

## HOUSE OF ASSEMBLY

Tuesday 27 August 1991

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

## PETITION: TOBACCO LICENCE FEE

A petition signed by 6 446 residents of South Australia requesting that the House urge the Government not to increase the tobacco licence fee was presented by Mr S.J. Baker.

Petition received.

## QUESTIONS

The **SPEAKER**: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 1, 2, 8, 9, 12, 19, 20, 23, 30, 33, 35, 38, 39, 51, 54, 70, 77, 78, 82, 83, 85, 86, 87, 92 and 97.

## PAPERS TABLED

The following papers were laid on the table:

- By the Minister of Health (Hon. D.J. Hopgood)—  
South Australian Council on Reproductive Technology—Report, 1991.
- By the Minister of Fisheries (Hon. Lynn Arnold)—  
Fisheries Act 1982—Regulations—  
Marine Scalefishery—Fishing Licence Renewal.  
River Fishery—Licence Renewal.  
Lakes and Coorong Fishery—Licence Renewal.  
Miscellaneous Fish—Licence Fee.

## MINISTERIAL STATEMENT: FLINDERS MEDICAL CENTRE

The **Hon. D.J. HOPGOOD (Minister of Health)**: I seek leave to make a statement.

Leave granted.

The **Hon. D.J. HOPGOOD**: On 15 August the member for Walsh asked me a question as to whether the Flinders Medical Centre had agreed to undertake an efficiency review. I answered 'Yes', which was correct. I then went on to answer a question that was not asked of me, which is always hazardous. I said that at that stage it had not been determined who would undertake the review. I am given to understand that at that stage it had been determined that the board of directors of the Flinders Medical Centre had chosen a consultant to undertake that review.

## QUESTION TIME

## STATE BANK

Mr **D.S. BAKER (Leader of the Opposition)**: Has the Treasurer sought approval from Federal Treasurer Kerin to increase the State's global borrowing limits to further bail out the State Bank?

The **Hon. J.C. BANNON**: I have addressed this question on other occasions and it has certainly been indicated that, if South Australia needs access to further loan funds, it can

obviously make some request for such and it would be most unlikely that that request would be refused, particularly as other States have, in similar circumstances, had resort to special approvals from Loan Council. South Australia has not made such request and at present does not intend to do so. The basis of that statement and the figuring behind our finances will all be revealed in the budget on Thursday. I suggest that the Leader curb his impatience until then.

## SOVIET REPUBLICS

Mr **QUIRKE (Playford)**: Will the Minister of Ethnic Affairs advise the House what are the implications for South Australians of the declaration of independence by a number of former Soviet republics and the recognition today of three Baltic republics by the Commonwealth Government? Given that many South Australians had to flee their country of origin, and these countries in particular, I believe that the recent events in the Soviet Union are a matter of importance to the people of South Australia.

The **Hon. LYNN ARNOLD**: I thank the honourable member for this very important question, because there are many thousands of South Australians of Baltic origin to whom today's decision by the Federal Government of Australia to recognise so many years later the independence of the Baltic republics is very heartening news indeed. First, I have previously raised with the Federal Minister of Immigration, Local Government and Ethnic Affairs (Hon. Gerry Hand) the question of those citizens of Australia who lost out on their right of dual citizenship because they surrendered their citizenship of the previous country, which was a country then under the occupation of a Government that they deemed to be illegally in power.

Our laws of dual citizenship provide that a person in some situations may keep the citizenship of their country of origin while becoming an Australian citizen, but they cannot reclaim citizenship that has been surrendered. In this circumstance the Federal Government ought to reconsider that situation with respect to, for example, Czechoslovakia and Poland. Now that the decision has been made to extend recognition to Estonia, Lithuania and Latvia, I hope that any decision the Federal Government makes in that regard is automatically extended to those Australians of Baltic birth.

Secondly, the other implication for those South Australians who were born or who are descended from those who were born in the Baltic republics is the matter of reclaiming any property that may have been illegally taken from them. Of course, this matter has had many implications in various other countries of Eastern Europe, and notices have been sent out to the community in South Australia to advise people of what their rights may be in this situation. Thirdly, there is the implication that they will now have the relatively unencumbered opportunity to appreciate their country of origin—an opportunity that was very much closed to them during the forceful occupation of those republics over the past 51 years.

They are the immediate implications that apply in this situation and I congratulate the Federal Government on its decision today to announce formal recognition, which was made by the Prime Minister. I hope we see an extension of that decision to other republics formerly part of the Soviet Union that have declared their independence, too. There are a number of those republics, including Moldavia and Georgia. However, there are two others for whom the way is already open for recognition—the republics of the Ukraine and Byelorussia. For various reasons associated with stage-

managing back in the 1940s, those two republics already have United Nations accreditation. It would be a very easy administrative decision to instruct Australia's ambassador to the United Nations to recognise the formal participation of those legations from the Ukraine and Byelorussia.

The South Australian Multicultural and Ethnic Affairs Commission, which recently considered the ramifications for South Australians of the enormous changes that have taken place in Eastern Europe in recent times, has decided to devote its October issue of *A Multicultural Life* to an examination of those ramifications, and it is seeking articles from various communities in South Australia in respect of precisely those issues. That will give South Australians an opportunity to better understand the ramifications for those in South Australia; and, at the same time, it is quite a celebratory occasion in relation to the enormous positive changes that have taken place.

Finally, as a result of an approach that I received concerning the interest of the Ministry of Agriculture in the Republic of Latvia to learn more about what we might be able to offer in terms of technical cooperation, last week I wrote to the Latvian Minister of Agriculture on this matter, because I understood that the Deputy Minister of Agriculture of that republic had indicated his interest in coming to South Australia on a fact-finding mission.

I wrote that, because Australia produces a wide range of agricultural products and has developed world class technology in the agricultural sector, and because South Australia is a major producer of wheat, barley, pasture seeds, wool, beef and sheep meat, and citrus products and is also a significant producer of dairy products, there could be great interest in such a visit taking place. Therefore, I formally invited the Deputy Minister of the Latvian Ministry of Agriculture to visit South Australia and indicated that we would be pleased to arrange a program for him. Now, of course, it would be even more possible for that visit to take place, and I look forward to his visit to South Australia.

### SUPERANNUATION

**Mr S.J. BAKER (Deputy Leader of the Opposition):** Will the Treasurer confirm that the Federal Government's proposed superannuation guarantee levy will add, in current dollars, more than \$52 million to State budget outlays on wage and salary costs next financial year, rising to almost \$160 million by the end of the decade, which is equivalent to total revenue from petrol and tobacco taxation, and will he explain how his Government will fund these additional costs if there is no trade-off for wage increases?

**The Hon. J.C. BANNON:** I cannot confirm the precise figures, but no doubt the honourable member made the calculation by looking at the size of our work force and computing the cost of an extra percentage as announced in the Federal budget. I dealt with this matter last week, and I would like to make two points about it. First, the principle of comprehensive superannuation I think should be generally endorsed. There is no question that, in the long run, if we can cover as many people as possible by a superannuation scheme, that will have tremendous benefits in terms of the investment and savings that will occur as funds build up and, of course, in terms of the resultant funding of social security obligations when people retire from the work force. So, that move is something that we should all support very strongly indeed.

As to its cost, quite clearly if it is an addition to the wages bill of an employer, whether public or private, that is a pretty severe penalty but, as conceived by the Federal

Government and as discussed with the trade union movement, employer bodies and others, this is seen very much in the context of the overall wage package—as a trade-off. If, in fact, it is a genuine trade-off, as it should be, we are not heaping extra cost on to industry and we are, in fact, accruing these long-term benefits.

When we come to the public sector, however, we are in a slightly different situation in that in South Australia there is, admittedly, a voluntary superannuation scheme that is available to our employees. I believe that, in terms of how this Commonwealth budget announcement should be handled, consultation should have taken place with the States on the implications that it would have for them. In those cases where it is funded, clearly there is a greater short-term impost than in those States where superannuation payments are not funded. In fact, the only State at the moment that funds its superannuation is Queensland. Other States have announced the intention—in one or two cases to undertake some steps—towards the funding of superannuation, but it has not been the practice of Government in Australia.

As a result, the cost need not be immediate. However, it would be irresponsible of us to see these increasing obligations accruing without making some sort of provision for them. The Government has that issue under active consideration, but our task would be made very much harder if we were the subject of unilateral decisions that simply say, 'A benefit will be applied at this rate universally and you can look after the funding of it.'

I will take up this matter with the Federal Government because I think it is important that special consideration be given to the States that are providing superannuation schemes, and I guess that the same could be said for employers in the private sector who are, in turn, making available comprehensive or general superannuation schemes to their employees.

### MOUNT LOFTY RANGES WATERSHED

**Mr FERGUSON (Henley Beach):** Will the Minister of Water Resources advise whether the Engineering and Water Supply Department is undertaking a program to improve the quality of runoff in the Mount Lofty Ranges watershed in order to improve the quality of Adelaide water and to reduce the cost of water treatment?

**The Hon. S.M. LENEHAN:** I thank the honourable member for his question. I can inform members that the E&WS Department has engaged consultants, B.C. Tonkin and Associates, to prepare draft guidelines for improving the management of stormwater run-off in the Mount Lofty Range. The study has multiple objectives: water quality, flood control, environmental protection and resource conservation. It will examine the softer engineering options and engineering approaches to catchment management, for example, the replacement of stormwater channels with such things as grassed swales, the creation of wetlands and the treatment of waterborne pollutants nearer to their source. The creation of these swales and wetlands will have a double benefit, because it will also provide a very pleasant and attractive environment which will incorporate open space in and around the townships in the Mount Lofty Ranges.

The consultants have been asked to prepare a pilot management plan for the township of Woodside so that the practicality of various natural stormwater treatment systems can be assessed. I am very hopeful that Woodside will become something of a showplace to display the various water treatment regimes that are now being tried in other parts of the world. Much of what we learn from Woodside

can be transferred to the treatment of run-off not only within the Adelaide Hills but on the Adelaide plains as well.

#### Mr DUIGAN

**The Hon. D.C. WOTTON (Heysen):** My question is directed to the Minister of Labour. Why was section 52 of the Government Management and Employment Act used to appoint the former ALP member for Adelaide, Mr Duigan, to a senior position in the Attorney-General's Department, thus bypassing normal selection procedures?

*Members interjecting:*

**The SPEAKER:** Order! I call both sides to order.

**The Hon. R.J. GREGORY:** I thank the honourable member for his question. I am not aware of the details of the appointment. I will obtain the details and advise the House in due course.

#### LITERACY

**Mr HAMILTON (Albert Park):** Will the Minister of Employment and Further Education advise the House what new initiatives will be undertaken to improve literacy levels amongst adults in South Australia? As literacy is a fundamental right of all citizens, I seek advice as to what new initiatives are being taken by the Government and specifically how my constituents may benefit from those initiatives.

**The Hon. M.D. RANN:** I thank the honourable member for his continued interest in this matter, of which he has spoken on very many occasions. I am pleased to announce State Government funding totalling \$91 575 for Literacy in the Community Program for 25 groups in South Australia. This includes 24 groups running literacy programs in their communities, plus the salary for a Literacy in the Community field officer located at the umbrella agency CAN (Community and Neighbourhood Houses and Centres Association). One of these groups, Bower Cottages, in the member's own electorate, received \$3 750 under this scheme. I know that the member for Albert Park has been a passionate supporter of the Bower Cottages over the years, and I am sure that he will be delighted at this news.

The community groups were funded by the Commonwealth for the first half of 1991. The grants are in addition to the \$277 000 in State and Federal grants that I announced in March. The courses funded under the Community Adult Education Program are based mainly in neighbourhood houses and community centres and are designed to provide people with the opportunity to increase and broaden their skills. The program offers a valuable service to people who would not feel comfortable in more formal educational institutions, such as schools, colleges, or universities, or who may be physically remote from such services. The courses often provide confidence, incentive and the knowledge required to undertake further training or to enter the work force. As the member for Albert Park said, literacy is a critical area to ensure South Australia's future. Literacy is the cornerstone of skills not only for the work force but for our daily lives. The Advisory Committee on Community Adult Education which I set up last year and which is chaired by Prue Madsen provided me with hands-on expertise and advice on the allocation of these funds. I place on record my appreciation for their outstanding work.

#### WORKCOVER UNFUNDED LIABILITY

**Mr INGERSON (Bragg):** My question is directed to the Premier.

*Members interjecting:*

**Mr INGERSON:** Thank you. I appreciate it. It is not very often that I get to 50! What is the Premier's estimate of the monthly increase in unfunded liability WorkCover will face for each month his Government delays the legislation to amend the scheme, and when does the Government now intend to introduce legislation to reduce WorkCover's unfunded liabilities?

**The Hon. J.C. BANNON:** Fifty years has accrued a lot of experience for the honourable member, although I do not know how much wisdom. However, I should like to congratulate him on achieving the half century. To turn to his question, a major actuarial assessment is being undertaken on WorkCover at the moment, which will look at unfunded liabilities in light of the development of the scheme over the 12 months or so since the last assessment, in an attempt to project ahead. It should always be emphasised that these assessments are projections based on a number of major variables and, because they stretch out so far ahead, it is very difficult to see a precise picture.

Obviously, we will need to look very closely at the trend. The WorkCover board is well aware of that need and the need to look at further changes or economics. An exercise is being undertaken by a select committee of this Parliament, of which the honourable member would be only too well aware, and I understand that he has told the media that he intends to place a Bill on this matter before the House.

If that is his intention, I guess that it would be most appropriate for him to do so in the normal forms of the House.

*An honourable member interjecting:*

**The Hon. J.C. BANNON:** He did today? I am delighted that notice has been given. Those assessments are going on, as I said, and I do not think that it would be at all productive for me to introduce speculation in that arena at the present time.

#### DOG CONTROL

**Mr De LAINE (Price):** What action is the Minister for Environment and Planning contemplating to control the breeding and sale of bull terrier-Rottweiler cross and other potentially vicious dogs? Recently, I have received reports that pit bull terrier-Rottweiler crosses are being sold for sums in excess of \$300 through local newspapers.

*Members interjecting:*

**The Hon. S.M. LENEHAN:** I think that to be Minister responsible for dogs is above and beyond the call of duty. Notwithstanding that, I shall endeavour to answer the honourable member's question. Since I have had the Dog Control Act transferred to my responsibility, I have met with the Dog Advisory Committee which, for the edification of members, is a committee established under the Act to advise the Minister of the day with respect to these very complex issues relating to dogs. In fact, the committee has recommended a number of controls, which relate specifically to American pit bull terriers.

I have made an announcement that such animals should be muzzled and on a leash in public because of the evidence that was presented to me by this advisory committee and because of the experience overseas. That would place this specifically bred fighting breed in the same category as

greyhounds, which already must be muzzled in public. I have directed that there be extensive consultation with the Canine Association and with local government before amending the Dog Control Act in this Parliament so that these measures can be implemented. There are other proposals, which include a desexing program for American pit bull terriers and a ban on their use as guard dogs, as well as a ban on advertising these dogs for sale.

Again, where there is a need for amendment to the legislation, I will bring that before the House, hopefully later this session. The proposed controls, however, would not affect any other breed of dog, and I want to make that quite clear. We are not talking about bull terriers as a breed, we are talking specifically about American pit bull terriers. Any other dog genetically bred for fighting perhaps could come under the same controls in the future, but at this stage I am not talking about any other breed of dog.

Cross-breeding of dogs, including potentially vicious dogs, would be extremely difficult to control, and at this stage there is no intention to legislate to stop this practice. Indeed, one would wonder how such a practice could be policed. However, compulsory desexing of American pit bull terriers would have an effect on this practice. To the extent that I can give the honourable member some comfort in answer, that is possibly one way of addressing the problem he has highlighted to the House. In conclusion, I inform the Parliament that I have written to give support to the Federal Government's action to ban the import of American pit bull terriers.

### WORKCOVER

**Mrs KOTZ (Newland):** My question is directed to the Minister of Labour. When will the workers compensation scheme meet the requirement of this Parliament enshrined in the Workers Rehabilitation and Compensation Act that it be fully funded?

**The Hon. R.J. GREGORY:** I thank the honourable member for her question, and I can advise her that the WorkCover board is working towards the aim—

*Members interjecting:*

**The Hon. R.J. GREGORY:** I have had interjections from the member for Mitcham and the member for Chaffey, but I would have thought the member for Newland was quite capable of asking a question without their assistance. As I have said, the board is working towards having the undertaking fully funded and is effecting an enormous number of efficiencies within the organisation to ensure that it is operating properly in the delivery of its benefits to the people concerned and also that it is getting the money from the employers who are obliged to pay it. It has introduced a number of schemes that will ensure that appropriate payments are made and it is also attempting to encourage employers to reduce the number of injuries that happen in their workplace. It is argued that, if the 7 per cent of employers who cause most of the injuries—and, therefore, most of the costs—were able to reduce those injuries, we would see a corresponding and dramatic decrease in actual unfunded liabilities.

### INDUSTRIAL RIGHTS

**The Hon. J.P. TRAINER (Walsh):** Can the Minister of Labour advise the House of any action being taken to ensure that non-English speaking workers are aware of their industrial rights?

**The Hon. R.J. GREGORY:** This morning I helped launch a new program designed to help migrant workers regarding their rights in the workplace. From next week radio station 5EBI will begin broadcasting a series known as 'Your Rights at Work'. The series has been put together by the United Trades and Labor Council's South Australian Migrant Workers Centre and 5EBI and I had much pleasure in officially launching the series on air this morning.

The series of 14 different two to three minute radio spots covers issues ranging from maternity leave and racial discrimination to health and safety and workers compensation. They will be broadcast during the next 12 months in nine languages: Mandarin, English, Greek, Italian, Khmer, Polish, Serbian, Spanish and Vietnamese. Some suburban and country community radio stations will also run the series. We think that as many as 100 000 workers in South Australia from a non-English speaking background could benefit from those broadcasts, especially those few who are unable to read and write in their own language. Outworkers, who are paid for working from their home, will also benefit from those broadcasts. Quite simply, the workers need to know their rights if they are to use and benefit from them.

### YOUTH UNEMPLOYMENT

**Mr OSWALD (Morphett):** I direct my question to the Minister of Employment and Further Education. With one in four young South Australians already unemployed and the Federal Government forecasting even higher unemployment, does he agree that South Australia now faces an unprecedented 30 per cent youth unemployment rate and that the economic policies of the present Government have failed young South Australians; if not, who is responsible?

**The Hon. M.D. RANN:** I am pleased to address that question because yesterday a youth worker called for bipartisan support for youth programs, and I certainly agree with that. Let us go back over the past few months. Earlier this year I called for a national employment summit to discuss the issues of youth unemployment because we are in a national recession requiring national resolve. It was interesting because we received support from all employer organisations, the unions, and youth groups. However, we did not get support from the South Australian Liberal Party as it came out against it. The previous Leader of the Opposition was known as the 'whinger' and this one is known as the 'spoiler'. Later we called on the Federal Government with a 12 point plan to stimulate employment growth nationally because we all know that employment lags behind other indicators in terms of economic recovery. Again we received support across the board—except from the Liberal Party.

We also introduced a youth conservation corps—not the concentration camp or gulag or stalag approach to youth employment issues that members opposite seem to espouse. We received no support at all from the Opposition. We also launched the \$16 million Kickstart employment scheme. Where was the support from members opposite? Members opposite are totally phoney on these issues. They should be getting behind us in terms of trying to get a commitment from the Federal Government for national resolve in tackling these issues.

*Members interjecting:*

**The SPEAKER:** Order!

### MARINE SCALE FISHERY

**Mrs HUTCHISON (Stuart):** Will the Minister of Fisheries advise the House of the progress of the Government's

extensive review of the marine scale fishery? I have been contacted by a number of constituents concerning the consultation process involved with the review.

**The Hon. LYNN ARNOLD:** I can advise that since I released the supplementary green paper into the marine scale fishery, the department and I have received a great number of submissions. It is also clear that in the paper a number of very important issues and new directions are canvassed. The process has raised much concern amongst a number of fishing groups and I understand that important issues are to be discussed and they will bring forward a wide range of opinions. In that context I am disappointed that some groups have chosen, rather than deal with the substance of the issues and come forward with constructive comments as to solutions, a knee-jerk reaction, saying that the whole thing is wrong and that nothing needs to happen. In fact, they have made strident criticism without proposing constructive alternatives.

I call upon all those with concerns, agreement, strong disagreement or whatever to the proposition in the supplementary green paper, to give their constructive views on the matter so that they can be taken properly into account. I give an undertaking that all views expressed in the submissions we receive will be taken into consideration. By definition, because all views come in and are given general consideration, it does not mean that the final decision will be agreeable to all who made submissions as so many different views will come forward. Clearly one set of decisions will not meet the requirements of everybody, save the one important requirement with which no-one will disagree, namely, that the fishery should be a sustainable resource and that we should look forward to leaving something for future generations to fish both commercially and recreationally.

I met yesterday with SAFIC (South Australian Fishing Industry Council) and, at that very positive meeting, it expressed a number of concerns. It also expressed concern about the time available for submissions to be made. As a result of my meeting with SAFIC I agreed that we should extend the time. My first concern had been that maybe the period was too long, but I now fully accept the view put by SAFIC and others that it is not long enough. Instead of the closing date being the end of November, I propose to extend the period by three months to the end of February next year so that proper consideration can be given to all issues. It is very important that we get it right in terms of maintaining the fish resources on a sustainable basis for future generations.

### SNAPPER FISHING

**Mr MEIER (Goyder):** What is the Minister of Fisheries doing to remedy the fiasco that occurred this year in the commercial snapper fishery when the total catch quota for the year was taken in 36 hours?

**The Hon. LYNN ARNOLD:** I do not fully understand what the honourable member is getting at. Is he saying that the season should have been able to go on for the whole year? Is he saying that the quota was not big enough? The question actually related to what I am doing.

