, domiciliary care accommodation, operating theatres, delivery suites and an essential sterile supply department.

Last week I toured the Lyell McEwin redevelopment, and I was enormously impressed with the planning and design work. It has a great people feeling about it. It is an open plan, and I think that mothers-to-be in particular will be delighted with the delivery suites. The grand official opening by the Minister of Health (Hon. John Cornwall) will be held on Sunday 3 May. I understand that the official opening will include a fete jointly arranged by the Rotary Club of Munno Para and the health service combined with an open day in which the public will be invited to inspect the new building.

I am pleased to say that, following on from Stage 1, planning on Stage 2 is well advanced. Stage 2 will include the vast majority of ward accommodation for the Lyell McEwin, and it is anticipated that construction of a $12 million Stage 2 will begin in February 1988 and will take two years to complete. There are other exciting developments—

Members interjecting:

Mr RANN: I can see that members opposite are delighted and, even though some are country members, perhaps they are thinking of moving out of the eastern suburbs to Salisbury and Elizabeth so that they can share in the service. That is very good to see. The State Government has provided additional funding to reduce the waiting lists at the Lyell McEwin for elective non-urgent surgery: for example, for non-urgent elective ear, nose and throat surgery the waiting time has been halved. That is an outstanding achievement, and I congratulate the Chief Executive Officer of the Lyell McEwin and his staff. In orthopaedics and gynaecology the waiting time has been reduced to 10 weeks, and for general surgery it is only two weeks. Other problems are also being solved.

Because of a shortage of orthopaedic surgeons in South Australia, for two years the Lyell McEwin has been unable to provide an appropriate service for the treatment of patients with fractures. That has necessitated patients going to the Royal Adelaide or the Children's Hospital. I am very pleased to be able to announce that the Lyell McEwin has made two additional appointments in orthopaedic surgery which should significantly improve the health service's ability to treat patients with fractures.

Members interjecting:

Mr RANN: I am glad that various members opposite are so delighted about what is happening at the Lyell McEwin Hospital, because I want to talk about them. It has not been an easy 18 months or so for the Lyell McEwin. Apart from the inevitable disruption that flows on from a major and exciting redevelopment, the hospital has also been subjected to an unprecedented series of politically motivated attacks by members opposite. These charges, made in Parliament last year, have caused a great deal of harm, even though they centred on events that occurred in 1981 when members opposite were in Government. Unfortunately, these accusations were couched in such a way as to cast an unfair slur over the present administration. The people making these charges failed to acknowledge the enormous work that had been done to remedy past problems and practices.

Again, I congratulate the Chief Executive Officer (David Reynolds). Recently we have seen more attacks and another series of totally unfounded charges against the Lyell McEwin. I think it is a credit to that hospital, to its managers and its executive, to its board and its staff that morale has remained high and that public confidence has been maintained.

A great deal has been achieved since the formation of the Lyell McEwin Health Service three years ago. Not only has the standard of medical services greatly improved but also there has been a marked improvement in the hospital's financial administration and accountability. I am pleased to hear that the Lyell McEwin is no longer the poor relation in terms of South Australian hospitals. In resource terms, it now equates with the Modbury Hospital in the number of resources put in per person for the population served. In this my first grievance of the New Year, my parting shot is to pay a tribute to the Leader of the Opposition and wish him well in his sincerity lessons.

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

Motion carried.

At 4.55 p.m. the House adjourned until Thursday 19 February at 11 a.m.