*Members interjecting:*

**The SPEAKER:** Order! The member for Murray-Mallee is out of order.

**The Hon. LYNN ARNOLD:** What happens in fisheries, as in other industries, is that people become more efficient and their capacity to catch becomes greater. Therefore, they can catch what the fishery can provide in a shorter period.

If the honourable member is saying that he believes that the quotas that we have set in the snapper fishery are too small and that that is why the catch was taken in such a short period, clearly that is something we could consider further and examine all the biological data that is available to see whether or not the snapper fishery would sustain a greater catch being taken and still leave a breeding stock to provide for future catches.

If on the other hand he is saying that he does not care about that, that there ought to be a longer season just because he believes that people should have the right to fish for longer periods, what we may well have in the future is a non-existent season. If we do not maintain that resource, what is the good of having any season at all, because there will be nothing out there to catch? That is the point about which I think the honourable member needs to come clean in asking that question. I will come back with further information on the biological issues involved. I suggest that the fundamental questions about how the quota is arrived at, how the fishery is allocated and how the licences are dealt with could well be canvassed in the responses that come forward to the marine scale fishery supplementary green paper. Indeed, that is one of the issues canvassed in that paper. If the honourable member has strong views on this matter that are unexpressed in this House, other than this simple question, perhaps he might like to make a submission to the green paper, and I will consider it.

### LOTTERIES COMMISSION

**Mr ATKINSON (Spence):** Will the Premier, as the Minister responsible for the Lotteries Commission, investigate whether commission resources have been used to publish form letters for its employees to send to members of Parliament urging members to cast their votes in this House in a particular way?

**The Hon. J.C. BANNON:** I am aware of the letter to which the honourable member refers and I have had some inquiries made concerning it. I understand that it is not a publication of the Lotteries Commission. In fact, it was produced by a committee of employees, who are organising a response to the present proposals on the location and administration of gaming machines, which is part of the current debate. I understand that the committee has approached its union—the Public Service Association—for assistance in making representations and for any other advice.

I am not quite sure where the material was produced, but I think I should put on the record—in response to the honourable member—that, first, I think it is quite legitimate and appropriate that the Lotteries Commission should have a view and a position on the question of gaming machines. After all, it touches centrally on its charter under its statute in terms of running lotteries and conducting such games in South Australia. It has prepared a submission, and that submission has been circulated. I understand the commission has spoken to it, and that is quite appropriate.

Others, such as the Australian Hotels Association and licensed clubs, have also prepared their submission and they, in turn, also appropriately, are presenting their particular viewpoint. The Government has produced a paper to assist members; however, it will not be promulgating a Government position although, obviously, it will introduce a Bill for the purpose of debate. Speaking for members on my side of the House, they will be free to address that matter as it affects them.

Having said all that, I think it is also reasonable that if employees of the Lotteries Commission, as much as employ-

ees of hotels or whatever, feel that they have a particular point to put or that their jobs may be affected in one way or another, they should pursue lobbying exercises. I certainly would not condone threatening or other behaviour in that respect, and I also do not think it is appropriate that they use the resources of their employer (the Lotteries Commission) to push those aims or views; they should do it in their own time and from their own resources.

If they want to get assistance from their union, that is fine; they are entitled to that as is any group of workers. However, I have advised the General Manager of the commission that I do not believe it is the commission's role to do more than it has done, that is, to produce an official position paper. The commission is available for questions, discussion and elaboration on its paper in the normal course of events, but that is where its involvement in this legislation should stop.

### SCHOOL BUS SERVICE

**Mr LEWIS (Murray-Mallee):** My question is directed to the Minister of Education.

**An honourable member:** Good luck!

**Mr LEWIS:** Yes, I think I'll need it. Will the Minister confirm that he and officers of his department negotiated with the Victorian Government and officers of its Department of Education and the Victorian Public Transport Corporation and concluded an agreement with them for South Australian Education Department school bus services to carry school children from their homes in Victoria to schools in South Australia; that the Victorian Government agreed to pay the South Australian Government for this service; and that, to date, neither the Minister himself nor the Premier and Treasurer has sent a bill to the Victorian Government for this service to recompense South Australian tax-payers for the expense they have incurred to provide the Victorians using these services paid for by us?

**The SPEAKER:** The Minister of Education.

**Mr Lewis:** Well, you're looking for money all the time.

**The SPEAKER:** Order! The honourable member has asked his question.

*Members interjecting:*

**The SPEAKER:** Order! The honourable Minister.

**The Hon. G.J. CRAFTER:** It is precisely the sort of behaviour that we have seen from the honourable member that complicates this difficult situation and makes it even harder to resolve. I understand that the Victorian Government has withdrawn a number of bus services from schools in that State, and that has affected the school in question. Over a period of time representations have been made to me and to officers of the Education Department to, in effect, make up the shortfall in funding that was provided to continue that bus service to take students to that school in Victoria.

I have also received representations to bring officers of the Victorian Education Department before me to seek that funding. Apart from the very short notice that I was given, I do not think that that is the proper way to resolve this situation.

*An honourable member interjecting:*

**The Hon. G.J. CRAFTER:** No. The honourable member is seeking to establish a precedent for the manipulation of the South Australian Education Department to suit the needs of a group of his constituents, and I am explaining that the substantive situation is the one that needs to be addressed in discussions between the respective administra-

tions and, indeed, in conjunction with that local community.

I do not believe that the precedent to which the honourable member refers helps his case or, indeed, the students that he and others are trying to serve in these circumstances. So, if the honourable member is seeking to put some sort of a trick question so that he can then argue amongst his constituents that he has in some way tricked the Education Department into providing funding for the Victorian Government to continue a service that it has discontinued, that is not the way to go about it.

I might say that senior officers of my department do not take very kindly to the abusive tone in which the honourable member seeks to assert his views. Our secretaries have received many hostile telephone calls about this matter, and that does not assist in our resolving this issue. Of course we want to resolve the issue and to ensure that young people obtain the educational opportunities that we want for them and that the facilities and opportunities are accessible to them. Where there is a disruption to a traditional bus service, for example, that will need to be resolved by the appropriate methods. Certainly, the hostile and abusive tones of the representations do not help. The honourable member is alleged to have said to a secretary, when he was seeking to make an appointment, that he was going to have a piece of one of the officers in my department, an officer who is doing his job in a conscientious and appropriate way. I suggest that is not helping the situation at all.

All members are involved in representations about education, and often matters are heated and of great emotion and moment at the time. They affect young people. I urge members to make their representations in a dispassionate way so that we can resolve these difficulties. They will arise from time to time, they are often complex and they involve funding, and in this case it is particularly complicated because another State Government is involved. This matter will not be resolved overnight. I call upon the honourable member, and indeed all members in these situations, to work cooperatively and responsibly in resolving these issues.

**Mr HAMILTON:** On a point of order, Mr Speaker, I understand that the member for Murray-Mallee interjected on the Minister, who was responding to the honourable member's question, and said 'It is a lie' or 'You are a liar.' I understand that is unparliamentary language, and I ask that it be withdrawn.

**The SPEAKER:** If the word was used, I ask the honourable member to withdraw it.

**Mr LEWIS:** I used the word, Mr Speaker, but I was not referring to what the Minister said: I was referring to what the Minister was reporting. Whatever his departmental officer told him was a lie.

**The SPEAKER:** Order! That is irrelevant. Our Standing Orders state that the use of the word is unparliamentary, and I ask that the word be withdrawn.

**Mr LEWIS:** I will withdraw it in that case and simply state that it was untrue.

**The SPEAKER:** Order! There is no statement to go with it.

### ONE-STOP LICENCE SHOPS

**Mrs HUTCHISON (Stuart):** Will the Minister of Industry, Trade and Technology, representing the Minister of Small Business, inform the House what progress has been made with the one-stop licence shops to provide information on Federal and State licensing from the one central position and to ensure cost savings to small business? Com-

monwealth, State and Territory Ministers agreed to the establishment of an integrated register at a recent meeting of small business Ministers in December 1990.

**The Hon. LYNN ARNOLD:** I will refer this matter to my colleague in another place and bring back a detailed report. This issue has been investigated by the State Government, with a lot of thorough work going into how it can most effectively be structured. Indeed, announcements were made about that by the Premier before the last election. As there has been agreement at Federal/State level to expand the horizon of it to more than just a one-stop shop for State regulations and licences and to incorporate Federal ones as well, probably the matter has been kept back while further work is done, following the Federal/State meetings that have been taking place, to enable the facility, when it is finally established, to offer the wide coverage that would be of great benefit to small business. I will bring back a detailed report from my colleague as soon as she can provide it.

### SCHOOL SUPPORT SERVICES

**Mr BRINDAL (Hayward):** What steps is the Minister of Education taking to address the lack of support services for schools in the northern suburbs that are experiencing behavioural problems in students? I am advised that the Education Department has at least 230 students on file currently for remedial attention at its two northern learning centres situated at Gawler and Modbury. These students have acute behavioural patterns that seriously disrupt their classmates and school community. However, I understand that each of the northern learning centre facilities can accommodate up to a maximum of only 10 students at a time.

As a result, many of the 230 students now on the northern learning centre's waiting list will never get to attend the centre. Recent staff cutbacks to the Adelaide Behaviour Centre at Beulah Park have also resulted in that facility refusing to accept students referred to it from the northern suburbs.

**The Hon. G.J. CRAFTER:** I am not sure what evidence the honourable member has for making those assertions, particularly about a district that is far away from his own, but I can say that South Australia is the only State that has a network of primary school counsellors. We have had some 90 counsellors appointed to our schools in recent times, and substantial additional resources have been provided.

*An honourable member interjecting:*

**The Hon. G.J. CRAFTER:** I do not know whether or not the honourable member wants to hear the answer. The Education Department, by virtue of the recommendations contained in the Strattman report, has developed a network of interdisciplinary teams and resources that are available to deal with young people with severe behavioural disabilities. Some of those are dealt with in the school context, and others are taken out of the school and dealt with by other means and by other agencies.

Once again, we are the only State in this country that has developed that strategy. It has been referred to in social justice documents and funded through the social justice budget, providing substantial additional resources for these programs. Obviously, the honourable member speaks from ignorance in this area. Together with the strategy being developed for the management of behavioural problems and for achieving orderly learning environments in our schools, this State leads the nation in the development of these programs.

More than \$4 million has been allocated to these programs, and a great deal of work is being done in this area.

The honourable member does a great disservice to the very dedicated professionals working within the educational community in this State to deal with that group of young people. I might add that there appears to be an increasing number of young people who are disoriented in the education system and who need professional assistance in order to achieve the standard of behaviour which we require in our schools and which is expected of us.

One must reflect upon the changes occurring in our community in the nature of families and in existing support structures, and more and more of these difficulties are being visited upon our schools and upon the teachers in our schools, which is making the role of the school in the community much more complex than in the past. The Education Department does not shirk those responsibilities. However, we see it as important to work with other agencies—in the human service field, in particular, but in the area of juvenile corrections, and the like—to provide appropriate treatment, rehabilitation and developmental programs for that group of young people. I suggest that the honourable member look at the facts in this matter and put them in the proper context of what is happening in our schools, and then form his judgment.

### WATER METER PRINTOUTS

**Mr ATKINSON (Spence):** Will the Minister of Water Resources tell the House the reason why the Engineering and Water Supply Department notices of water consumption, printed on small yellow slips, are no longer left with householders at the time a water meter is read? Will the Minister reintroduce the notices? A West Croydon constituent tells me that she found that the notice of water consumption helped her to regulate her use of water. If the notice showed that she was using so much water that she would be liable for excess if she continued, she was able to reduce the quantity used. The notices are no longer left when the meters are read, and the first the householders discover about their rate of consumption is when the bill arrives.

**The Hon. S.M. LENEHAN:** The honourable member raises a very interesting point in relation to the new system of recording metered water use and billing customers for the water consumed. During the 1989-90 consumption year the Engineering and Water Supply Department introduced a new meter reading and recording system to improve advice to consumers on their water consumption. Consumers within the metropolitan area no longer receive the notice of water consumption advice at the time of the meter reading. Instead, the reading date and the total consumption for the property is now shown on the quarterly rate notice. If the consumption for the current—

*Members interjecting:*

**The Hon. S.M. LENEHAN:** I am delighted to explain to members the other side to that, because people have implied a criticism of this new system. I think it is important to balance the information by explaining to the House what the department is doing. If the consumption for the current period is significantly higher than for that same meter reading period of the previous year a notice, which is automatically left showing that increase and recording a check for leakage, will be left at the property. In other words, people are alerted to the fact that their consumption is up, and the department offers a service whereby the fact that there might be a leak could be highlighted. Officers would then come out and test whether or not there is a leak in the system.



This new system of water meter reading and providing this advice was outlined to consumers in the 'Tap Topics' leaflet issued to consumers in July 1989, and members will be interested to know that the new meter reading notification system has contributed to a 47 per cent increase in productivity on the part of the meter readers. I would have thought that that members would welcome the fact that we have streamlined the process of meter reading. We have built in a safety net for those consumers who have had an increase in their consumption which may be due not just to the fact that they are establishing a new garden or that they have more people living in the house but to the fact that they may have a leak or some other fault in the system. We offer a service to determine whether or not that is the case. I conclude by thanking the honourable member for his interest in this issue.

#### STATE GOVERNMENT INSURANCE COMMISSION

**The Hon. JENNIFER CASHMORE (Coles):** Will the Premier confirm that SGIC has written off its \$10.8 million investment in radio station 102FM?

**The Hon. J.C. BANNON:** I will take that question on notice. I might add that SGIC's report will be presented on Thursday, along with budget and other papers.

#### REVERSE VENDING MACHINES

**The Hon. J.P. TRAINER (Walsh):** Is the Minister for Environment and Planning aware of a new environmental development in the United States of America which involves the installation in locations such as shopping centres of 'reverse vending machines', which accept cans and bottles and then pay out deposits to customers? I will explain by reading two or three short paragraphs from the July 1991 copy of *National Geographic*, under the heading 'Novel vending machines recycle cans for cash', as follows:

They are user-friendly and environmentally sound, and they don't eat quarters. These vending machines actually pay customers—for recycling containers in their mechanical maws. Known as reverse vending machines, several thousand are now on duty around the United States. Most are concentrated in the nine states that require deposits on cans and bottles. One firm, Environmental Products Corporation, assembles its Redeemer machines in Connecticut; about 3 800 are in use in that state, New York, and California. Different models process aluminium cans, glass bottles, and plastic containers. The machine pays five cents for each item and crushes or shreds it after a laser scanner records data from a bar code. In New York the machines have collected more than a hundred million containers in a month.

**The Hon. S.M. LENEHAN:** I am aware of the reverse vending machines to which the honourable member refers. I had the opportunity, as I am sure the shadow Minister for Environment and Planning has had the opportunity when he was in the United States last year, to look at some of these machines. I am also aware that these machines exist in the Scandinavian countries, and I had the opportunity to visit a supermarket to see such machines in operation. I am not sure whether the honourable member is suggesting that there may be an application for these machines in South Australia, because I would remind the honourable member that under our deposit legislation we do have a system of collection, where the marine store dealers collect bottles and cans.

That provides a livelihood for these people within our system. However, it may be appropriate, should we move to placing deposits on other forms of packaging and containers, to look at some of these machines and how they operate. They certainly provide a great service to the shop-

ping public because the ones that I saw were in supermarkets where people could bring in their cans and bottles, feed them into the machine, be paid and away they went. It cleans up the environment and ensures that objects do not litter the environment if they have value and it also provides a much needed part of the whole concept of recycling, waste minimisation and re-use of our natural and precious resources.

#### BICYCLE HELMETS

**The Hon. P.B. ARNOLD (Chaffey):** Will the Minister of Transport introduce the necessary amendments to exempt turban wearing Sikhs from the compulsory helmet legislation when riding a bicycle? The Riverland has probably the largest Sikh community in South Australia and yesterday I was approached by Mr Baldvar Dhaliwal, the President of the Riverland community, in the hope that I would be able to persuade the Government to provide an exemption similar to that applying in Victoria.

**The Hon. FRANK BLEVINS:** The question is serious but interesting. The Government is looking at the possibility of an exemption similar to that in Victoria where an exemption applies until June next year. A Victorian manufacturer is producing a helmet for Sikhs, which is why the Victorian legislation has a sunset clause. I am currently looking at the provision.

#### STA DRIVER ASSAULTS

**Mr HAMILTON (Albert Park):** Will the Minister of Transport advise the House of the level of assaults on State Transport Authority bus operators and what actions have been taken to safeguard the South Australian public? On 23 August the afternoon newspaper ran a story headed 'Outrage on Bus Attacks', hence my question.

**The Hon. FRANK BLEVINS:** There has been an unfortunate number of attacks on bus drivers in recent weeks. However, I will put them in perspective—briefly, because of the time—and will give the House a few statistics. In June this year five assaults occurred on bus operators. For the corresponding period in 1990 there were 11 assaults. So, the number was well down for June this year. In July three assaults occurred on bus operators, and for the corresponding period in 1990 nine assaults occurred—again, the number is declining. Up until 23 August this year two assaults were committed on bus operators, and for August 1990 there were three assaults. Although we are dealing with only small numbers, we may be seeing a slight decrease.

The STA is taking a number of actions: the Transit ambassador program includes advice and instruction and information to bus drivers on how to deal with difficult customers. About 50 per cent of bus operators have gone through the program. Further, we have been working in cooperation with the union to test the installation of security screens on buses.

We believe that the most practical screens will be similar to the pop-up type in banks, rather than having the bus driver completely closed off at all times from the customers. We do not believe that that is necessary. A number of prototypes have been installed and tested by bus operators. It is not our intention to put pop-up screens on all buses—we do not believe that we need to go to that extent. However, as all new buses are manufactured, structures will be included to enable relatively quick and easy installation of the screens if required.



In relation to enforcement rather than prevention, transit squad patrols were decentralised as part of a strategy to more effectively deal with incidents on the transit system. Transit squad patrol bases have now been established at Elizabeth and St Agnes bus depots and at the Noarlunga bus interchange. That move has proved to be effective; it has given a greater uniform presence in those areas.

In conclusion, there has been a very large increase in transit officers in the STA—in the order of three dozen officers. This has enabled the STA to increase its patrols in peak periods by three additional mobile patrols. It is regretted that these measures are necessary, but there is no question that the system and our personnel are at times under very concerted attack from vandals and people who feel that violence is a normal way of life. The STA will not tolerate that. We will take whatever steps are necessary to meet it and we will prove to these people that, if they want to behave in an anti-social way, they do not do it on the STA.

#### ADDRESS IN REPLY

**The SPEAKER:** I have to inform the House that Her Excellency the Governor will be pleased to receive the Speaker and honourable members for the purpose of presenting the Address in Reply at 3.15 p.m. I ask the mover and seconder of the Address and such other members who care to accompany me to proceed to Government House for the purpose of presenting the Address.

*[Sitting suspended from 3.8 to 3.48 p.m.]*

**The SPEAKER:** I have to inform the House that, accompanied by the mover and seconder of the Address in Reply to the Governor's opening speech and by other members, I proceeded to Government House and there presented to Her Excellency the Address adopted by the House on 20 August, to which Her Excellency was pleased to make the following reply:

To the honourable Speaker and members of the House of Assembly, I thank you for the Address in Reply to the speech with which I opened the third session of the Forty-seventh Parliament. I am confident that you will give your best consideration to all matters placed before you. I pray for God's blessing upon your deliberations.

#### SITTINGS AND BUSINESS

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

That the time allotted for—

(a) completion of the following Bills:

Parliamentary Committees,  
Geographical Names,  
Clean Air (Open Air Burning) Amendment,  
Housing Co-operatives and Residential Tenancies Act  
Amendment and

(b) consideration of the following resolutions:

Aboriginal Lands Trust—Sections 160 and 166, hundred  
of Wanilla and  
Aboriginal Lands Trust—Section 1278 out of hundreds  
(Copley)

be until 6 p.m. on Thursday.

Motion carried.

#### DANGEROUS SUBSTANCES (COST RECOVERY) AMENDMENT BILL

**The Hon. R.J. GREGORY (Minister of Labour)** obtained leave and introduced a Bill for an Act to amend the Dangerous Substances Act 1979. Read a first time.

**The Hon. R.J. GREGORY:** I move:

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

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

Leave granted.

#### Explanation of Bill

The Dangerous Substances Act provides for the keeping, handling, packaging, conveyance, use, disposal and quality of toxic, corrosive, flammable or otherwise harmful substances. The Act places a duty of care on persons who undertake these activities and authorises certain actions to be taken by persons appointed as inspectors under the Act. Where action taken by an inspector incurs an expense to the Government, the Act empowers cost recovery of that expenditure.

However, dangerous substance spillages are subject to the Cabinet approved guideline, 'Emergency Response to a Leakage/Spillage of a Dangerous Substance', which allocates control of the incident site to the Metropolitan Fire Service or Country Fire Service as appropriate in accordance with the legislation governing those bodies. The aforementioned emergency response plan also involves all relevant Government agencies and allocates responsibility for the provision of specialist advice, staff, equipment or materials to assist the fire service combat the emergency. Within this activity an inspector under the Dangerous Substances Act is not able to issue a directive in accordance with the powers currently established by the Act (because the fire service is in control), and accordingly the existing cost recovery powers in the Act cannot be applied.

In the past, cost recovery by Government for actions undertaken to combat a chemical spillage has not been undertaken to any significant extent, but in recent legislation examples of legislative provisions for cost recovery for actions initiated by Government agencies may be found, for example, the South Australian Metropolitan Fire Service Act. Although these initiatives will allow some agencies to recover their costs, there remains a number of agencies which do not have such a power and are unable to undertake cost recovery.

In the current economic climate it is essential that all persons and groups accept their responsibilities, and in this context industry can no longer expect the general community to bear the cost of emergency response to chemical incidents. Emergency services are funded from insurance levies for fire insurance, but they have responsibility to respond to all forms of emergency. In respect of chemical spillages, the diverse range of skills and knowledge within Government has proved to be an effective resource which provides the various expertise needed to ensure public safety in incident control, product containment and disposal, and to minimise environmental consequence. The staff of those agencies may participate within their primary role, or may act in an advisory role to the fire service to assist them undertake their duties. In both cases those persons must stop their planned activity or normal work to take part in an emergency, or to participate in a call-out roster for events which occur outside normal business hours.

Government expenditure occurs every time the Emergency Response Plan is used. The proposed amendment to the Act provides a general power for all State and local government agencies to undertake cost recovery for expenditure resulting from a dangerous substances incident. This provision does not oblige any group to undertake such action if it is not appropriate under the circumstances, nor will the legislative provision of any other Act be affected,

but it will give those agencies concerned the ability to apply the Government's policy on cost recovery.

It is important to understand the allocation of responsibility in this amendment and the deliberate avoidance of the concept of prosecution-based cost recovery. In many cases action based on identifying the persons who cause the event leads to an individual or group who is unable to pay the clean-up cost, and in all cases if the cost recovery action is dependent on a prosecution extreme delays will occur, and some events for which there is insufficient evidence will be missed since no prosecution will be undertaken. Accordingly, the application of this amendment has been given a broad base in that the owner, person in charge and person who caused the event are jointly and separately responsible for the clean-up cost. It must be remembered that the Government may only recover reasonable costs and may only recover the cost once. Hence, if there is a dispute between, say, the owner and the transporter, and neither will cover the clean-up cost, then it is expected that the Crown will take them both to court for a ruling.

This amendment, to some extent, follows the common law applied to negligence, especially in relation to the application of principles of vicarious liability. However, cost recovery action will not be restricted to 'damages'. All relevant items can be addressed, ranging from the cost of neutralising material, heavy machinery and other equipment which may be purchased or hired, call-out of specialist advisers, chemical analysis of contaminated areas and ongoing monitoring for public safety or environmental evaluation. The potential cost for all these as a consequence of a major incident can easily run into millions of dollars. Fortunately, this has not yet occurred in this State.

Clause 1 is formal.

Clause 2 provides for a new section relating to cost recovery. The provision will apply to any incident that is constituted of, or arises from, the escape of a dangerous substance, or the danger of such an escape, and that results in a Government authority (defined to include a council) incurring costs or expenses. The provision will allow the Government authority to recover those costs or expenses from the owner of the substance, the person who was in control or possession of the substance at the relevant time, or the person who actually caused the incident. Accordingly, the provision is based (to an extent) on a concept of strict liability. Furthermore, consistent with the principles of vicarious liability in negligence, an act or omission of an employee or agent will be taken to be an act or omission of the relevant employer or principal. However, such liability will not arise if the employee or agent has been guilty of serious and wilful misconduct. The provision will be in addition to any other right of recovery that exists under any other law (but double recovery will not be permitted).

**The Hon. D.C. WOTTON** secured the adjournment of the debate.

#### **POLLUTION OF WATERS BY OIL AND NOXIOUS SUBSTANCES (MISCELLANEOUS) AMENDMENT BILL**

**The Hon. R.J. GREGORY (Minister of Labour)** obtained leave and introduced a Bill for an Act to amend the Pollution of Waters by Oil and Noxious Substances Act 1987 and the Marine Act 1936. Read a first time.

**The Hon. R.J. GREGORY:** I move:

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

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

Leave granted.

#### **Explanation of Bill**

The Pollution of Waters by Oil and Noxious Substances Act 1987 incorporates into State legislation, annexes I and II of the International Maritime Organisation's International Convention for the Prevention of Pollution from Ships 1973 (commonly referred to as MARPOL). The Act mirrors similar Commonwealth legislation and applies to the territorial seas adjacent the State and waters within the limits of the State. This Bill has four objectives. First, to increase the penalties for offences under the Act to the same level that was recently approved by the Federal Parliament. Given the serious environmental degradation and economic hardship that can result from a large oil discharge, the maximum penalty of \$1 million dollars for a body corporate found guilty of such an offence reflects the seriousness of such actions.

Secondly, this Bill provides for the recovery of damages by persons who suffer loss due to a discharge prohibited by this Act. This provision will facilitate compensation to aggrieved persons by proving 'on the balance of probabilities' that damage caused to them or their property was a result of a prohibited discharge. The third objective is to prohibit discharges from ships, not being oil tankers, of less than 400 gross tonnage. This provision was omitted in the Act, as the MARPOL Convention deals with large vessels engaged in international trade, and therefore exempted smaller ships. As the Act applies to the waters of small boat havens as well as the gulfs in South Australia, it is not appropriate that such vessels be exempted as small spills of oil or chemicals in confined waters can also be extremely detrimental to the environment. Commonwealth legislation was amended to include these vessels in 1989.

The fourth objective of this Bill is to consolidate all provisions relating to the adoption of the MARPOL Convention into this Act, therefore streamlining its administration. These provisions, previously included in the Marine Act 1936, require that oil and chemical tankers are constructed and equipped in accordance with the regulations contained in the convention. As the convention is a schedule of this Act, it is appropriate that regulations adopting the provisions of the convention be empowered under this Act. I commend the Bill to the House.

Clause 1 is formal.

Clause 2 provides for commencement on a day to be fixed by proclamation.

Clause 3 increases the maximum penalty for the discharge of oil or an oily mixture from a ship into State waters, in the case of a natural person, from \$50 000 to \$200 000 and, in the case of a body corporate, from \$250 000 to \$1 million. Clause 3 also removes the blanket exemption of all ships of a gross tonnage of less than 400, not being oil tankers, from the offence of releasing oil or oily mixtures into the sea outside a special area. Protection is extended to such ships in the limited circumstances set out in section 8 (4) (b) of the Act. This exemption previously applied only to ships of gross tonnage of 400 or more.

Clause 4 increases the maximum penalty for the discharge of oil or an oily mixture from a ship, not being a discharge into State waters or a reception facility, from, in the case of a natural person, \$50 000 to \$200 000 and, in the case of a body corporate, \$250 000 to \$1 million.

Clause 5 increases the maximum penalty for the failure by the master of a ship to notify a prescribed officer of a

prescribed incident from \$5 000 to \$50 000. In circumstances where it becomes the responsibility of the owner, charterer, manager or operator of the ship to give such notification, the maximum penalty is increased from, in the case of a natural person, \$5 000 to \$50 000 and, in the case of a body corporate, \$25 000 to \$250 000. The maximum penalties for failure by a master or another person to furnish requested further information or for the furnishing of a false or misleading statement are increased from \$5 000 to \$20 000.

Clause 6 increases the maximum penalty for failing to carry an oil record book on a ship from, in the case of a natural person, \$5 000 to \$20 000 and, in the case of a body corporate, \$25 000 to \$100 000. The maximum penalty imposed on the master of a ship for failure to promptly make entries in an oil record book or to promptly sign the end of a page of an oil record book are increased from \$5 000 to \$20 000.

Clause 7 increases the maximum penalty for making a false entry in an oil record book from \$10 000 to \$20 000.

Clause 8 increases the maximum penalty for failure to retain oil record books from, in the case of a natural person, \$5 000 to \$20 000 and, in the case of a body corporate, \$25 000 to \$100 000.

Clause 9 increases the maximum penalty for the discharge of a liquid substance from a ship into State waters from, in the case of a natural person, \$50 000 to \$200 000 and, in the case of a body corporate, \$250 000 to \$1 million.

Clause 10 increases the maximum penalty for the failure, by the master of a ship, to notify a prescribed officer of a prescribed incident from \$5 000 to \$50 000. In circumstances where it becomes the responsibility of the owner, charterer, manager or operator of the ship to give such notification, the maximum penalty is increased, in the case of a natural person, from \$5 000 to \$50 000 and, in the case of a body corporate, from \$25 000 to \$250 000. The maximum penalties for failure by a master or another person to furnish requested further information or for the furnishing of a false or misleading statement are increased from \$5 000 to \$20 000.

Clause 11 increases the maximum penalty for failing to carry a cargo record book on a ship from, in the case of a natural person, \$5 000 to \$20 000 and, in the case of a body corporate, \$25 000 to \$100 000. The maximum penalty imposed on the master of a ship for failure to promptly make entries in a cargo record book or to promptly sign the end of a page of a cargo record book are increased from \$5 000 to \$20 000.

Clause 12 increases the maximum penalty for making a false entry in a cargo record book from \$10 000 to \$20 000.

Clause 13 increases the maximum penalty for failure to retain a cargo record book on a ship from, in the case of a natural person, \$5 000 to \$20 000 and, in the case of a body corporate, \$25 000 to \$100 000 and increases the maximum penalty for failure to retain such books for a further period of one year either on the ship or at the registered office of the owner from, in the case of a natural person, \$5 000 to \$20 000 and, in the case of a body corporate, \$10 000 to \$100 000.

Clause 14 inserts a new part into the Act which provides for standards for oil and chemical tanker construction and outfitting. The new part reproduces Part VA of the Marine Act 1936 but increases a number of the maximum penalties contained in that Part.

Clause 15 increases the maximum penalties for the discharge of oil or an oily mixture from a vehicle or apparatus other than a ship into State waters from \$50 000 to \$200 000.

Clause 16 increases the maximum penalty for the failure of a relevant person to notify the Minister of a discharge from \$5 000 to \$20 000. The maximum penalties for failure by the person to furnish requested further information or for the furnishing of a false or misleading statement are increased from \$5 000 to \$20 000.

Clause 17 increases the maximum penalty for failure to comply with a notice issued by the Minister in relation to the removal or prevention of pollution from \$50 000 to \$200 000.

Clause 18 increases the maximum penalty for removal, without consent, of a detained ship, vehicle or apparatus from \$10 000 to \$50 000.

Clause 19 inserts a new section which allows any person, without proving negligence, to recover damages in relation to loss or damage caused by a prohibited discharge and the expenses of preventing or mitigating such a loss from the owner or master of a ship or from a relevant person.

Clause 20 increases the maximum penalty for hindering or failure to comply with a requirement of an inspector from \$2 000 to \$8 000 and for making a false or misleading statement from \$2 000 to \$20 000.

Clause 21 increases the maximum penalty for breach of a regulation in relation to the provision of facilities at bulk oil terminals or ship repair yards from \$5 000 to \$20 000.

Clause 22 increases the maximum penalty for transfer of oil from a ship at a prohibited time from \$2 000 to \$8 000.

Clause 23 increases the amount of the maximum penalties which may be prescribed by regulation from, in the case of a natural person, \$2 000 to \$8 000 and, in the case of a body corporate, \$5 000 to \$20 000.

Clause 24 repeals Part VA of the Marine Act 1936 which has been replaced by the new part inserted by clause 14.

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

#### **ENVIRONMENT PROTECTION (SEA DUMPING) (COASTAL WATERS AND RADIOACTIVE MATERIAL) AMENDMENT BILL**

**The Hon. R.J. GREGORY (Minister of Labour)** obtained leave and introduced a Bill for an Act to amend the Environment Protection (Sea Dumping) Act 1984. Read a first time.

**The Hon. R.J. GREGORY:** I move:

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

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

Leave granted.

#### **Explanation of Bill**

The Environment Protection (Sea Dumping) Act 1984 incorporates into State legislation the International Convention on the Dumping of Wastes at Sea (commonly referred to as the London Dumping Convention) to which the Commonwealth Government is a signatory. The Act mirrors similar Commonwealth legislation and applies to coastal waters as defined in the Coastal Waters (State Powers) Act 1980. The Act is yet to be proclaimed due to protracted negotiations with the Commonwealth concerning the administrative arrangements for its operation, and the application of the Act to the placement of artificial fish reefs.

This Bill has two principal objectives. First, to extend the application of the Act to waters within the limits of the State (that is, Spencer Gulf, Gulf St Vincent and historic bays). The present Act only applies to coastal waters, being

those territorial seas adjacent to the State to three miles from the low water mark on the coast or the line delineating historic bays, gulfs, etc., and this amendment will protect those large areas of water within the State's limits from indiscriminate dumping. The second objective is to ban any dumping of low level radioactive wastes. The convention permits, under conditions specified by contracting parties, the dumping of certain low level radioactive wastes. The Commonwealth legislation adopting the convention was amended in 1986 to ban such dumping, and this Government agrees that the dumping of such wastes be prohibited due to the associated environmental risk.

The Bill also amends penalties for offences under the Act to a maximum of \$1 million for a corporate body and \$200 000 for an individual; in the case of the most serious offences. Graduated penalties are provided for other offences. This brings penalties for these offences into line with penalties for other pollution offences such as those under the Marine Environment Protection Act 1990, the Water Resources Act 1990 and the Pollution of Waters by Oil and Noxious Substances Act 1987. I commend the Bill to the House.

Clause 1 is formal.

Clause 2 provides for commencement on a day to be fixed by proclamation.

Clause 3 amends the long title to the Act to incorporate the additional purpose contemplated by the Bill of prohibiting the dumping into the sea and incineration at sea of radioactive material.

Clause 4 amends the interpretation section of the Act in three ways:

- (a) by changing the definition of 'coastal waters' to include waters within the limits of the State;
- (b) by adding a definition of 'radioactive material'; and
- (c) by ensuring that the Act applies to the dumping of waste under the seabed as well as on top of it.

Clause 5 excludes activities involving radioactive wastes from the ambit of section 6 of the Act, as the dumping of radioactive waste is covered in a separate section.

Clause 6 inserts an additional section 6a prohibiting the dumping of radioactive waste from any vessel, aircraft or platform in coastal waters.

Clause 7 excludes activities involving radioactive wastes from the ambit of section 8 of the Act, as the loading of radioactive waste for the purpose of incinerating or dumping it in coastal waters is covered in a separate section.

Clause 8 inserts an additional section 8a prohibiting the loading of radioactive waste for the purpose of dumping or incineration in coastal waters.

Clause 9 amends section 9, which deals with defences to charges of offences under the Act, by including the new section 6a as one of the sections to which the defences apply.

Clause 10 amends section 10, which deals with offences, by creating a separate offence relating to radioactive waste, and excluding radioactive waste from the other offences created under the section. The penalty for offences relating to radioactive waste is \$200 000 for an individual and \$1 million for a corporate body. Penalties for other dumping offences are increased. In the case of wastes to which annex I of the convention applies the penalty is increased to \$200 000 for an individual and \$1 million for a corporate body. In the case of wastes to which annex II to the convention applies, the penalty is increased to \$100 000 for an individual and \$500 000 for a corporate body. In any other case the penalty is increased to \$40 000 for an individual and \$200 000 for a corporate body.

Clause 11 amends section 11 of the Act, which deals with incineration at sea, by excluding activities involving radioactive waste from the operation of the section. These activities are dealt with in a new section. The penalties for offences of incineration are increased to match those for dumping offences.

Clause 12 inserts an additional section 11a creating an offence of incineration of radioactive waste in coastal waters. The penalty for an offence against this section is \$200 000 for an individual and \$1 million for a corporate body.

Clause 13 amends section 13, which deals with liability for expenses incurred by the State resulting from dumping, so that it also applies to the dumping of radioactive waste. Penalties for offences relating to vessels or aircraft that have been detained by an inspector are increased to \$20 000 in the case of an individual and \$100 000 in the case of a corporate body.

Clause 14 amends section 15, which relates to the granting of permits, to provide that no permit may be granted for the dumping or incineration of radioactive waste and to provide that in the granting of any permit, the Minister must have regard to any other conventions on the dumping of wastes at sea to which Australia is a signatory.

Clause 15 repeals section 18 of the Act, which dealt with radioactive waste.

Clause 16 does not increase the penalty under section 21 but renders it in figures instead of words to make it uniform with the remainder of the Act.

Clause 17 increases the penalty under section 22 for the offence of failure to obey the direction of an inspector to \$10 000.

Clause 18 increases the penalties under section 30 for the offence of making false statements to the Minister, or to an inspector, to, in the case of a false statement to the Minister, \$100 000 for a corporate body and \$20 000 for an individual.

Clause 19 increases the penalties under section 31 for the offence of failure to comply with permit conditions to \$100 000 for a corporate body and \$20 000 for an individual.

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

## PARLIAMENTARY COMMITTEES BILL

Adjourned debate on second reading.  
(Continued from 13 August. Page 90.)

**The Hon. H. ALLISON (Mount Gambier):** The Opposition supports the principles of this Bill, which are to expand and to strengthen the work of committees in the South Australian Parliament, enabling those committees to cover all aspects of parliamentary expenditure with one or two specific exclusions: first, parliamentary bodies comprising wholly members of Parliament; secondly, local government, which is covered by the Local Government Acts and an area into which members of Parliament very rarely intrude; and, thirdly, the courts (quite properly, the judiciary is excluded). The three elements of Government—Parliament, the Crown and the judiciary—traditionally are kept quite separate but with minimal interference in the processes of justice by Parliament, which passes the legislation but which subsequently, of course, allows others to implement those laws.

The Bill seeks to establish an Economic and Finance Committee, which subsumes the former Public Accounts Committee and the Industrial Development Committee,

and which will be a very powerful committee of the House of Assembly. It also seeks to establish an Environment and Resources Committee incorporating the former Public Works Committee; a Legislative Review Committee incorporating the former Subordinate Legislation Committee; and, finally, a Social Development Committee, which embraces a new area comprising the social areas of parliamentary administration.

I believe that the legislation is modelled, somewhat weakly rather than strongly, on the United Kingdom legislation. In the House of Commons 14 committees have been established, each comprising 11 members, therefore allowing a substantial number of MPs to take part in the committee system. In the United Kingdom the standing committees are the converse of our own standing committees. They are set up on an *ad hoc* basis to examine pieces of legislation. They are purely children of the day. Once the legislation has been passed, those standing committees are disbanded. The parliamentary committees are called select committees, and the 14 committees, with 11 members each, are the equivalent of the South Australian permanent committees, the former Public Accounts Committee, the Public Works Committee and so on.

The United Kingdom legislation was completely revised in 1979. In 1989-90, 10 years after the establishment of the new committee system, a report, 'House of Commons Second Report from the Select Committee on Procedure, Session 1989-90', headed, 'The Working of the Select Committee System', was handed down as volume one, reporting on the proceedings of the committee and containing appendices. That was dated 23 October 1990. It was a comprehensive examination of the workings of those 14 committees in the United Kingdom, with a large range of issues being reported and commented on, and the report was finally handed to the United Kingdom Government for its consideration.

The Government subsequently reported in a document, a copy of which was made available to me on the day that I arrived in the United Kingdom, early in June this year, when I met John Sweetman, the present Secretary of Committees, in London. He made available to me a copy of 'Government response to the Second Report of the House of Commons Select Committee on Procedure, Session 1989-90', entitled 'The Working of the Select Committee System'. In that report, which was the Government's formal response to all the recommendations made to it and to Parliament at large, the Government's final comments were with regard to the overall effectiveness of departmentally related select committees. The first point stated:

We are convinced that the improvements in the effectiveness of the scrutiny of Ministers is sufficient on its own to justify describing the change to a system of departmentally related select committees as worthwhile and as a success.

The second point states:

We believe we are justified in concluding that the departmentally related select committee system as a whole has proved itself a valuable and cost effective addition to the House's ability to perform its proper function in holding Ministers to account.

The third point states:

In our judgment, even allowing for some modest scope for further economies, most objective observers will feel that the House and the taxpayer have had a bargain.

Fourthly, it states:

The fact that no Government would be likely to contemplate abolishing the departmentally related committees is in many ways the most eloquent testimony to the solid, unspectacular but undeniable achievements of the first decade of the new committees.

That was the Government's final comment upon the report. It bore out the beliefs of most of those who gave evidence to the compilers of the Select Committee on Procedure

Report that, in the main, the committee system was working very well, that there was little scope for amendment, and that the opponents of the system or of the changed committee system remain in a relatively small minority.

I should like to refer to a comment that was made in the Parliamentary Affairs publication, volume 44 (1) of January 1991 headed, 'Public Administration and Government 1989-90.' The article was contributed by Andrew Gray and Bill Jenkins. Among a wide range of comments addressing the committee system, under the heading, 'Parliament Select Committees and Public Expenditure', it states:

In the days of strong government, some may ask if Parliament matters. Peter Riddell argues that it does, not least because of its capacity to raise issues, harass Ministers and scrutinise the Executive. Indeed, the reality of the influence of MPs on agendas and the promotion of interests may be confirmed by the growing activities of professional public relations firms in the Palace of Westminster. Lobbying is a characteristic of pluralistic assemblies and MPs have traditionally represented institutionalised interests (that is professional associations and trade unions).

A little further on it states:

It is now more than a decade since the new select committees were established. Are they the cutting edge of parliamentary scrutiny or of limited, even diversionary value? In its own inquiry into the development, the Select Committee on Procedure (House of Commons 19, 1989-90) received mainly favourable evidence. One dissenting voice, however, has been that of Professor George Jones who regards the current system as encouraging committees to deal with policy when this should be the concern of the Executive and the House as a whole. Committees should restrict themselves to the 'administration of policy'. (House of Commons 19-x, 14 March 1990). Other critics would extend committee powers, resources and research facilities by, for example, expanding the services of the National Audit Office (NAO)—

and that is the equivalent of our Auditor-General—

to include not only the Committee of Public Accounts (PAC) but all select committees. Such proposals, however, are opposed by both the PAC and the NAO which believe they would compromise long-established relationships between the NAO and Whitehall departments. (House of Commons 19-v, 24 January 1990.)

The brief of the Public Accounts Committee is to monitor the spending of public money and assess its propriety and, under the National Audit Act 1983, to examine the value for money and effectiveness of programs.

So the report goes on. I would commend that copy, which is obtainable from the Parliamentary Library, for closer perusal.

One or two of the comments are of particular importance to this debate, and I would link in one or two of my earlier observations. The first is that, if we are in any way to emulate the committee structure of Parliament in the United Kingdom by establishing these four committees, I believe there is a strong possibility that we might be throwing a small group of people into overload if we try to achieve all that has been achieved by the United Kingdom committee system.

I earlier referred my Liberal Party colleagues to two excellent volumes in the Parliamentary Library that provide excellent reading related to the operation of the United Kingdom parliamentary system over the past decade that has just been under survey. The volumes are 'Parliament in the 1980s' edited by Philip Norton, published by Blackwell, 1985, and the far more substantial volume entitled 'The New Select Committees' by Gavin Drewry, published by Clarendon Press, 1989.

Those volumes provide fairly strong meat and plenty of very pertinent information for anyone wishing to inquire into the full ramifications of the committee system currently operating in the United Kingdom. As I said, I do not believe that our small Parliament, with four committees, can effectively perform the work that is done in the United Kingdom by those 14 committees of 11 members each—a very substantial number.

Linking that comment with the report that I have just read, I believe there are pointers that would be best followed by this Parliament in the fact that we should be less concerned with policy than with the administration of policy, that is, the way in which Government funds are spent. A most important factor has shone through inquiries I have made in London, in Canberra, in Victoria, in New South Wales and elsewhere, and that is that the efficacy of the parliamentary committee system will be only as good as the staff and the funding made available to it.

It is no good establishing a new committee system in South Australia if the funding is to be less than adequate. We can make all the fine statements and all the promises in the world but, unless the secretaryship and the research staff available are adequate, the members of those committees will be doing Parliament less of a service than we imagine when we read the fine language embraced in the second reading explanation and in other comments that have been made publicly by the proponent of the Bill, the honourable Deputy Speaker, and by other people. Staffing, accommodation, equipment and the ability to research and report are of paramount importance if the committee system is to work efficiently.

Another interesting point from the comments I read earlier that was borne out by the blue report and the white report to which I referred from the House of Commons in London was that the work of the committees in the United Kingdom has been successful and, as was quoted, has been a bargain to the community, because the people who have been mainly under scrutiny were Ministers and senior departmental staff who were called regularly and who were the most frequently called witnesses before the various committees, not the least important of which was the Public Accounts Committee. They have retained the same name as we currently have in South Australia.

Obviously, the power of those committees lies in the ability of the committees and of their chairmen to call very high calibre and highly qualified witnesses before them. I did note, however, just one suggestion of caution somewhere in those two reports, that is, that the quality of information obtained from Ministers and from senior departmental officials could be qualified somewhat if there was a reluctance and a determination on the part of senior departmental staff and the Ministers not to provide all the information. In other words, if a question is not asked, the information is not provided, as opposed to the voluntary provision by departments in the United Kingdom of all relevant information when a subject is up for inquiry.

I suppose that the same comments could be made about evidence being given before committees in South Australia: if the committee has not asked the right questions, departments and witnesses have not always supplied the information sought. The onus, irrespective of the nature of the legislation, is still upon committees and upon the people who appoint those committees to ensure that they have people of calibre who will be able to question—not only to question but to question in the appropriate way to elicit the maximum information from their witnesses for the maximum public gain.

Before I raise the question of staffing, I advise the Minister in charge of the debate and members of the House that I propose to put forward a number of amendments, to which I will advert shortly. The question of staffing is really extremely important. A former member of the Victorian Public Accounts and Expenditure Review Committee, its first Director of Research, Commissioner D.A. Shand—who is now Commissioner for Review of the Queensland Public Sector Management Commission—when addressing a pub-

lic accounts conference in Darwin on 23 May 1991, referred to the fact that the level of activity in committees will depend both on the number of committee members and on the level of staffing resources they are allocated. In other words, he reaffirms the point that I made a short time ago. I quote from his address to the Commonwealth Public Accounts Committee as follows:

The changes in recent years to give it only the same staffing level as other select committees have reflected internal jealousies within the parliamentary system rather than any Government desire to curtail its activities.

In other words, he is implying that there are several ways of understaffing a committee and that whoever is responsible for the staffing must make sure that petty jealousies and such like are sublimated rather than allowed to come to the surface. He continues:

Nevertheless, it still remains relatively well resourced, undertaking up to six to eight inquiries at any one particular time, with a professional staff of up to a dozen, including people borrowed from departments to service the various subcommittees that are formed for each inquiry. With a membership of 15 members, there is plenty of scope for subcommittee work.

Obviously, such is not the case with the New South Wales Public Accounts Committee, which has only five members. The latter committee has tended to take a rather more focused approach to its reviews; I think it would be fair to say that the Commonwealth Public Accounts Committee at various times has bitten off far more than it can chew, let alone digest.

Further, he comments in a more detailed manner on the question of staffing and says:

These comments would apply equally to any parliamentary committee.

So, I put them forward as being particularly relevant to our debate today. Mr Shand continues:

Obviously, appropriate staffing arrangements are critical to the success of any committee, and these staffing arrangements must provide for adequate continuity of professional staff.

I could not agree more with him. The current committee system allows for the appointment of professionally qualified research staff, nominated for approval by the Speaker of the House but interviewed and approved by the nominated members of the Public Accounts Committee, at least, and generally interviewed and appointed with an eye to the matters currently before the committee.

In other words, one looks for people with expertise and assumes that they will be appointed for a sufficiently long period of time to enable them to conclude their research successfully and satisfactorily in the public interest. Mr Shand says:

When I joined the Victorian Public Accounts and Expenditure Review Committee as its first Director of Research, I was the first person employed from outside a parliamentary background as a committee staffer. Previously, the committee had been serviced by parliamentary officers who had joined the parliamentary service, generally on leaving school, although a number had obtained tertiary qualifications through part-time study.

I am not implying that this is the case in South Australia; these are his comments. He goes on:

After starting as a committee assistant their career path would see them moving to a committee secretary position and later on to positions such as clerk of the papers, bills officer, sergeant at arms, deputy clerk or even eventually the great heights of Clerk of the Assembly or the Legislative Council. Their skills were in knowledge of standing orders and other process issues rather than in the subject matter being considered by the committee. As such the committees really had no professional support and had to do their own thinking on all issues.

That is probably another extreme, but it simply highlights that wherever one may go in Australia or across the world, the questions of staffing, continuity of staffing and the appropriate qualifications of members, particularly of the research staff, is of paramount importance if the research is to support members of Parliament adequately.



I would suggest that anyone who naively believes that members of Parliament should be running around carrying out their own research rather than relying upon the professional expertise of research officers is simply not aware of how the committee system is intended to work—at least in South Australia. Members of Parliament have their legislative work; they have their committee work; they have their electoral office work; and to suggest that any one of them should be an instant expert on all matters before committees such as those dealing with public accounts, public works, subordinate legislation and industries development, is really to expect far too much of individual members of Parliament. I believe that the appointment of properly qualified, skilled research staff is an extremely important matter, and I believe that colleagues on committees, as well as general members of Parliament who may not even have served on committees, would have recognised the wisdom of those comments.

With regard to the Bill itself, to which I propose to advert briefly, I would like members to consider clauses 5, 11, 14 and 16. I will refer to the clauses individually as I go through. There is an intent on the part of the proponent of the Bill that no clause should be included in the legislation that would allow for political alignment or political affiliation in the committee membership. The wisdom of that may be quite soundly based and reasonably arguable, but I would point out that a protective clause is already contained in the current Public Accounts Committee legislation, which allows for a certain number of nominees or appointees to be made by the Leader of the Opposition.

I suggest that, irrespective of whether politics is mentioned in the South Australian or, indeed, the Australian Federal Constitution, that matter is not really relevant, because the intent of the former legislation and, I would hope, of the present legislation, would be to a certain extent to prevent an extremely powerful Government from simply nominating members to a committee which would give that Government a gross imbalance. The present Public Accounts Committee legislation, I believe, was really modelled on the essence of the present United Kingdom form of practice, where there is generally a balance, with the Government having the majority of one, irrespective of the composition of the committee, thus allowing for a balanced and well reasoned debate to take place in the committees.

Another area where this legislation would seem to differ in practice from what is possible here would lie in the fact that in the United Kingdom Parliament, with such a huge number—about 650 members—there would appear to be probably far more backbench dissent and revolt, which are very often expressed in the examinations and reportings of committees and which would make the United Kingdom committees seem even more bipartisan and pragmatic than those have, much as we have prided ourselves upon that bipartisan approach in the South Australian committees. However, in the United Kingdom there is far more reality to that, and occasionally chairmen are appointed by committees from the minority groups in Parliament, and chairmen themselves have become very prominent public figures in bringing down their reports and in pursuing certain courses of action through the committee structure.

So, I am not certain that we could emulate the United Kingdom system, even were that desirable here in South Australia. The Opposition has considered this legislation very carefully over the past few weeks, not without a little heartburn, because for many years it has been Party policy on this side of the House to have a statutory authority review committee. It was proposed in 1980 or 1981 that such a committee would ultimately be established as a

committee of the Legislative Council, and I am putting to members that it may be closer to the spirit of copying the United Kingdom legislation if this House were to consider appointing yet another committee—a fifth committee. I see the member for Napier groaning in his seat, but I hope he will just hear me out. It may not be so groan-worthy when he hears the logic of the argument.

The proposal to appoint another committee was not based on further expanding the costs of the present committee system. I point out to members opposite that my colleagues on this side of the House have listened to my argument with regard to the possibility of restraining costs within the present parliamentary budget by allowing for the appointment of another parliamentary committee (the structure of which I will refer to in a minute) and by reviewing the remuneration structure under the Parliamentary Salaries Act and spreading the current costs of the four committees among the five committees. It may be a sacrifice for some members but would not be an astronomically large one. If we look at the number of committee members and reduce the salaries of those existing members by a small amount, the sum involved could be reallocated to members on the fifth committee.

I suspect from the mirth on the other side of the Chamber that my proposition might not be successful in the Lower House, but the possibility of appointing another committee involving four or five members would further spread the workload and by so doing be beneficial in the long run to the Parliament and the taxpayers of South Australia. I am floating the proposition and intend to move an amendment along those lines in the course of this debate. It would also involve other amendments to the committee structure as proposed in the Bill.

So that members can think about it over the next hour or so that the debate is in progress, we are considering an Economic and Finance Committee entirely dedicated to the House of Assembly and with seven members, an Environment and Resource Committee also dedicated to the House of Assembly and with seven members; a Social Development Committee, which would be a joint house committee of six members (even membership); and two Legislative Council committees on legislative review, with six members, and statutory authorities review, with five members. That is a total of 31 members, which would be four more than is currently the situation with the committees plus the Industries Development Committee. Those four members could be remunerated by sharing expenses currently allocated to the existing committee members.

It is not impossible, but would need a degree of pragmatism and would need a degree of sacrifice by members currently appointed or by those to be appointed to committees in future. However, it would spread the load. Members would become more involved, it would diminish the load of work on each individual member and give the Upper House, which has appointed a number of select committees over the past few years, the chance to inquire specifically into statutory authorities as well give it a legitimate avenue with which to pursue those ends without recourse to a select committee.

If members are thinking of the ultimate cost of an individual committee to overview statutory authorities, let them bear in mind that we need only few select committees in the course of a year looking into various things to run into a substantial additional cost to the Parliament. Perhaps the expense is already incurred under the select committee system. Some of those expenses at least might be reduced with a fifth committee. I make clear that, in case members are thinking that I am pushing for select committees to be



abolished, that is certainly not included in the legislation before us. There will continue to be a range of issues which may not be readily allocated for examination quickly by the committees which will have plenty of work to do. The Parliament may choose to appoint select committees in the Upper or Lower House.

Another matter brought to our notice during preliminary discussion on the Bill was that ultimately the committee system in the South Australian Parliament may be made responsible for handling the estimates committee system. I am not convinced that that is a good idea because the examination of the estimates should be the purview of the entire Parliament. To narrow it down to a few committees, particularly in a small Parliament, would narrow it too much and probably remove some of the interest in the Parliament by members who are unable to take part in the proposed committee system. I suggest that the select committee system and the estimates committee system continue as they are presently.

Clauses 5, 8, 11 and 14 should have some form of political balance, even if only to protect the committees from being overloaded with members appointed by the Government of the day. The Opposition should have some defence against being a small minority on committees and I suggest that a clause such as the one included in the current Public Accounts Committee legislation be reinstated.

I have discussed clause 28 and the powers of the committee with the Deputy Speaker, who assures me that the committee as proposed has the powers of a royal commission and is fully protected, as a committee of Parliament, by the powers, privileges and immunities of Parliament. However, I believe that, in relation to clause 28, there is still some question as to whether the powers of the committee and the protections provided under the Royal Commissions Act would completely protect committee staff. Rather than anyone having to look at the Parliamentary Committees Bill in the future, this legislation should provide that committee members, staff and witnesses have that protection.

In relation to clause 32 and the coordination of the committees, I do not wish to speak in any deprecatory way about the Presiding Officer of the Upper House or the Lower House, but I note that the legislation suggests that those Presiding Officers should consult with the Chairperson of each committee when arriving at staffing numbers and making other decisions. The current situation in the Public Accounts Committee, as I said earlier, is that members of the committee interview applicants for positions of research officer and other committee staff. They examine the candidates, generally in the presence of the Clerk or a senior member of the administrative staff of the House, and sometimes in the company of the Presiding Officer, and ultimately a recommendation is made by the committee to the Presiding Officer, who in my experience will invariably approve the appointment and thus becomes the appointer and the employer of such staff.

In order that any doubt is removed, I suggest clause 32 (2) be amended so that the Presiding Officer of either the Upper House or the Lower House not only consult with the Chairperson of the committee but also, as far as possible comply with recommendations from that committee with regard to staffing. I am not implying that a committee should be able to ask for 10 extra staff, because I am not arguing on a numerical cost basis, but, rather, I am referring to the qualification and calibre of the officer to be appointed to the committee for research or other purposes.

Clause 32 (3) provides for disclosure of evidence. I have spoken with legal counsel and with the member for Eliza-

beth regarding this clause. I can understand the wisdom of including such a clause, but members of the Industrial Development Committee and of the Public Accounts Committee have expressed their concern and sensitivity in relation to confidential papers. Those papers may be of an extremely confidential nature involving, for example, requests to the Industrial Development Committee for financial assistance involving very large sums of money. Therefore, the fewer people in Parliament who are privy to such very confidential negotiations, the less chance there is of ultimate embarrassment. I therefore recommend that clause 32 (3) be omitted from the Bill on the grounds of confidentiality and that, if there is any need for an exchange of information with regard to, say, avoiding duplication of effort, some other method of arriving at a satisfactory conclusion should be devised. The Opposition would not recommend the exchange of confidential papers.

With regard to the establishment of another committee, there is a strong possibility that members on both sides of the House would like to give this matter further consideration, and I understand that amendments are to be placed before members very shortly. Members will have had relatively little time to examine the implications of these amendments, so I suggest that all members consider the matter and that they also bear in mind that the proponent of the Bill has put before us another possible way of saving money. I propose that, in an act of relatively minor sacrifice, we as committee members shed some of our salary to the fifth committee.

The proponent of the Bill has also pointed out that in the longer term there is the possibility of very substantial rental savings if committees were to be reallocated to parliamentary premises. That may be a long-term possibility rather than a short-term one, because I understand that leases were only very recently signed for premises. Some of the guarantees for accommodation to be taken up in the ASER building have been met by providing accommodation within that building for Government staff in the Housing Trust, public works, public accounts and Parliamentary Counsel. So, to withdraw those rentals may embarrass the Government and may not serve any long-term financial purpose. Perhaps the Public Accounts Committee could provide a more satisfactory answer after investigating the matter. However, these points should be borne in mind by the Parliament as a whole. It is possible to shed some of the load on committees by appointing another committee in the Upper House and by allocating the work in a different manner to the way proposed in this Bill. As a result, there will certainly be no increase in costs—and in the long term possibly a decrease in costs—in running the parliamentary committees.

However, in saying that, I would hate it to be taken by the Government of the day as an excuse to withdraw services while saying, 'Well, it was said in the House that the cost may be reduced.' The whole committee system will stand or fall—it will succeed or fail—based upon the quality and quantity of research and secretarial staff allocated to the four committees (or the five, as I subsequently intend to propose during the Committee stage of the Bill). I hope that members will at least give my recommendations some consideration and not dismiss them out of hand.

**Mr M.J. EVANS (Elizabeth):** This Bill is the culmination of several years of work on the part of the Attorney-General, me and others in this Parliament. It follows an interest that I have had in developing the parliamentary committee system and, through that, the work of this Parliament as a whole since I became a member of this place some seven

years ago. Of course, the Parliament has a number of very important functions which it discharges on behalf of the people of South Australia. Those functions include the obvious consideration of legislation and, of course, the day-to-day questioning of Government Ministers. It also includes the long-term scrutiny of the Executive Government of this State and the development of policy in areas where that is appropriate.

There are areas where Parliament can make a useful contribution to the development of policy and, in particular, where it can play a very useful role in liaising with members of the public and interested organisations in the community to ensure that new policies are developed in accordance with the wishes of the people whom we are elected to represent. The new committee system which is proposed in the Bill does offer a strongly evolutionary but in some ways revolutionary change to the existing system and allows this Parliament, should this measure be adopted, to play a very real role in the areas that I have mentioned.

The powers of the committees to investigate actions by the Government and not to interfere in the day-to-day management of the Government—because that is certainly not contemplated or intended—and also to examine and scrutinise the actions of the Government and the intended actions of the Government are greatly enhanced by this Bill over the existing system, because it allows all areas of Government operation to be examined. If members look at the existing committee system, they will see that it ignores vast and most important areas of Government activity.

I refer here, of course, to public health; no committee presently examines the activities of the Health Commission. Of course, the Education Department and the policies of that department are not subject to any scrutiny by a standing committee of this Parliament. There are also the areas of labour, transport and so on. All those areas, of very great significance to the people of South Australia, are consuming resources from our budget and they are not subject to any on-going scrutiny, except in a very general way by the existing Public Accounts Committee and, in some very specific areas, by the Public Works Committee.

Those committees have served this Parliament well over many decades but they are limited in their scope, and the areas of Government activity have broadened so much since they were first contemplated: in the case of the Public Works Committee, some 50 plus years ago and, in the case of the Public Accounts Committee, somewhat more recently, but still on a limited basis.

The new terms of reference, as proposed in the Bill, will extend the work of all four committees to ensure that they are not artificially limited in any way and so that the Governor, this House or the committee itself may examine a wide range of Government initiatives. The Bill also removes a number of very striking anomalies in the present committee structure, which has been allowed to develop without any overall coordinated approach.

I draw to the attention of the House the somewhat bizarre situation whereby members of the Public Works Committee, for example, are appointed by the Governor to examine Government proposals. So, even though this House has no say in the appointment of members of that committee, it is meant to be a parliamentary watchdog to scrutinise the Government's public works program. In fact it is a committee appointed by the Executive Government of this State. That striking anomaly is just one example of the way in which the committee structure needs to be reviewed and brought into the context of parliamentary accountability in the 1990s.

Members will recognise that a number of concepts need to be changed in our existing committee structure. It needs to be broadened to include all areas of Government activity that are now excluded. In fact, the powers of committees need to be broadened so that they can examine any relevant topic and look into the statutory authorities, which is an increasingly difficult and perplexing area and one which needs greatly increased parliamentary scrutiny—and that is definitely provided by this Bill. However, the alternative offered by the member for Mount Gambier will have to be considered in due course. The very extent of Executive Government activity in the 1990s means that it is only through the powers of the Parliament that Government activities can be examined. No other organisation—not even the media, despite the power that it has in our society—has the authority or the wherewithal to properly examine Government activity. Therefore, I think it is essential that Parliament overhaul the committee system.

I congratulate the member for Mount Gambier on his sincere and well researched contribution to the debate. He suggested a number of alternative proposals to the Bill and, although I do not strongly agree with all of them, I am sure some areas can be further examined, if not in this House, certainly in another place. Certainly, the member for Mount Gambier acknowledged the need to examine the committee system and, by and large, to take on board many of the proposals that are contained in this Bill.

The Bill also makes a number of other changes to the existing committees, including broadening the terms of reference of the Subordinate Legislation Committee to allow it a much greater role in examining regulations, because delegated legislation is an increasingly important part of our workload and the parliamentary system has not changed to cope with the changes that have taken place in that area. Government by delegated legislation is certainly very important now. The Government does not hesitate to bring in wide and sweeping regulations that determine people's lives in a broad area of activity, and I believe that it is essential that this Parliament equip its committees with adequate powers to deal with those areas so that we can examine those regulations and, if necessary, consider their disallowance or, possibly, their amendment in the future.

Much has been made in this debate—both formally and informally—of the question of staffing. I agree that it is very important that the committees are served by competent and able staff, whom the Parliament has had some role in selecting. The existing process relies upon the Presiding Officers, in most cases, to employ staff members. The Bill really makes no change to the *status quo*; that situation remains. It allows the Presiding Officers, who are the agents of their respective Houses and who are entrusted with considerable power, responsibility and duty by the Parliament, to examine the need for coordination between committees and to employ the staff and allocate resources.

It is only reasonable that, as the agents of this Parliament, the Presiding Officers should be given that duty. Of course, when it comes to the disclosure of evidence and the like, to the Presiding Officers, that is not mandatory. The Bill makes it possible for the Chairperson of a committee, if necessary and, of course, at their discretion, to disclose something to the Presiding Officers. However, if there were anything particularly confidential the Chairperson of the committee would simply not disclose it. I believe that what the Bill proposes does not represent a massive or significant change from the present arrangements and the existing committee. Further, I do not believe that the staff will find the transition to the new arrangements particularly traumatic.

The Speaker and the President already employ staff members in this regard, and I am sure that the permanent staff of this Parliament, as well as contract staff or others engaged to work for the committees, will continue to do much the same work as they do now. While the overall question of resources and resource allocation is another vital question, the Bill is silent about the level of resources that will be allocated to the committees, because that is not the function of the enabling legislation. The existing committees perform valuable roles with their existing level of resources. The Bill could simply be enacted and the same level of resources transferred to the new committees, and they could continue to perform similar functions—except, of course, that their terms of reference would be massively broadened and the number of inquiries that they could make would be extended into new and much more important areas for the people of South Australia. However, that could be done with the same level of resources.

That is not to say that additional resources would not improve the quality of the work or, indeed, improve the range of matters that the committees could consider. However, it is something that must be debated following the passage of the legislation because the legislation does not presuppose it and the new system is not predetermined by it. While resource allocation and staffing are important issues, I do not think they should be allowed to interfere with the question of reform of the committee structure as a whole.

It is with much pleasure, after many years of anticipation of this matter, that I support the Bill before the House, and I commend it to members. I certainly consider, as one member of this House, that many of the proposals that have been put forward—whether they can be are concluded in this Chamber or in another, I am not sure—place Parliament on the brink of approving a significant change to its structure, and I hope one that will benefit not only this Parliament but the people of South Australia.

**Mr LEWIS (Murray-Mallee):** Without taking too much time, I wish to place on the record my personal opinion of the measure before us. Much of what I believe can be found in previous contributions that I have made over the 12 years that I have been here about the role and function of Parliament (both Houses), the members and the way in which it manages, through its structure, to do the work set before it, including its own affairs.

The kinds of comments that have been made by my colleague the member for Mount Gambier define the final position I will take on the measure. However, I respect the wisdom of the contribution made by the member for Elizabeth, not only to this debate on this occasion as he preceded me but also throughout the time he has been here when I have had the opportunity to talk to him about Parliament as an institution. It is clear that at present Governments of either or any political persuasion are administering a society ever more complex than when the institution of Parliament was first established 350 years ago and took unto itself more recently the responsibility for determining the laws that govern us. That is an understatement and one that hardly needs repetition by me.

However, it is effective and necessary to reflect upon the way in which the institution has continued to evolve. It has never been static: there has always been consideration of ways in which this institution, the very factory of democracy, has needed to change itself to cope with the changing technologies of the society that it governs and to change the behaviour patterns made possible by the citizens of that

society and the organisations and institutions to which they belong.

Let us look at those technologies. At the time this Chamber, in which we are now debating this measure, was built, the majority of people could not read or write. There was no telephone, phonograph or daily newspaper, and there was certainly no television, facsimile machine, computer or radio news. There were no motor cars, no steel-hulled internal combustion engines on ships and no diesel-powered locomotives, and the jet engine had not been thought of. That is a world very different from the one we know today.

We take for granted the fact that in 1894 in this very Chamber legislation was passed to provide for compulsory minimal education at primary level, enabling people who did not otherwise have the means to be provided through that school system, which grew up in consequence of that legislation, with the opportunity to learn, to read and to write, and to become numerate as well as literate.

So, we have seen some fairly dramatic changes in the past 100 years, to which all members, in one way or another, are alert, but it is relevant that we now consider those changes in the context of the way in which they affect this institution and, in particular, this Chamber. It is my judgment that the statement that the Government should stand or fall in the Lower House is still valid; and that Government should have in the Lower House the power of the purse strings. That process requires people in this place to give allegiance each to the other to enable one or other group to discover whether it can find from amongst the total number here present a majority, because without a majority there would be no Government. That is the fundamental reason for and function of the Lower House of Parliament, and that process ought not to be too complicated. For instance, in my judgment, it ought not to be complicated by other considerations.

It is from that position that I hold the view personally and quite strongly—although it is not a view shared by others—that, of all of the committees proposed, only that committee concerned with the money business of Government (the Economics and Finance Committee) ought to be established in this place. In my judgment, all the other committees ought to be established in the other place. Equally, I would have to say that that place, which not only should review legislation but also the functions of Government, ought not to contain any Ministers. All Ministers of the Government ought to be situated in this House. That would ensure that the Government was under the absolute and utter scrutiny of its Opposition, without complication. The role and function of this place would be to ensure that contending arguments about the options open to us regarding policy decisions to administer our affairs in the broader society would be taken up here. This would be the House of the body politic as it was determined in partisan terms.

**An honourable member:** And no other House.

**Mr LEWIS:** And no other House. The other House has a role to review legislation, to comment upon it and to review the function of Government. I am referring not only to Ministers but more particularly to bureaucrats who work within the departments administered by those Ministers. That would ensure that a committee that discovered a measure of irrelevance or, worse, a measure of incompetence or, even worse, some kind of corruption would be a committee of the other place in which no Ministers resided and by which the Government could claim to be neither supported nor condemned and thus fall. The public could rely upon the veracity of the statements made to that Chamber by committees of its members when they discovered such incompetence or maladministration of the type to

which I have referred. By that means, the public, knowing that the information was, in the opinion of those investigators, valid, could express an opinion or develop an attitude towards the Government that allowed that measure of incompetence, maladministration or corruption to develop and, in particular, towards the Minister involved.

It would also ensure that the game 'playing politics', to use a quotation, would not become part of the confusing array of strategies taken by members of either House. That could and would happen if it happened at all, only in this place. The argument mounted in this place about such matters would be mounted only when sufficient facts were verified by investigation in the other place to warrant such contention, argument and debate. Therefore, we could expect that, whereas at present we hear Governments saying that the Opposition is simply playing politics when it raises a matter of public concern, with the public not knowing who to believe, that would not be the case. We could expect that the arguments taken up in this Chamber would be based on factual information discovered by investigations of the standing committees to be found elsewhere.

I have made the point that the committee responsible for the review of the economy and for finance should be formed in this House and comprised of members from both sides of this House, because it is this House which determines whether or not the Supply Bill will be passed. If it cannot be passed, the Ministers, led by the Premier in Government, are found to be incapable of sustaining their position; they would lose the confidence of the House and would have to resign.

In those circumstances, it would result in the Governor of the day calling upon some other member of this Chamber to form a Government if he or she could obtain the necessary majority. However, that is an unnecessary tangential consequence of having explained why I believe that committee ought to be in this House. There must be such a committee in the Parliament, because, in addition to the Auditor-General, we need elected members of the Parliament to examine how funds are appropriated, the purposes for which they are appropriated and whether or not the general public consider that to be an appropriate reason for collecting and spending the money. The committee's work would then provide the Parliament with an interface—and it will in due course—between itself and the wider community—the members of the general public—for whom taxation laws are passed, revenue is raised and revenue is expended. All other committees which have been referred to quite properly and philosophically, from where I am thinking of this issue, or from where I am coming, to use the vernacular, ought to be in the other place.

There is one other committee that ought to be comprised of members of both Houses, and it is important that such a committee be formed. I refer to the committee which administers the affairs of this institution—the Parliament itself. At present we have a Joint Parliamentary Service Committee, but it does not have what I consider to be wide enough powers to do the job dispassionately and independently of the Parties and individuals of which the Parliament is comprised and, therefore, in the interests of the institution. Too much is left to others to decide. They are the people advising various Ministers, yourself, Sir, and the President of the other place, apart from those who are presently members of the Joint Parliamentary Service Committee upon which you, Sir, and I and other members serve. I do not know why the Government and the member for Elizabeth left that committee out of this legislation. It ought to have been included.

For instance, I do not think it appropriate that the Minister of Housing and Construction should be able to tell this institution what kind of telephones and equipment will be installed to service the needs of members, whether they be members of the Government, Independent members, members of the Opposition or members of any other grouping within the House or the other place. It would be better, and possible, for the decision to be made accountable if it were made by the Joint Parliamentary Service Committee. Moreover, and more importantly, the funds needed to provide this Parliament with the means by which it functions (all the money needed to pay not only the members themselves but, more importantly, the ancillary staff who serve them) ought to be employed by that committee. It ought not to be the province of any Minister to interfere in that process.

As I have said with respect to other matters, the process ought to be determined by a committee that is accountable through a ballot box in either Chamber to the members of that Chamber. If it is found that someone on that committee is incompetent to discharge the duties of a member of that committee, he or she can be removed from office by the election of another in their place at the beginning of each Parliament or such other interval as the legislation would prescribe, though I sincerely believe it ought not to be at intervals as frequently as annually, otherwise the continuity of administration in the interests of the institution and the thought that had gone into the development of that process would be lost. That would not enhance competence in the delivery of services to make the work of the institution and the members possible.

I will provide another example of how that committee ought to make recommendations to this institution, and to this House in particular. It should not be possible for the Government of the day to dictate to the Parliament what it and members can and cannot do, as is the case in this instance because the Government of the day can simply cut off the money. Without the money to pay, the institution cannot function in those arms and agencies which it might otherwise believe, in its deliberations, to be necessary. If the Premier of the day can strip away the necessary finance, it means that the Parliament is not sovereign but is subject to the whim of Executive Government. That is undesirable. In my judgment, Parliament should pass legislation which compels the Government to allow the Joint Parliamentary Service Committee, amended in the form that I have suggested to incorporate the features that I believe it should incorporate, to bring in a money Bill appropriating such amounts of revenue as are necessary for the function of the Parliament, and to have that Bill debated and passed by both Houses, as well as being assented to and passed into law, before the Government can bring its own budget before this place.

If that were to be so, Governments would accept that their prerogative decision making related to society at large and not to the control of Parliament, which is the reverse of the current situation. It is a pity that those matters are not canvassed by this legislation or by any committee considered as part of it, for it means that we will continue to be subject to the whimsical inclinations of Executive Government as to the amount of funds that will be provided, the amount of inquiry and, therefore, the understanding which this institution can have of proposed legislative changes, reforms, and so on. Thereby, we in this institution slow down the rate at which we can adapt ourselves and our law for the benefit of the broader society where we are not keeping pace with the community outside which we govern through our actions.

The rate at which we can adopt new technology into our management systems, for instance, is controlled too much by ministerial discretion and not at all by members of this institution or any committee of which they may be a part. Those other committees to which the member for Mount Gambier referred in his remarks, in my judgment, all ought to be in the Legislative Council but, understanding that this is a democracy and the institution in which I stand is a democracy, I accept that the position as advocated by the honourable member for Mount Gambier is at least better than the one that we now have.

Whatever we do, it may be necessary for us to consider not paying any members of that committee, in the same way as Senate committee members are not paid. Whatever the case, we ought to do it. We are already paid our salaries. It should be seen by us as part of our service to the institution of which we are a member and the society which we seek to serve in the process. I think that if we fail to grasp this opportunity it may be a very long time before it ever arises again.

**The Hon. T.H. HEMMINGS (Napier):** I support the Bill, although I have certain reservations in regard to it which I will address throughout my contribution. I place on record my congratulations to the member for Elizabeth on the role that he played in formulating this legislation, and that was also recognised by the Minister in his second reading explanation. I suppose there is a certain amount of sadness in what I will talk about this afternoon, because after 64 years the Public Works Standing Committee will go out of existence as a result of this legislation.

I will only talk about the public works aspect of this legislation, as I am sure that other members of this House who belong to other committees will have their say about them. As the outgoing Chairperson of the Public Works Standing Committee, I suppose that I, along with my fellow members, will end up with a place in history as the last committee to serve this Parliament and the State of South Australia in that role. I will comment briefly on what the member for Mount Gambier said about the Statutory Review Committee, the fifth committee which will be argued during the Committee stage and which will be serviced by the other place rather than by this House.

One of the arguments for this legislation is that it would put no great strain on the taxpayer as regards the committee membership. I am sure that, in supporting the legislation, most members of the House had that matter in mind.

It rather surprised me to hear the member for Mount Gambier, as the lead speaker for the Opposition, floating the Statutory Review Committee as being an integral part of this measure. Obviously, he does not understand what it is all about, because the Economic and Finance Committee will be given the role of looking at statutory bodies. I say that I was surprised because, with the exception of one honourable member, whom I do not want to name, the suggestions coming from Liberal members were that they were totally opposed to the legislation.

Only one person on the Liberal side was actually supporting it, and I congratulate that honourable member on his ability to understand why the Government is dispensing with the existing committees and incorporating them under this Bill. Yet, suddenly, I now find that members of the Opposition intend not only to embrace this legislation but to tack on another committee of five.

If I were an untrusting person—and, as you know, Sir, I am not—I should say that that intention was purely mischievous, designed to create some diversion in the other place so that pressure could be put on this Government

either to drop the whole idea and kill the Bill or to open it up to all kinds of ramifications, letting the other House loose on its own to look at the way statutory authorities were operating in this State. I hope I am proved wrong, but I do not think I will be. I can only talk about the committee of which I am presently a member, but the Bill talks about the functions of the Environment and Resources Committee being:

- (a) to inquire into, consider and report on such of the following matters as are referred to it under this Act:
  - (i) any matter concerned with the environment or how the quality of the environment might be protected or improved;
  - (ii) any matter concerned with the resources of the State or how they might be better conserved or utilised;
  - (iii) any matter concerned with planning, land use or transportation;

As the Minister said in his second reading explanation, I find that an exciting new concept for what will replace the Public Works Committee, and I applaud the Government for giving us such wide-ranging terms of reference. I say 'us', because I should like to be on this new committee. The member for Mount Gambier talked about these wider terms of reference and quoted extensively from the experiences in the United Kingdom. I take it that when the honourable member was last in London he spoke to those people who are involved with those committees. So did I: I was over there in April and May this year as part of my study tour and, because this proposed legislation was before the House, I talked to members of the House of Commons Environment Committee.

Some interesting things came from that discussion. Although I endorse many of the comments made by the member for Mount Gambier, one aspect was put to me and provided in the form of a report suggesting that, if one gives a parliamentary committee such wide-ranging powers, it can lead to real problems. Headed 'Past work of the committee', the report states:

The Environment Committee was first appointed in 1979 and reappointed in 1983 and 1987. Initially its work concentrated on housing and local government, but these inquiries led to disagreements within the committee, and the publication of majority and minority reports which resulted in the work of the committee making little impact.

The report is saying that the kind of bipartisanship that has been developed over the years in this Parliament through the Public Accounts Committee and the Public Works Committee can be threatened. Sometimes there might be a little blip, as there was with the Public Accounts Committee back in 1975 over the Frozen Food Factory, and then we had the reprehensible attitude taken by certain members of the Public Works Committee which resulted in a vote being taken concerning the Entertainment Centre. However, over the years members on those committees have worked well together and carried out the duties required of them by the Governor through Executive Council to report on certain matters.

With respect to the United Kingdom experience, which is similar to this concept, people found themselves completely muzzled because committee members played Party politics. I would hate to think that that same situation could arise in this Chamber or in another place but, based on the United Kingdom experience, it could. What did they do in the United Kingdom to overcome this problem? The report states:

The committee constituted in 1983 decided at its first meeting to carry out inquiries into matters:

- (i) upon which the political Parties had no entrenched policies and were therefore open to advice;
- (ii) which were unlikely to be debated fully on the floor of the House unless looked into by the committee;

- (iii) which it seemed were receiving little ministerial or departmental attention and needed stimulation.

If a committee followed those three guidelines, there would be few matters that a committee could examine. In the areas that I have quoted to the House such as that involving an Environment and Resource Committee, those are exactly the matters on which this Government—this Party of which I am a member—has firm policies and on which the Liberal Party also has firm policies, as it should have. If we follow the United Kingdom experience, we will have a situation where there is every good chance that we will have majority reports and minority reports, which is not what the Government intended. Certainly, it is not what the member for Elizabeth intended, but the sorry fact of life is that that is what will happen. If it does, all the fine words and principles that have led to the introduction of this legislation will be worth nothing at all. I hope I am wrong, but I very much doubt it.

I would also like to speak about staffing and the resources available to the House. The member for Elizabeth is correct in saying that this is an enabling Bill containing provisions under which we could pick up the resources. An amendment has been circulated in the Minister's name seeking to strengthen clause 33 by giving Parliament a more active role on the question of resources.

Again, with the best will in the world, our parliamentary officers and the resources available to them are already stretched to the limit when Parliament sits. Over the past couple of years there has been a tendency in this House and in the other place to establish an increasing number of select committees. If I understand the member for Mount Gambier correctly, his amendment will ensure that select committees will continue so, when the House sits, we will find it impossible to service those committees.

Whilst we are only talking about this as an enabling Bill, the House must be fully aware that a significant cost factor is associated with this Bill. If we begin to talk about obtaining public involvement and full parliamentary scrutiny, all I can say is that, if there is no definite move by the Government or this Parliament to increase the budgetary allowance for servicing this Parliament, then the committees that will be established as a result of this legislation will be sorely tried in doing the job that they will be asked to do as a consequence of the passing of this Bill. During the Committee stage perhaps the Minister will be able to provide us with some information on this aspect of the legislation.

I believe that is one point of his second reading explanation where the Minister chose the wrong words. I cannot find the actual reference in the explanation, but the Minister referred to the committees being antiquated. If the Minister meant antiquated in the sense that the Public Works Standing Committee is 64 years old, I accept the fact that it is an old committee, but I would like to remind the Minister and the House that, as a result of changes in the Audit Act of which you, Sir, are well aware, all moneys coming into South Australia are now being channelled through the South Australian Parliament. The result is that, if they are completely funded by the Federal Government and that funding relates to any form of public works, the committee on which I have the honour to sit has to look at that function and to provide a report to the Governor and ultimately to Parliament. As a result, during 1988-89 the Public Works Standing Committee looked at 24 projects. In 1989-90 we hit the jackpot and looked at 36. This year, as a result of economic restraints, fewer projects were put to us and we looked at only 26.

**Mr Lewis:** It's terrible when you have to praise yourself.

**The Hon. T.H. HEMMINGS:** The member for Murray-Mallee says that it is a pity that I am praising myself, but I am not; I am just trying to point out (and I am sure that the member for Murray-Mallee referred to this, as did the member for Mount Gambier) that, if the new Environment and Resources Committee is to work in the same way as the existing Public Works Standing Committee, the Government will have to provide a lot more funding. It is not a matter of self praise, I get enough praise every election when I am returned with a resounding majority by the electorate of Napier. I do not need to stand up and praise myself and blow my own trumpet. The funding of those resources is a real problem.

The Bill talks about public involvement. When the Public Works Standing Committee was looking at the project for the Art Gallery it held a public hearing which was attended by between 400 and 600 people. That was a real example of public involvement, but how did we get that number of people at a public hearing? I understand that Mr Ron Radford of the Art Gallery board sent out 3 000 letters to people in Adelaide, the suburbs and the country asking them to turn up and be heard at that public meeting. My colleague the member for Playford asked who paid for all the 43c stamps on the letters that went out. Not everyone turned up but those who did were captivated by the way we ran the hearing. It gives an indication that, if we are to go down the path of public involvement properly, it will cost us.

I have no problem with public involvement whatever and no problem with what the member for Mount Gambier said about getting the public involved. I also have no problem with the Minister's second reading explanation, but we cannot have public involvement at no cost. We must get the people involved and to do that we must travel. If the Environment and Resources Committee was looking at better utilisation of the power resources in this State, it could not do that from a committee room in Parliament House. It will have to travel the length and breadth of the State. One cannot do that while Parliament is sitting, as the Liberal Party has decided that it will not allow pairs. If we are to look at these aspects of what the Government is doing or not doing, it will have to be done out of session.

Certain things about the Bill cause me some concern. I support the thrust of the Bill and the sentiments of what the Government is doing. I sincerely hope that this place and the other place reject the amendments referred to by the member for Mount Gambier as they are totally mischievous. The Bill bodes well for the future of the parliamentary system in this State. I ask the Minister and the Government to take heed to some of the cautionary things that I have said about the Bill and to give some information in Committee.

**Mr BLACKER (Flinders):** The principle of committees is one with which I agree because the format of this place for parliamentary debate, whilst excellent, does not allow members to look in greater depth at some of the issues that come before it, nor does it give the ability to adjourn and seek further evidence in order that some considered opinion and judgment can be made in terms of the relevancy of the subject under discussion. For that reason I support the concept of what we are debating as it has been long acknowledged that a need exists for a change to the parliamentary and committee system. Whilst the committee system proposed may not be totally ideal, it is certainly a big step forward. The Bill provides, through a single statutory instrument, the basis for members of Parliament to scrutinise Government activity, community and policy issues and other matters of importance to the people of South Aus-



tralia. That comment is one that we all need to heed. Mention has been made about the committees and their structure. Committees of different composition, as well as additional committees, have been suggested.

I, for one, believe that all Government legislation should be subjected to a committee to assess the economic worth to the wider community of any proposed change. We should be able to assess legislation and some considered opinion should be given as to whether, in fact, the legislation will create new jobs, economic worth or export earnings for the community. Basically, it should relate to the ability of the State to get back on its feet and, hopefully, be the proud State that we would all like it to be.

Another issue needs to be mentioned at this point. I have been concerned for years that much of our legislation is not subject to a family impact assessment or an assessment of that kind. I firmly believe that, just as some environmental legislation is subject to an environmental impact statement procedure, we should also have a family impact statement in relation to much of the legislation that comes before the House. Whether that should be done by way of committee, such as the kind we are talking about now, or some other procedure, I do not know. Surely we must all agree that a family impact statement on some of the legislation that we have before us at the moment would be of benefit to the citizens of this State. That is something we should all pursue.

I should like to query a couple of points in relation to the Economic and Finance Committee. The terms of reference for the committee state:

- (a) to inquire into, consider and report on such of the following matters as are referred to the committee:
  - (i) any matter concerned with finance or economic development;
  - (ii) any matter concerned with the structure, organisation and efficiency of any area of public sector operations or the ways in which efficiency and service delivery might be enhanced in any area of public sector operations;
  - (iii) any matter concerned with the functions or operations of a particular public officer or State instrumentality or whether a particular public office or State instrumentality should continue to exist or whether changes should be made to improve efficiency and effectiveness in the area;
  - (iv) any matter concerned with regulation of business or other economic or financial activity or whether such regulation should be retained or modified in any area;
- (b) to perform such other functions as are imposed on the committee under any Act or by resolution of both Houses of Parliament.

A number of issues could well come out of that. Whilst I appreciate that the terms of reference are very broad and, in many ways, all embracing—which is something with which we would all agree—one must also ask how issues are to be presented to the committee. Does the committee have the right to initiate action of its own accord?

**An honourable member:** Yes; the legislation says that.

**Mr BLACKER:** It does to a degree, but there are some areas of concern. The question I am asking is whether, in fact, that committee, if it senses that something is wrong in a particular section of Government, has the ability to stickybeak into those matters and report back to Parliament without any reference to that committee from the Parliament, a Minister of the day or a higher body. If that is the case, that is fine, but we must also take into account that we do not believe that the committee should be set up necessarily for nitpicking exercises. I certainly hope that that is not the case.

If my assessment is correct—that there are broad, sweeping terms of reference—I applaud that. My only concern is

that it may be abused at some time in the future. I would not envisage that any potential appointees to that committee would have that in mind, but one never knows when the system is set in place—sometimes strange things can happen.

For three years I was a member of the Public Works Standing Committee. It is as a result of that experience that I welcome the proposed broadening of the committee system. I think it is of value to all concerned that legislation, in particular, and Government departments and instrumentalities that might have an economic impact are assessed and scrutinised in this way. I could say very much the same things about the other committees, but I do not think it is necessary that I repeat those comments, other than to say that I support the general thrust of the legislation. I understand that amendments are being drafted, and no doubt they will have to be looked at. I commend the member for Elizabeth for the part he has played, and I commend all members of the House for at least sitting down and looking at what I believe is a very significant change to the committee system.

As the member for Napier pointed out, it is about 68 years since the Public Works Standing Committee was established. This measure will affect the work of that committee, although much of the work that it was originally set up to do would still be within the parameter of the committees to be established under this legislation, assuming it passes all stages in both Houses. I have pleasure in supporting the second reading of the Bill.

**Mr FERGUSON (Henley Beach):** I, too, support the Bill currently before the House, and congratulate the member for Elizabeth and the Attorney-General for combining to produce this legislation. It was very much in the heart of the Attorney-General about eight years ago, when he established a select committee in the Upper House, to try to introduce legislation of a similar nature. Unfortunately, at that time the politics of the situation defeated him and he was unable to introduce it. However, I believe that it is due to the determination of the member for Elizabeth that this Bill is now before us. I congratulate him on his effort and hope that he receives due recognition for his work in this regard.

When I was first given a draft copy of the changes that were to apply to the committee system with the introduction of this Bill, I was extremely pleased, particularly with respect to the work of the Public Accounts Committee, of which I am a member. That committee will now become the Economic and Finance Committee, and I was extremely pleased to see the expanded powers that that committee will have. I will not refer to the committee's terms of reference, because the member for Flinders has already done so. It is sufficient to say that the powers given to the new Economic and Finance Committee are very broad indeed, sufficient to enable that committee to investigate a very wide range of matters that the present committee unfortunately has been unable to do.

I give credit to the member for Mount Gambier, as a member of that committee, for first suggesting that the legislation that governs the State Bank, for example, ought to be changed to allow the Auditor-General to audit the State Bank and thus enable the present Public Accounts Committee to look into not only that institution but all its off balance sheet companies, of which there are over 200. Also, that committee would have been able to investigate SGIC, WorkCover, Beneficial Finance and other organisations connected to the State Government and financed in some way or another from Treasury.



The role of Parliament, with respect to the Estimates Committees, has been diminishing over the years because the finance generated in this State is being taken over more and more by statutory authorities. On one estimate that I have seen, statutory authorities have taken over more than half the total finance that this State generates.

So, the Public Accounts Committee, in being restricted in investigating only those matters which the Auditor-General can investigate, has been focusing in an increasingly narrower field. So, it was a great pleasure to see the proposition, which was put forward by the Attorney-General and the member for Elizabeth, to enable the committee to so expand its opportunities and get into the various financial institutions that I believe need to be investigated properly by this Parliament.

However, my pleasure has been somewhat dampened by the proposition put forward by the member for Mount Gambier to hive off into a committee of the other place a statutory authorities review committee. If that proposition goes through, all the benefits that are enshrined in this legislation relating to the Public Accounts Committee will go out the door. I cannot see Parliament giving both the Public Accounts Committee and a statutory authorities review committee, if that is ever established—and I hope it is not—a charter to investigate statutory authorities, because that would be quite ridiculous.

It could be possible for both those committees to be investigating the same statutory authority at the same time, with all the concomitant wasted effort that would go with that. I hope that mature consideration will be given by members on both sides of the House, and by committee members on the other side of the House, to the proposals that will be put in Committee to change the legislation that is before us. All the changes, all the advantages that have been proposed to the Public Accounts Committee—

**Mr Hamilton:** Do you think a deal has been done?

**Mr FERGUSON:** The member for Albert Park asks whether I think a deal has been done. I certainly hope that a deal has not been done to negate the very legislation that is in front of us. If this new amendment is adopted, all the advantages relating to this legislation will go out the door. Not only that, there is also the proposal to establish this committee in another place. The other place has always justified its existence by saying that it is a House of review. It has always been our contention that the other place should disappear. There is really no need for it. However, if indeed the other place is a House of review, it should keep out of the affairs of the Lower House.

If this committee is established, its members will have their hands on the reins of every Minister in this House. If members opposite think that they have a chance of forming a Government in the future, they ought to heed the problems that they will be creating for themselves if they allow this amendment to go through, because they will be in the same position: they will have people in another place poking their noses into the affairs of this place.

I turn now to the points of agreement that I have with the member for Mount Gambier—and I certainly have a lot of points of agreement with the propositions that he put as lead speaker for the Opposition. One of those propositions, to which I think every speaker has referred thus far, relates to the quality of staff available to these committees. The member for Mount Gambier mentioned that if a committee is to work properly it must have quality, quantity and adequacy of skilled and highly qualified staff. I cannot but agree. If we pass this legislation, I think that part and parcel of it should be consideration of the way those com-

mittees are staffed. In this respect, twin legislation ought to be introduced at the same time.

The only reservation I have is that not enough resources will be committed to these committees and that, in turn, that will not provide for the sort of staffing necessary to make these committees run properly. It is my understanding that, if events unfold or unwind in the way that some people hope they will, Parliament will be allocated an amount of money and it will be determined by the Parliament itself as to how that amount should be spent. As I see it, the difficulty with that proposal under this present legislation is that each committee will have to make a bid to the Presiding Officers for the amount of money they should be allocated for the year, and they will have to present a budget.

With each committee making an application on a competitive basis for a budget before the Presiding Officers, I see a danger as far as the provision of adequate staff and resources is concerned. In the first place, how much each committee will receive will depend how big the cake is. In a sense, we are taking a step in the dark if we agree with this proposition because at this stage we do not know whether or not each committee will be adequately staffed.

I have some problems with some of the suggestions put forward by the member for Mount Gambier. One of those problems—and I have yet to see this proposition—is that we ought to tidy up in this legislation the matter of parliamentary privilege as far as committee members are concerned. This matter concerns me because I feel that it will set a precedent for the Parliament itself and, as soon as legislation is introduced to provide parliamentary privilege for committees, it will not be long before we see people clamouring for the Parliament itself to produce legislation for its own parliamentary privilege. I see dangers in such legislation. It has happened in other States and, in a sense, federally but, when one starts to prescribe what parliamentary privilege is, it leaves very much on the outside other matters of privilege that should from time to time be included. I believe that the privilege situation, as it exists, is far better than introducing parliamentary privilege; however, I may be convinced otherwise when I actually see the honourable member's proposed amendments.

Another matter that I would like to mention, and which I find very hard to accept, is the suggestion that parliamentary committees be rehoused in Parliament House. I cannot see how it would be possible to provide the resources necessary to bring all of the committees back into Parliament House. At this stage Parliament House is stretched to the limit. *Hansard* is very poorly housed. There are other areas that we need to look at when providing accommodation for the people who actually work in Parliament House. We are already utilising all the space under the staircases. There is no area that would be available so that parliamentary committees could be brought back into Parliament House, desirable as that might be. That is a problem.

I turn now to the Environment and Resources Committee, which includes the Public Accounts Committee and the Public Works Committee. I was interested to hear the speech of the member for Elizabeth, who suggested that current resources will be sufficient to maintain the structure of the committee. If it means that the resources of the Public Accounts Committee and the Public Works Committee will be amalgamated and will service the new committee, he might have something; but if it means that the current resources of the Public Accounts Committee should be the resources of the new, expanded committee there is no way that that committee can work. As I said earlier, I believe that we ought to be debating side by side with this propo-

sition the resources that will be available to the new restructured committee if and when this legislation is passed.

There are other matters to which I wish to refer but, as they will be the subject of amendments, I will take the opportunity to debate them in Committee. I will reserve any further comment until then.

**Mr BECKER (Hanson):** Mr Deputy Speaker, I am delighted that you are in the Chair, because it gives me the opportunity to tell you what I think of your piece of legislation. I believe that you have had a fair bit to do with this legislation and have been able to convince the Government that the system that has been operating for 64 years, as the member for Napier said, ought to be changed. We often see legislation before the Parliament that introduces change for the sake of change. The parliamentary committee system has operated extremely well. The trouble is that, when we get legislative change like this, we get down to the personalities of those who are on the committees, and we find that they are under attack for what they have not done. In his second reading explanation (page 85 of *Hansard*) the Minister said of this legislation:

It completely overhauls and reforms the existing system of parliamentary committees in South Australia . . . the existing committee system is antiquated and imposes constraints both on the Parliament as a whole and on the roles of individual members of Parliament. The business of Government at the end of the twentieth century should continue to be accessible to the people; they should be able to influence and examine what their Governments do on their behalf both directly and through their parliamentary representatives.

*The Hon. Jennifer Cashmore interjecting:*

**Mr BECKER:** The member for Coles reminds me that from 1979 until 1982 there was no way that I was going to be constrained; I was given a job by the Premier to Chair the Public Accounts Committee and to do it without fear or favour, which I did. As the longest serving Public Accounts Committee member in Australia—I do not know how I have survived for so long—I can speak with some experience about the operations of a Public Accounts Committee, and I will direct my remarks to the Economic and Finance Committee.

It will be a sad day, as the member for Napier said, when the Public Works Committee, the Public Accounts Committee and the Industries Development Committee disappear. The Industries Development Committee (on which I served for a brief period as well) and the Public Accounts Committee will merge to become the Economic and Finance Committee. The Public Accounts Committee Act was passed in this Chamber on 30 August 1972—almost 19 years to the day. The first committee was appointed on 19 June 1973. Its Chairman was Don Simmons, and the other members were Molly Byrne, the member for Kavel, Gavin Keneally and Bill Nankivell. Four of those people have retired, and three of them were fortunate enough to go on to be Ministers. The other two who were not Ministers ended up being Directors of the State Bank. Enough said. The Public Accounts Committee has delivered 64 reports to this Parliament during that time, and there are several to come.

**Mr Lewis:** Is that all?

**Mr BECKER:** The member for Murray-Mallee asks, 'Is that all?' I can assure him that one report took about 3½ years of research before it was presented to Parliament. When I was appointed to that committee we were looking at the so-called sausagegate affair. What a joke that was! There was no way we could prove conclusively that a brown paper parcel that was supposed to have been handed by one person to another person contained sausages. When I was appointed to that committee I said, 'Let's get rid of

this nonsense and get to the true facts of what went on,' and we were able to bring down a report that proved that there was massive wastage in the public health system. That led to the formation of the Health Commission, and we saved the taxpayers something like \$14 million a year from thereon, without affecting the quality of patient care in South Australia.

**Mr Groom:** What happened to the sausages?

**Mr BECKER:** I don't know. I heard that they went to a Labor Party function at Florey, but that was not proved either: somebody ate the evidence. I could refer to many examples of wastage and all sorts of allegations that we received over the years but, unless there was conclusive evidence, we would not touch them. That is another story. During my term as the Chairman of the committee, and also in latter years, the work of the Public Accounts Committee in South Australia was held in the highest regard in comparison with the work of all the other Public Accounts Committees. We were responsible for assisting the New South Wales Public Accounts Committee to revamp and become a leader in Australia in its own field. The Chairman in those days, Laurie Brereton, undertook an investigation into the New South Wales health system and eventually became the Minister of Health in that State.

**The Hon. Jennifer Cashmore:** It was always known as the powerful Public Accounts Committee when you were Chairman.

**Mr BECKER:** That's right. We established that profile and we insisted on undertaking our investigations in public. Whilst we did not have total parliamentary privilege, the idea was that we were to investigate the facts. When I was Chairman I had a really good committee; I had excellent members from both sides of the Parliament who were committed to the accountability of Government and to assisting the Government by advising it of shortcomings in the various Government departments and/or statutory authorities.

As the member for Morphett would know, as he was a member of the Public Accounts Committee, the role of the committee was to assist the Government. We were not necessarily there as a star chamber: we were there for the benefit of the State—to ensure that taxpayers' dollars were looked after. We also helped the various State Legislatures to improve the role of their Public Accounts Committees, and we assisted the Northern Territory and the Papua New Guinea Governments to establish Public Accounts Committees.

I know of only two Public Accounts Committees—and there could be possibly one in Canada—the Chairman of which is an Opposition member. We looked at that alternative for achieving a greater bipartisan role of the Public Accounts Committee. However, we believed that, wherever the Chairman was an Opposition member, the committee did not achieve much at all.

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

#### **CRIMINAL LAW CONSOLIDATION (ABOLITION OF YEAR-AND-A-DAY RULE) AMENDMENT BILL**

Received from the Legislative Council and read a first time.

#### **HOLIDAYS (LABOUR DAY) AMENDMENT BILL**

Received from the Legislative Council and read a first time.

# **PARLIAMENTARY COMMITTEES BILL**

Second reading debate resumed.

**Mr BECKER:** The committee was visited by the various Public Accounts Committees and Economics Committees of the various State Parliaments, as well as the Federal Public Accounts Committee. David Connolly was Chairman of the Federal Government Public Accounts Committee during my term as Chairman, and spoke very highly of the work and the achievements of our committee. It is interesting to note that in the 19 years history of our parliamentary Public Accounts Committee there have been only two Secretaries. The first was Brian Wood, from 1973 to 1983 and, since June 1984, the Secretary has been Bob Ritchie.

Both these men have served the committee well under very trying and difficult conditions. It was always my wish as Chairman—and I believe that most of the members of the committee supported me—that the Secretary should serve only for a period of about three years and then be given the opportunity to return to the Public Service whence he or she came. This has been the most difficult part.

**Mr Gunn:** They don't want them back.

**Mr BECKER:** As the member for Eyre says, they don't want them back and they won't take them back. We had a terrible job trying to have Brian Wood reclassified in the current position, which we finally did, and then to try to get him back into the Public Service, because there seemed to be a conspiracy among senior public servants who did not want someone who had previously reported on the activities of the department under their control. In a previous debate I said that it is a pity that we do not have whistle-blowing legislation, although that will have to come in the State and the Commonwealth generally. Public servants who know what is going on within the various departments or authorities and who see blatant fraud or wastage of taxpayers' money should be given the opportunity to report to Parliament what is occurring, and these people should not be penalised.

Had that happened, the State Bank would not be in the trouble it is in today, and the same goes for several Government departments. The two Secretaries of the committee have served it well, and have done a wonderful job, backed up by excellent staff. In 1979, when I became Chairman, I asked for and was given an additional research officer and the opportunity to second someone from the Auditor-General's Department. That arrangement lasted for some time, and we now have two research officers available to the Public Accounts Committee.

That has helped the committee to undertake its workload on behalf of this Parliament. There have been some significant reports, in particular, one relating to the assets of the State, outlining the probability of asset replacement, which came up with some frightening results in relation to the sum of money that will be required in the next 15 years. It will be hundreds of millions of dollars. Unfortunately, I doubt now whether this State will ever be able to honour that commitment.

I want particularly to place on record the work of these two people, I am concerned that, in dealing with this legislation, the suggestion has been made that the Secretary of the Public Works Committee and the Secretary of the Public Accounts Committee are out—they are finished. That is not on. As a member of the committee, I could not tolerate that situation, and I refer the Parliament to the Public Accounts Committee Act 1972-74, section 12 of which, relating to 'Secretary and officers', provides:

The Governor may, on the recommendation of the Speaker of the House of Assembly after consultation with the committee,

appoint a Secretary to the committee and such other officers of the committee as are required for the performance of its functions and the Secretary and officers shall, if they are not already officers of the House of Assembly, on appointment become such officers.

I know that there have been some difficulties, and there certainly were some during the period that I was Chairman of the committee, but we did work them out with the then Speaker, the member for Light. I was determined that it would be documented and that we would select staff carefully and obtain the concurrence of the Speaker so that the committee had the best staff available to it. The new committee must always have that opportunity.

If we are going to set up this Economic and Finance Committee, it must be given the opportunity to have the best staff. I recently visited Westminster and I wanted to pay my respects to the Public Accounts Committee there. I could not see any of the staff because Parliament had resumed after the Easter break and the staff were too busy because of their parliamentary duties. We must have staff on a committee such as this totally divorced from Parliament itself: we cannot have them responsible for other duties. It needs to be a totally separate organisation and identity. For this reason I am concerned about clause 32 'Division III—Miscellaneous' of the Bill, which provides:

1. The Presiding Officers of both Houses are responsible for—
  - (a) avoiding duplication by one committee of the work of another committee;

That is okay. Clause 32 continues:

- (b) arranging for each committee adequate staff and facilities for the performance of its functions.

I cannot accept that the Presiding Officers of both Houses will advise the committee or be responsible for it, unless it is under the previous terms and conditions as we know them. Subclause (2) provides:

The Presiding Officers of both Houses must, in discharging their responsibilities under subsection (1), consult with the Presiding Officers of the committees.

It is not clearly spelt out what that means. I am not satisfied with the Bill as it stands at present. I believe that the committees should be masters of their own destinies and should have the right to permanent staff and a permanent secretariat, with the proviso that persons will be appointed for a three-year term.

We must give some continuity but also make it easy for people to return to the Public Service. If senior public servants in this State will not allow staff to come to such a committee and do their job or are not willing to let them return to the Public Service, it is about time that we looked at the role and contract of our senior public servants, because we may need to replace a few of them.

Certainly, the Parliament and the people want greater accountability and performance from these committees, as we have been led to believe. We have been led to believe that they have not performed as well as they should have. All right, give us the staff, the opportunity, incentive and encouragement for public servants to come forward.

As I have said, many excellent research staff have worked on the Public Accounts Committee and, with the exception of one person, they have all returned into the Public Service after 12 to 18 months (one stayed for two years). Indeed, we insisted that staff go back into the Public Service, and each one has progressed more than satisfactorily to greater levels and become valuable public servants. Because of the experience they gained working with us they have no doubt contributed significantly to their departments.

Also, I must acknowledge the role of the Auditor-General who worked with the committee during my term and who has worked with the committee since then. The Auditor-General has been of immense value to the Parliament and

to the Public Accounts Committee. On occasions he has made the opportunity available for us to second staff for the term of an inquiry or initially for 12 months. Each of those officers performed extremely well and progressed when they returned to their department. Some of them even went on from the Auditor-General's Department.

This proved again that the Public Accounts Committee was an excellent training ground for those types of people. I would like to see continuity so that every 12 months someone from the Auditor-General's Department comes and works with the committee. If we are setting up a new Economic and Finance Committee, it should be an unwritten rule that someone from the Auditor-General's Department is seconded to the committee for 12 months so they can get grounding and background in seeing how politicians think and work; also, they can get to know what the politicians are looking for.

That experience must be invaluable to future management of the State. That is what it is all about: accountability and building up a reservoir of excellent staff within the Public Service. We are not there as a star chamber or to kick heads but rather to find out the facts and, if something goes wrong, to rectify it. That is what large organisations do and what we did in banking. If a mistake occurs we set out to rectify the error and ensure that it never occurs again. You get on with the job. The only way to find out about errors is through experience. Practical experience is very necessary. Other clauses in the Bill leave a lot to be desired. The functions of the committee are widened considerably compared with section 13 of the Public Accounts Committee Act. Whilst I support that I also support the idea of giving the committee the total protection of parliamentary privilege. We never operated under that provision and previously one small section was missing from the original Bill.

We must give credit to Bill Nankivell who persisted during the late 1960s and early 1970s in ensuring that this Parliament had a Public Accounts Committee. Bill Nankivell and those who supported him in setting up the committee have made it possible for us who work on that committee to save the taxpayers tens of millions of dollars. There is no point running around and going through all 64 reports to quantify it as it is a difficult task, but there is no doubt that we led the way in South Australia and throughout Australia with the ideas, support and assistance that the Public Service has been able to pick up and utilise.

Similarly with the Industries Development Committee we had the wonderful experience of supporting and having the opportunity to investigate the many development projects and schemes put forward to the State, first, in the area of tourism and, secondly, in creating employment opportunity. I could never get that committee to accept the fact that you had to go to a bank to get a credit reference on those to whom you were lending money. In the early days when I was on that committee, we were overridden by the then Premier, who would make decisions to grant loans, or to take up shares or debentures in various organisations, be it a coal yard or tile making factory. We lent someone money to develop an oil drilling rig and the person concerned struck oil first up. Some people lost money and some made a lot of money. However, we were there to create employment and tourism for the State. As I see this committee it will have an interesting and exciting role and I sincerely hope that I am able to continue my work on it to ensure that the accountability of Parliament and the Government will be enhanced.

**Mr GUNN (Eyre):** I wish to make a brief contribution this evening on this matter because I firmly believe that, if

the Parliament is to function correctly, there must be an effective committee system in both Houses of Parliament involving the majority of backbench members. The only way that they will be adequately briefed or aware of the operations of Government is for them to be able to participate in an effective committee system. We will obviously debate at some length over the next couple of days the most effective committee system.

I am of the view that committees should not be narrowly based, nor should we restrict committees to four areas because, if that takes place, there is always the ability of Governments, of whatever persuasion, to prevent committees inquiring as widely as possible. I know that Governments do not like committees particularly, but I firmly believe that Parliament should not be deterred because a committee may upset the Government. A Parliament is not brought into operation purely to suit the convenience of the Government, but elected to represent the views of all citizens. Members from all walks of life and with all viewpoints should be able to examine legislation and projects in which the Government is involved to ensure that the long term interests of the taxpayers are being protected.

I sincerely hope that this new committee system will in no way affect the arrangements whereby we have other committees, such as those involving the Maralinga and Pitjantjatjara areas, which have operated very successfully in this Parliament and have basically created a bipartisan approach to Aboriginal affairs, particularly in relation to people living in their traditional lands. I therefore hope that all of that good work that has gone on will not in any way be impeded or interfered with by this process.

We have had some interesting chairmen of committees, including the Minister of Education, who is at the table, the member for Napier and the member for Briggs. They have all endeavoured to ensure that the committees have operated in a manner that allows every point of view to be taken into account, and they have operated in the best interests of the Parliament. The two committees in question have given those Aboriginal communities the ability to have their points of view heard in Government and in the Parliament, free from point scoring or emotional comment. Therefore, we have been in a position to make some pretty constructive decisions and to effect improvements.

There is obviously a lot more to do, but I am confident that a committee will in future be able to make judgments in a sensible way and to continue acting in the best interests of South Australians. I appreciated having the opportunity, together with the member for Chaffey, to be included in recent discussions, advising us of what is proposed, and I look forward to the challenges that will arise. There is another issue of great importance.

*The Hon. T.H. Hemmings interjecting:*

**Mr GUNN:** I did not say that at all. That is only the honourable member getting slightly carried away with himself, as is unfortunately his wont. We cannot help that. However, I do not want to be distracted in any way from what I am saying, because it is also very important that the select committee process continue. There is not enough legislation referred to standing committees of the Parliament. From my experience in this place, every time a Bill has been referred to a committee it has been greatly improved; normally commonsense prevails.

Currently there are two areas of controversy, involving the abalone and prawn industries. Those important issues have been referred to select committees so that we can endeavour to reach a bipartisan solution, which I think will be possible in respect of both those committees—certainly with the one in which I am involved. Commonsense will

prevail, and it is hoped that the recommendations and legislation resulting from the committees will be in the interests of the industries concerned and the people of this State.

I sincerely hope that those processes of ongoing committees and some of those standing committees, such as the Maralinga and the Pitjantjatjara committees, will not be in any way interfered with by legislation. Having read the legislation very carefully, I believe that they will not be, so that those committees will remain the masters of their own destiny, and we will have the opportunity to enlarge the range of committees operating in this Parliament at present.

One of the proper roles of the Upper House is to carry out ongoing reviews, particularly of statutory authorities. I commend the member for Mount Gambier on his contribution and for the details he outlined concerning the Opposition's view on this legislation. I support the amendments that he has indicated he will move and, therefore, I will reserve the rest of my comments for the Committee stage. I clearly support the principle of an improved committee system, which is necessary if the Parliament is to remain relevant in today's society. No longer can the Government get away with not telling the Parliament or the community what is taking place within Government departments or statutory authorities.

The Parliament itself must be involved in those investigations. Government committees are not satisfactory because they report to the Government and therefore the public often is not aware of the problems they find. Parliamentary committees report to the Parliament, and all the evidence becomes public. Members of Parliament can then scrutinise the operations of the Government to ensure that the recommendations of those committees are put into effect. That is very important.

Therefore, I look forward to participating in the Committee stage. I hope that the Government is prepared to take on board the constructive comments and suggestions that the Opposition will put forward. If these committees are to operate effectively, the new system must be implemented with commonsense and cooperation; otherwise they will not work. If this legislation passes and the new system takes some time to commence operation, the worst thing that could happen when there is a change of Government is for that new Government to say that it must rewrite this legislation and start again. That is what will happen if there is not a fair measure of commonsense, cooperation and agreement. Otherwise, we would have chaos in the committee system; the committees would not be effective and would lose their credibility.

So, it is incumbent on the Government to be responsible and sensible in relation to the alternative propositions put forward by the Opposition. If those propositions are rejected out of hand, and the Government is not prepared to take on board many of the constructive suggestions that the member for Mount Gambier has made, it will run the risk of damaging the future operation of these committees, and that is the last thing that any member of this House would want. I ask all members to be sensible and constructive, and use some commonsense. I am pleased to have been able to participate and look forward to the rest of the debate, hoping that the Government will agree to our propositions.

**Mr S.G. EVANS (Davenport):** In speaking to this Bill, I am reminded that one of my colleagues, the member for Hayward, has an opinion on this measure, and I am sure that he will express that opinion a little later. I have one or two comments, and they will be brief, which may be unusual for me. First, I wonder whether people are not jumping on

this bandwagon very enthusiastically and not realising that the Government of the day will carry the burden. It is easy for those of us on this side of the House to support a committee system change, but I am not sure that it will be so glorious in Government. Governments in other parts of the world have learnt that fact, unless the Government of the day wants to manipulate the committees. If it does that, it will destroy the role that the committees are expected to play.

If a committee is to look at legislation or activities intended to come before the Parliament at some future date, it is very easy for that committee to destroy a Government's planned path long before the Government gets to the point of making known to the public its point of view in what one might call a constructive way. It may even be possible for a committee to forecast the Government's policies coming up to an election or to interfere with its program by the reports that it makes, if its Opposition members happen to be stronger than its Government members. Time will prove that I am right in that aspect.

Secondly, from my experience, if these committees meet as frequently as I believe they must if they are to operate effectively, they will struggle on many occasions to have a quorum when Parliament is out of session. I put that on the record because down the track I am sure members will have all sorts of excuses as to why they cannot attend a meeting on a particular day, whether it be because they must present a trophy, for instance, at the Balaklava or Morphettville races, are attending another event, or are very busy in their office.

*Mr Atkinson interjecting:*

**Mr S.G. EVANS:** An honourable member interjects and says that they have excuses. That, in itself, would also affect the effectiveness of the committees. Originally, I was interested in the Subordinate Legislation Committee, but it looks as though that will be abolished. That committee should have had regulations going before it for approval or recommendation, instead of its having a negative role, as it does at present, of finding fault with regulations after they have become or while they are in the process of becoming operative.

I remember only too well the case of the Adelaide City Council parking by-laws and others when the Tonkin Government was in power and when I was chairing that committee. We had some difficulty with the Adelaide City Council because it wanted to have a different penalty from that existing under the Road Traffic Act. It was better to be booked by a policeman than an Adelaide City Council inspector because it was \$2 cheaper. The council refused to budge. Eventually, members of that committee were able to convince their political Parties on the last day for private members' business that the regulations should be thrown out. It was not just a matter of throwing out one or two regulations: it was a matter of throwing out the whole schedule because it could not be amended. The whole lot was thrown out.

I was then asked to go to the Premier's office to meet the Chief Executive Officer of the Adelaide City Council. However, I did not bother to go. I said that the Parliament had taken the action. The Parliament disallowed the regulations at about 3.15 in the afternoon. Consequently, all the fines that were placed on vehicles from midnight that day were invalid. I believe the council lost quite a bit of money, but many motorists were happy. That is an example of where the negative approach was useless. If there had been the possibility of a positive approach of putting those regulations before the committee to see whether there was any fault with them, that situation would never have arisen.

Will the evidence given before these committees be recorded by *Hansard*, or will a clerk of the House or some other appointee take the minutes? The minutes might be subject to adjustment of what the committee wants to put in them after discussion. It might not necessarily be an accurate record of the discussion that took place. I do not mind one way or the other. However, I hope that, if *Hansard* is to report the committees, someone discusses the situation with that staff to ascertain its feelings, how it would be affected, and what sort of time slots are available after present duties are performed.

I am very firm on the matter of the Parliament continuing the practice it has recently started, that is, going back to the old practice of not having the committees meet while the Parliament is sitting. It is totally inappropriate for committees to meet while Parliament is sitting, and we must make sure that that does not happen again. It has been eliminated only in the past few weeks, and we need to make sure that that situation continues. I believe some extra expense will be involved in the long term. There is no doubt about that. I know that the subtle way to do it is to bring the legislation in now and say that we have enough resources available through the committees that exist and other facilities in Parliament House to be able to have these committees carry out their role without much difficulty and no increase in costs.

I believe there will be an increase in cost, but I think the way to find the money for that is very simple. All we have to do is get rid of about half the minders who hang around Ministers, sitting in the galleries and other places on a regular basis waiting for little gimmicks and doing virtually nothing. If we move those minders aside and use the money we save by getting rid of them, we will have enough money to fully equip these committees in a proper way.

The member for Hanson made a very good point earlier when he said that, as Chairman of the Public Accounts Committee during the Tonkin Government, he asked for an extra research assistant for that committee, and that request was granted. We all know that it will be only a matter of a couple of years at the most before committees will start saying, 'We don't have time to do all the research; we need a research assistant.' If members cannot even turn up at meetings to provide a quorum, it is quite obvious that they will be unlikely to find the time to do the research in the way in which they carry out the workload in their respective electorates. I do not say that in a discourteous way, because many members have a large workload. Compared with their Federal colleagues, who have three or four staff to carry out duties in their office, State members have only one person, who has to be a research assistant, a receptionist, a typist and someone who copes with all the challenges that come into the office if the member is not there.

So, it is obvious that there is a need to provide more staff somewhere in the system. I have always argued that each member should be given a junior for 12 months in order to give them experience. At the end of the 12 months, they will know that they are finishing and, most probably, they will find a job with someone who has come into the member's office. That junior could help and would not be a very expensive employee for the Government. If that junior got another job before the 12 months was up, another junior would come in, but at worst the junior would be in the office for 12 months and would have gained some experience.

**An honourable member:** From the bureaucracy?

**Mr S.G. EVANS:** Not necessarily from the bureaucracy. If they want to get a junior from the bureaucracy, I am

happy with that or they could bring in someone from outside—I do not mind, but I would prefer someone from outside.

**An honourable member:** Just one?

**Mr S.G. EVANS:** Yes, just one junior in each member's office. If a member did not want a junior in the office, well and good, but I believe that many members could use a junior to help in the office. It would cost some dollars—I do not deny that—but it would be nowhere near as expensive as some of the minders who, at present, would not do as much work in a year. Since 1974, I have raised this matter with Mr Corcoran, an ex-manager of the House, who was in charge of staff at one time. It is not a matter that I run away from; it is a matter I raised with Mr Corcoran in the past. Other members know that I have done this over the years.

I know that it is not likely to eventuate until the State gets back into an area of credit and does not have such a big deficit, but I put this matter on record so that down the track—whether it be in one, two, three or five years—the opportunity may be there. I agree with a lot of what the member for Mount Gambier put before the House and I support his propositions. Of course, if the Government rejects in total those sorts of suggestions, I do not believe that this committee system will work or that it will become effectively operative.

**Mr HAMILTON (Albert Park):** I support the Bill before the House to review the parliamentary committee system, but before addressing this matter I should recognise a number of people, particularly with respect to the years in which I have been involved with the parliamentary Public Accounts Committee. When I joined that committee—and I must be frank—I did not have a great understanding of how the Public Accounts Committee operated in South Australia.

**Mr Atkinson:** You do now, Kev.

**Mr HAMILTON:** I hope that my colleague is right when he says that I do. I now know a fair bit about it. I would like to give some recognition to chairpersons who have gone before me, and particularly to the secretaries and research staff, because there is no doubt that those people play a very important and integral role in the running of the committee system. In my experience, the capacity of these people is quite profound. Many of them will sit up all night and into the early hours of the morning in some cases to provide information, briefing papers and reports for members of the committee. From your time on the committee, Mr Acting Speaker, you would understand the problems associated with it.

I also recognise the bipartisan approach of the present committee: the member for Mount Gambier, the member for Hanson, and my two parliamentary colleagues (the member for Henley Beach and the member for Hartley). Collectively their input has been very good. I cannot recall one occasion on which we have had heated words over any particular report that has been brought before the Parliament. I believe that we try to accommodate one another's views. At the end of the day, when the reports have been brought down, we have not had, and I do not see this occurring in the life of this Public Accounts Committee, a minority report. I can perhaps understand why minority reports are brought down, but I believe that a bipartisan approach by the committee, as was demonstrated in previous committees under Chairman Klunder and others, shows that where there is a will there is a way. I believe that this committee has worked very effectively. The sec-



retaries do a sterling job, as do the research staff. I shall come back to that later.

The new parliamentary committees, which I support, are long overdue. Whilst I have some reservations about the Bill, I believe it is important that this legislation should go through. I have also taken into account the comments of the member for Mount Gambier, which have been echoed by many members of his Party. Obviously there is a hidden agenda in what they have been saying. They may say that is not the case, but I believe they would have discussed this matter in their Party forums and that they have a hidden agenda in terms of this Bill. Only time will prove whether or not I am correct. I believe that the Bill will enhance the process of keeping the Government under scrutiny. You, Mr Acting Speaker, would understand the traumas I went through when I first served on the Public Accounts Committee in my efforts to prove that I was trying to enhance and retain the bipartisan approach of that committee. Like my colleagues, I believe I have tried to do that throughout the life of this committee.

In a paper dated 23 May 1991 that I provided to the Australian Public Accounts Committee, I identified some of the issues pertaining to the new Public Accounts Committee which is now to be called the Economic and Finance Committee. In Darwin this year, I stated that the broader scope of the Bill includes:

- (a) any matter concerned with finance or economic development;
- (b) any matter concerned with the structure, organisation and efficiency of any area of public sector operations or the ways in which efficiency and service delivery might be enhanced in any area of public sector operations;
- (c) any matter concerned with the operations of a particular State instrumentality or whether a particular State instrumentality should continue to exist or whether changes should be made to improve its efficiency and effectiveness; and
- (d) any matter concerned with regulation of business or other economic or financial activity or whether such regulation should be retained or modified in any area.

I went on to say:

There will be four complementary parliamentary committees which in aggregate cover the full range of State Government activities from a wide range of perspectives. The other three committees will be:

- Environment and Resources Committee (incorporating Public Works Committee),
- Legislative Review Committee (covering law and order functions of Government and incorporating Subordinate Legislation Committee),
- Social Development Committee (covering health, education and welfare, arts, culture and quality of life).

Provision is made explicitly for the committee, as it sees fit, to publish on a subject it is investigating prior to reporting to Parliament. Ministerial responses to reports will be required within four months.

Sections of the Royal Commissions Act are incorporated. The Bill, however, additionally states that the provision of certain royal commission powers 'does not derogate from the powers, privileges and immunities that a committee has as a committee of Parliament'.

The Bill explicitly provides immunity from judicial review of the committee's proceedings, reports, recommendations and published documents.

I do not intend to rehash the statements made by my colleagues. However, I hope that the Bill, as it comes from the Upper House, will, above all else, provide appropriate funding to enable these new committees to operate effectively and efficiently. It is no good just changing the name of the committees and adding a couple more members. They must operate efficiently and effectively.

The new committees will need additional funding, I believe, but I may be proven wrong on that. It will be interesting to see how that matter is dealt with, and the end result. The new committees will also require research staff

with expertise in particular areas, to research particular subjects and information that is required by members of the committee. Without that specialist staff I do not believe that the new committees would be able to function as efficiently and effectively as they should.

The Minister's second reading explanation indicates that staffing arrangements will have to be negotiated. I have some reservations about this, but I will not belabour the point. I do not wish to make any reflection on anyone who may be interested in this field. However, perhaps for a short time staff currently employed by the Public Accounts Committee, who have a comprehensive understanding of how the committee has operated in the past, will be needed.

There is a wealth of information available in the minds of these people, and I believe that we need that continuity so that those others who come onto the committee will be able to seek out that information. As we would all appreciate, the information is not all stored in books or in documents; much of it is stored in some person's head. That is a very important part of the review of this committee.

One other matter that was discussed here was the rehousing of the committee in Parliament House. I have been in this place since 1979 and, like a number of my colleagues on this side of the House, I am at a loss to understand where those people would be housed. If we are to rehouse the committee, I believe it should be in modern accommodation with all the necessary tools and, perhaps, an extension of the equipment and associated computer information, in an office which is not cluttered but which is conducive to carrying out research.

With the greatest respect to some of the people who have to work in this place, I need only look around the corridors, for instance, to see the type of conditions under which our staff operate. I do not believe that that should apply to the Public Accounts Committee, because the amount of money that can be saved by some short-term measure, in my view, would be far outweighed by providing the necessary accommodation and equipment to the committee. I believe that in the long term those provisions would assist the committee. In many cases, as we all know, when we start talking about some of the things that could have been, if under the Public Accounts Committee Act we had had the power to investigate the likes of the State Bank, WorkCover or SGIC, many of these problems could have been averted.

*Mr Ingerson interjecting:*

**MR HAMILTON:** I will ignore the honourable member opposite, and be kind, because I know it is his birthday today, and I wish him 'Happy Birthday'—but I will not be saying that tomorrow. I come back to the question of funding, which is the bottom line. If we are to service the public, as I read from the Bill, for the public to have access to this committee I envisage that the range of the committee's activities—if, as it has been stated, it is an Economic and Finance Committee with far-reaching powers—will increase quite dramatically. The question of funding is critical, as is the issue of staffing. I am aware of political reality: I believe that members of this foreshadowed committee may well need to put pressure on the Government to provide those additional resources. As members well know, this question has been in my mind and I have commented on this issue. I hope that no deals have been done in relation to changing the Bill. However, having a cynical mind, I believe that there may well be attempts.

*Members interjecting:*

**MR HAMILTON:** I know, it probably hurts. Nevertheless, I believe that there are people who, over the years, have had a hidden agenda in terms of the Public Accounts Committee. Only time will tell.



*Members interjecting:*

**Mr HAMILTON:** I listen to the laughter of members opposite, but there is no question in my mind that they have other views about it and, despite what some may say about their support for the Public Accounts Committee and the Economic and Finance Committee, I believe that in the forthcoming months they will be exposed for what they are. The hypocrisy will show through. I believe that some people are looking out for their own pockets and not looking at the benefit of the committee to the Parliament and the people of South Australia.

**Mr BRINDAL (Hayward):** This is essential legislation, which I support most strongly, as I have long argued that we need to escape the iron claw of an Executive which sees the only purpose of this Chamber to be once in four years to determine that it may continue to be the Executive. Before I turn to the substance of the Bill, I would like to comment on a few of the matters raised by the member for Albert Park who has just spoken. He said, and I concur with him, that any committee of this House should have modern office conditions and all the necessary tools at its disposal.

There would be few members in this place who would not concur with that, so I call on the member for Albert Park and other members opposite to see that this Parliament is suitably upgraded. It is a nonsense that members opposite can argue for modern accommodation and proper tools for committees of this Parliament while ignoring the fact that this Parliament is falling into decay and disrepair.

**The SPEAKER:** Order! I remind the honourable member that the debate must be relevant to the Bill before the House.

**Mr BRINDAL:** Mr Speaker, with respect I was speaking about accommodation, which matter was raised.

**The SPEAKER:** I understand that the honourable member is speaking about accommodation. To which clause in the Bill is he referring?

**Mr BRINDAL:** The same clause, Mr Speaker, as the member for Albert Park, who has just resumed his seat.

**The SPEAKER:** Order! I draw attention to the fact that there is nothing in the Bill relating to accommodation.

**Mr BRINDAL:** Mr Speaker, I thank you for your correction and, in the light of your kindly advice, I will leave that point. Nevertheless, other members and I have spoken at considerable length about the disregard that this Government seems to hold for this Chamber, which is called together too little, in fact, as rarely as possible, in my opinion, to conduct too little business. I refer to that because this Bill seeks to set up committees that will have far wider ranging powers to meet, and to meet when this House is not sitting, and to serve this Parliament well by fulfilling those functions which rightly belong to this Chamber but which the Executive Government seems determined to have taken away from this Chamber.

Therefore, I applaud the Bill, and I commend the honourable member who introduced it. It is an irony and perhaps a great benefit to the people of South Australia that this House should be so finely balanced as it is in this forty-seventh Parliament, because I doubt that, had the Government enjoyed the majority it enjoyed in the last Parliament (or, frankly, had we enjoyed such a considerable majority on this side of the House), we would be considering this Bill or any Bill like it. Because this House is so evenly balanced, this Bill can be debated, and this Chamber once again has become a legitimate debating forum of the people. I, for one, applaud that on the people's behalf.

In the last Parliament, the forty-sixth Parliament, this House became little more than a forum for the Government of the day, and the people were largely ignored. If now, through the member for Elizabeth and the Speaker, the people have regained a voice, it is to the benefit of the people. I have spoken before in this Chamber about the dominance of the Public Service and, through the Public Service, the dominance in this place of the Executive Government. Too often we are not given the time or the expertise to properly question the functions of Government, and if any of you—

**The Hon. T.H. HEMMINGS:** On a point of order, Mr Speaker.

**Mr BRINDAL:** If any members opposite—

**The SPEAKER:** Order! Has the honourable member a point of order?

**The Hon. T.H. HEMMINGS:** The honourable member referred to members on this side as 'you'.

**The SPEAKER:** Order! There is no point of order: the honourable member corrected himself. However, reference to members of this place must be to their electorate or to the position they hold.

**Mr BRINDAL:** Members opposite should be aware (and, if they are not, I suggest they read the daily morning or afternoon paper in this State and they may become aware) of the duty that this House has towards the people in monitoring the government and semi-government authorities of South Australia. During the forty-sixth Parliament many of those statutory and semi-government authorities seem to have failed, and rather badly. That this House was not capable, in that time, of monitoring them stands to the condemnation of that Parliament and speaks loudly for the need for the sorts of committees here so well proposed by the member for Elizabeth.

The member for Coles, my friend and colleague, and I have often, to the mirth of the member for Spence, referred to parts of the chapters of the development of parliamentary democracy such as the Bill of Rights and the Magna Carta. The member for Spence sought to make fun of us the other day and, as I said at the time, he completely forgets that they were part of an evolutionary process in the democratic form of Parliament that we enjoy. This Bill, which sets up new committees, is another necessary step in that democratic process and evolution of the Parliament in this State, and it is most commendable because it allows the Parliament and the people of this Parliament, through specialist committees, to draw on expertise and to examine carefully matters that the forum that this House provides does not enable us to consider as well.

The rising predominance of the Public Service, allied with the highly specialised function of Government and of arms of the Public Service, make it necessary for this House to evolve committees that are capable of examining the highly specialised functions and complexities that are now part of the Government of the day. Unless this Chamber evolves sensitively in line with the new needs of a modern society, it will not evolve properly in terms of the parliamentary process and we will end up serving the people less well than we should.

The Bill is an important step forward for this Parliament, if it accepts these committees, and I note with great approbation that the Government as one rises to support the

member for Elizabeth; some weeks ago some members seemed to be rattling around and were very worried about the new committee process. Yet, they have found new zeal and courage. One is only led to speculate as to what might have given them both new zeal and new courage. But, for whatever reason, they develop the great incisiveness. They are to be commended.

Greed is perhaps one of the most basic of all human emotions. Of course, it would not be for me to impugn the motives of any member of this House. I did not think that I really heard an element of greed in any of the speeches, but I counsel members opposite that what we are considering here is not the best interest of members who may have served on committees for a long time, but the best interests of this Parliament. If we are to consider this committee Bill carefully, I implore all members who have been long-standing members of previous committees to judge the Bill on its merits and to accept or reject it on its merits rather than on what they may see as a new place in the sun for them.

*The Hon. T.H. Hemmings interjecting:*

**Mr BRINDAL:** The member for Napier interjects quite wrongly that we are the ones who are changing it. Through you, Sir, I respectfully remind the honourable member that no member in this House changes anything. It is the will of the House that changes legislation. It is the entirety of this place on a vote of this place that changes it.

*The Hon. Jennifer Cashmore interjecting:*

**Mr BRINDAL:** The member for Coles interjects that I should say that to the member for Elizabeth. I suggest that the member for Elizabeth knows more about numbers than many people in this House. I do not think I need to teach him that lesson. In fact, he could teach many of us quite a number of lessons.

One point I would like to make, and which I will raise in the debate, relates to the tenure of officers. There seems to be great concern, again among people who have served on previous committees, about the nature of the tenure of the officers and about who should or should not employ them. I do not pretend to come in here and know the answers, because I have not served on the committees. However, one thing I put forward for consideration in this House is that the tenure of the officers should equate to the tenure of the Parliament. I am a great believer that if a committee appoints an officer, that officer should have the tenure of the Parliament. I do not believe that it is within the purview of any committee to employ an officer who, for the next 20 years, is inflicted on every subsequent Parliament and every subsequent parliamentary member of that committee.

For instance, had I the responsibility, I might well pick the member for Napier as a research officer suitable to serve one of these committees in the next Parliament. However, members in the next Parliament might not want the member for Napier inflicted on them. That would be their choice. He should have a tenure commensurate with the tenure of the Parliament and, if and when there is another Parliament, that tenure should either be renewed or the officer should be replaced, in much the same way as the Minister at the table delights in replacing principals every five years. If they do not do the job or suit the needs of the department, they have a five-year contract, and on the expiration of that contract they have to win a new one. I commend to the House the idea that the Minister has used in the Education Department and, if it is good enough for great sections of the Public Service, it is good enough for the committees of this Parliament.

I will not disappoint the member for Napier. He has told me he hates it when I sit down without quoting something. I did not think there was anything relevant to quote, but as I stood and watched the member for Napier I was reminded of that valiant old warrior, Ulysses. My thoughts strayed from Ulysses to King Arthur. Perhaps he reminds me less of King Arthur and a bit more of that wizard Merlin. Nevertheless, as King Arthur said when he lay dying, 'The old order changeth, yielding place to new lest one good custom should corrupt the world.' I commend the member for Elizabeth and I commend this Bill to the House.

**Mr S.J. BAKER (Deputy Leader of the Opposition):** I, too, congratulate the member for Elizabeth on his initiative in bringing this Bill before the House. It is fair to say that, over the nearly nine years that I have been in the Parliament, I have watched the work of committees with a great deal of frustration. I believe they have not served the Parliament well and that they do not have the proper structures which can service them into the '90s or the next century. It is therefore appropriate that we should review the whole committee structure. There may well be some differences in the way I would approach the committee system, but the member for Elizabeth has taken the initiative and should be congratulated for doing so, because he is addressing an area of need.

There is an outstanding need, because what we have today is absolutely insufficient, and it reflects on the inadequacies of the Parliament itself and the structures of State Governments. We are under threat. People are more and more looking at State Governments to see whether they are relevant in this day and age. Much of their disquiet about State Governments flows from a lack of capacity to perform at an intellectual level, at a level where people want to see State Governments actually telling them for very good reasons how things should be done. Rarely do we see that, because few people are properly equipped to provide such answers. It is a complex world out there. When I joined the Parliament in November 1982, I had much time on my hands. That time was spent door-knocking and on parliamentary duties; I also did research into areas that I wished to pursue, and assisted in some of the shadow ministerial areas. That was then.

Today, I find that I hardly survive day after day because of the sheer complexity and volume of material that passes over my desk, and I am sure the same applies to every member of this Parliament. Frankly, I do not know how members survive in marginal seats or in seats with considerable social problems. I do not know how they meet their commitments. I believe they are probably getting drowned to the extent that for their survival they are throwing away much of the material from the life raft, and doing only those things that are necessary to keep them on the life raft. That is not good enough.

We have been appointed by the people of South Australia to do a job. To assist us in this process, it would have been appropriate if we had been provided with research assistance. That is a very essential part of the performance of the duties of any member, yet the Government has denied the Opposition that assistance. However, it has not denied itself in terms of its own ministerial assistants, and that is a reflection on the Premier and the Government of this State.

When I look at the committees, I am reminded that they are of longstanding. The Public Works Standing Committee has existed for 64 years, the Public Accounts Committee for 18 years, and the Industries Development Committee has existed for 50 years. These committees have remained

largely unaltered over that long period of time, but they really do not serve the purpose for which I believe they were originally established, namely, to play a proper watchdog role and to provide assistance to the Parliament.

On both scores, I believe that they are now absolute and utter failures. We have the situation where the product delivered by those committees is highly dependent on the Chairmen thereof. It is time that we thought about how those committees can function in a constructive manner and not be manipulated by the Government of the day. That is not necessarily guaranteed under the Bill, but it must be addressed. Otherwise, the committees may change their name or a little of their texture, but they will surely fail.

The committees themselves are not accountable in any way. They are set up as a body which can perform in a fairly mediocre fashion or perform great deeds. Over the 8½ years I have been in this Parliament, and over the 28 years during which I have had an intense interest in parliamentary matters, it is my observation that mediocrity, rather than initiative, excellence and accountability has been the order of the day.

The problem with committees, of course, is that they depend very much on the Chairperson. I know that the member for Hanson was a real terror when Chairman of the Public Accounts Committee. He pursued without fear or favour the matters that were important. Indeed, he caused some considerable embarrassment to the Tonkin Government in the process.

*An honourable member interjecting:*

**Mr S.J. BAKER:** He did indeed. So, he made the committees work. I am also reminded that the present Minister of Emergency Services at one stage took up the cudgels with the Public Accounts Committee and provided a real service to this State, because he looked at some areas that really needed to be redressed, upgraded and reformed. He did so without fear or favour, with some embarrassment to the Bannon Government. They are just two short periods in my life in this Parliament that I can remember when these committees performed in the way in which they were designed to perform. We are wasting our time and our energies if we believe that those mechanisms which were put in place 64, 54 or 18 years ago are appropriate for today's needs.

By looking quickly at the processes that are followed by the committees, we can see whether or not they are being circumvented or are working well. If a project exceeds the budgeted figure by 10 per cent, it is supposed to be referred back to the Public Works Standing Committee. However, as has happened with the Entertainment Centre, part of that project, or even the provision of equipment, can be taken away from the main body and treated as an ancillary part, thus avoiding the rules of accountability in terms of having to refer the project back to the Public Works Standing Committee. Part of that watchdog role of the Public Works Standing Committee is being flouted by the administrators and is not being enforced by the Chairman.

As I mentioned previously, it is relatively simple to keep the Public Accounts Committee running without taking any initiatives of any great order. We are seeing that today. The Public Accounts Committee has virtually been wound down to an inconsequential body, which is not doing justice to itself or to anyone else.

First, we all know that the Subordinate Legislation Committee has performed a useful role in the past in terms of its oversight. However, again its ends become circumvented because of technicalities such as the need to reject all the regulations rather than part of the regulations if the Parlia-

ment or that committee finds that they are deficient. Secondly, sometimes the positions that are taken do not assist the cause. So, on all counts, I do not believe that those committees serve us particularly well or that they have passed great credit on to the Parliament. That is not to say that the new committees will do what I believe they should. However, they have the potential and, if we start out with the right will, at least they will have an opportunity to operate effectively.

In looking at the sorts of areas which committees of this type could examine, one is reminded of the current fiasco involving workers compensation. I spent many months researching occupational health, safety and welfare and workers compensation. The inevitable conclusion that I drew from reading mountains of literature and from visiting a number of overseas countries was that the workers compensation scheme that we have in place today simply could not work. In fact, I felt that it would lead to great hardship and detriment in our State for both employers and employees alike.

At that time, I could not convince the Government of my stance, as I think I was probably the only member who had actually done a very large amount of research on the subject. A political decision was made on the basis of very inadequate evidence. Indeed, if that matter had been referred to a standing committee, it may well have been able to do the research necessary for the Government at least to become acquainted with the pitfalls for which it was heading, so that at least it would have made political decisions on the basis of fact rather than fiction, on good research rather than hearsay. So, workers compensation may have been a very appropriate subject to refer to a standing committee.

We can look at matters of the environment and the associated complexities in the mad rush to somehow be seen greener than green, whether we are talking about the planting of a billion trees, recycling or eliminating waste in a whole range of very complex areas. Perhaps we have failed to recognise some of the pitfalls and some of the adverse impacts we have caused in areas that we have been polluting for many years.

In this political process we do not necessarily seek the right answers; we take a political stance because there appears to be a demand that we should be doing something about the environment irrespective of whether or not it will make any difference. For that reason, it would be far better if we had some intelligence within the Parliament involving a bipartisan intention to get closer to the truth than we have in the past.

We could have looked at legal complexities or at areas of youth crime and spent more time diagnosing the problem rather than giving political quick fix solutions. That would have been to the credit and not to the detriment of Parliament. We could have done things with greater knowledge if those committees had worked as I hope these new committees will.

In terms of the sorts of areas that may either assist or hinder the progress of these committees, I point out that the Parliament is sitting less and less, having sat last session for 49 days. That is a disgraceful situation, for which the Parliament and the Government are responsible. If we cannot find another 50 days on which committees should be required to sit, there is something drastically wrong with the system. I believe that the taxpayers have a right to question whether State Parliaments and Governments are serving them in the way in which they believe those institutions should. There is plenty of time—not a lack of time—for standing committees to perform their functions. We do not need to overlap with the sitting of the Parliament or

insist, as would the member for Napier, that committees should meet during the sittings of the Parliament—there are other opportunities.

I first became interested in parliamentary committees when I read some of the reports handed down by Senate standing committees. Two of my favourites, going back over many years, were the Science and Environment Committee and the Science and Technology Committee. My good friend, Don Jessop, a former Senator for South Australia, sat on those committees and provided me with reports. I was impressed with the quality of the information they contained and with the research that had gone into them. I was really impressed with the recommendations contained in those reports. Although the areas they addressed were never pursued in a way in which I would have liked, at least the Parliaments of the country had a sound base on which to make decisions.

I remind members about the progress reports on the continuing salinity of the Murray River. These very important reports were not taken up in a strong and constructive way because we were dealing with States' rights, and that in itself took away from the capacity of the recommendations in those reports to be implemented. We are now reaping the benefit of that neglect by the States of Victoria and New South Wales in particular and, indeed, even here in South Australia because there are some matters that we did not clear up at the time they were highlighted in the report of the Science and Environment Committee. Literally hundreds of reports have been made by Senate committees. I recommend relatively new members of this Parliament to look at the Register of Senate Committee Reports, 1979-1990, and pick out one or two just to look at their quality.

Some marvellous things have been and are being done by parliamentary standing committees. I remind members that the Statutory Authorities Committee, which we seek to establish in the Upper House, is important. It has been on the Liberal Party's agenda for the past six to eight years. It is part of Liberal Party policy that a standing committee of that nature shall be set up in the Upper House where members may have more time to address those issues than we in the Lower House have because we have constituencies.

There is a question about the adequacy of staffing, and most members have already spoken about that. There is the question of independence, and we must come to grips with that over time. There is also the question of cost. It is important that we should look at the costs and ensure that there is no additional burden on the taxpayer. We should also look at the encouragement that should be given to those committees to ensure that they work, irrespective of which Party is in power.

There are many challenges. The Bill does not prescribe how the committees will perform. It sets a framework in which they can perform. I trust that they will be given the necessary teeth and be armed with the necessary parliamentary and research personnel to carry out their jobs properly and do justice to the faith which will be bestowed upon them by the Parliament.

Whilst I cannot overwhelmingly endorse the Bill, I believe that we are now meeting our obligation. We are upgrading and setting in train a new system of committees which can assist the deliberations of the Parliament and take out some of the politics from areas where I think we could do with more knowledge and getting together than we have had in the past. I feel confident that we are heading in the right direction.

**The Hon. G.J. CRAFTER (Minister of Education):** I thank all members who have contributed to the debate on

this measure. Members who have served on committees over the years obviously have a very real contribution to make on the developments proposed in this measure. They have recounted their experiences in an attempt to ensure that the legislation will serve this Parliament and the people of South Australia well. I must admit that I have never served on a parliamentary committee. On the first two occasions that I came to this place—both as a result of by-elections—there were no vacancies on the committees and no-one wanted to stand down to give me a seat, not even on the Printing Committee which, I am told, is not entirely onerous. As a Minister and member I have had a lot to do with committees over the years. Obviously, this measure has encapsulated the changing role that committees play in the life of our parliamentary democracy in ensuring that the checks and balances that exist within our constitutional structure are well oiled and effective.

I point out to members that this Bill, although it is in a slightly amended form, was introduced into the Parliament earlier this year, in fact in April, and was allowed to lay on the table during the winter recess. It now comes to us, as I said, in a slightly amended form. It is part of Government policy and was announced prior to the last State election, and I referred to the statements that were made at that time in my second reading explanation.

It is interesting to note that the Bill has had somewhat of a chequered career with respect to the interest of the Opposition, and the Government is pleased that the Opposition now is keen to see this reform take place. It is interesting to note that a discussion paper was prepared for the Joint Select Committee on the Law, Practice and Procedures of the Parliament, which was established in 1983 by the Attorney-General and which met on a number of occasions, but unfortunately the Opposition in this House did not respond to any of its recommendations and the work of that select committee lapsed following the 1985 election.

There has not always been a great deal of interest by members opposite in reforming our committee system, and it is now pleasing to see that there is some enthusiasm from the Opposition for the reforms that we currently have before us. It is obvious, from the speeches that we have heard this afternoon and this evening on this matter, that the work of committees and the involvement of members in committee work goes very much to the heart of the role of members of Parliament, particularly to the role of the Opposition and backbenchers. Obviously, much benefit is derived by members not only in relation to their own personal satisfaction in their role as members of Parliament but also in their own development of knowledge of areas of government, public concerns and approaches that can be developed to meet the needs of the community, and indeed to embrace the concept of accountability in an effective and satisfying way.

The community places great store in our role as persons who can provide accountability, as I say within the checks and balances of our constitutional democracy. That role of accountability is often blurred for members, and this committee structure perhaps more clearly focuses on that important function, albeit only one that members are asked to perform.

It is important to echo the words that I notice were referred to in a number of the speeches of members from both sides of the House. It should be pointed out that this committee structure should not become an alternative to Parliament but an important part of the Parliament itself. The committees report back to Parliament and should not

assume a life of their own. I quote from my second reading explanation, where I said:

It will not become an alternative to government as there is not and should not be any requirement for Government to submit all and every decision to a committee for approval. Committees which are set up purely for the political purpose of harassing Government and making government more difficult, do not enhance decision making. A responsible committee can however assist the decision making process and good government.

I should also quote the words of Mr Justice Kirby, a former Chairman of the Australian Law Reform Commission, who said:

Public and expert disillusionment with the Parliament is a serious disease which we should seek to check. The other branches of Government (the Cabinet, Judiciary, etc.) are the elite elements in our form of government . . . Only the Parliament, with its diversity of members, grafts on to our system the variety of talent and views which partly reflect the mass of the people. Unless we are to give up the notion of democratic government as nothing more than a triennial vote for the people, we should all be concerned to arrest the declining fortunes of the institution which reflects our diverse democracy.

There is in that a salutary warning from that eminent Australian about the importance to us all of rejuvenating the Parliament, the parliamentary process and its status in the community as well as the status of members of Parliament themselves. This Bill in no small way helps to tackle each of those challenges. We should never forget how fragile parliamentary democracy is. We see people seeking it and thirsting for it in the Soviet Union at the present time. We saw how fragile it was when it was taken away from the people of Fiji by a simple act of officers of the armed forces arresting the Cabinet at gunpoint within the parliamentary buildings, and so ended parliamentary democracy in Fiji.

We in this State and in this Parliament, I understand, enjoy the sixth longest continuously serving parliamentary democracy in the world. All too often that is taken for granted, not only by us but by the community as a whole. I will touch briefly on some of the more specific matters that were raised during the debate, and deal first with the role of the Industries Development Committee. The role and function of that committee have been retained, albeit within the new structure proposed under this legislation as an important and valuable means of determining the wisdom or otherwise of using State resources for particular State development purposes.

The committee has been linked, through common membership, to the Economic and Finance Committee, because of that committee's role in the scrutiny of public finances. It is believed that the work of the IDC is best continued under the guise of the Economic and Finance Committee and its link through common membership. It should be put on record that the IDC has been a particularly effective and successful committee that has served respective Governments well over the years. The nature and structure of that committee should not be lost in this process. Certainly, it is the Government's intention to continue the work of that committee, albeit in this new form.

The crucial element of all the work of committees is what is actually achieved from the reports that are brought back to Parliament. Here, a much closer relationship is developed between the work of the committee, its outcomes and the action that is taken as a result of those outcomes. Once a report has been completed, it is to be laid before the Parliament and submitted to the relevant Minister, who will be under an obligation provided in this legislation to respond to a committee's recommendation. The articulation between the work of a committee and the administrative arm of Government, through the responsible Minister, is a vast improvement on the more informal structures we have in

place at the present time. That mirrors much of the thinking that is embraced in this legislation.

The other element raised by a number of members during the debate is the issue of resources. There is somewhat of a mystique that, the more resources one has available, whether a person is a member of Parliament or a member of a committee, the more effective the work will be. There is a basic fallacy in that argument but, of course, there needs to be an appropriate resourcing of these committees, and that is mentioned in the second reading explanation. I will reiterate that for the information of members, as follows:

It is envisaged that each committee would be serviced in a secretarial or administrative manner in much the same way as the existing committees are. This may also apply to research staff where the capacity exists. However, where that capacity does not exist within the Parliament or where specialist knowledge is required, the committees may approach the relevant Ministers for appropriate staff, again in much the same way as select committees do now. In addition, the presiding officer of a committee may seek the approval of the President and/or the Speaker for consultancy funds, should they be available within the allocation provided for the administration of Parliament.

This cooperative approach to the servicing of the committees' work should ensure the best utilisation of existing resources. Should there be a need to reassess the operations of the committees after they have been operating for some time, the Government would be prepared to entertain a submission from the presiding officers of the two Houses.

I should also add this comment that is also in the second reading explanation:

It is hoped that this reform of the committee system will encourage parliamentarians to build up specialised knowledge in particular policy areas and be conducive to an improved public debate on important community issues.

That is a message that we could all reflect on, and it is all the more evident in the Commonwealth Parliament where there is a much larger number of members and where there is clearly much to be gained from those members who use their particular expertise and acquired knowledge in particular areas of policy to great advantage in debate, in committee work, in research papers and the like, which are very much a feature of the Commonwealth parliamentary forums.

The member for Eyre referred to his involvement in other parliamentary committees and hoped that the structure that we have before us and the establishment of these committees will not overshadow the work of existing parliamentary committees. In particular, he referred to the Maralinga Tjarutja parliamentary committee and the Pitjantjatjara lands parliamentary committee. They are both statutory committees that obviously fulfil specific functions as determined by respective statutes of this place. Of course, they will continue in the same form, very much dependent on the commitment of the members who comprise those committees and the tasks that they assign themselves to perform and their reporting functions to this place and to the communities that they are assigned to serve.

I guess that all other parliamentary committees, whether statutory or otherwise, will continue to function as they do now, and perhaps, as time goes on, each of those committees will reflect on their own effectiveness and whether they also require review in the future. I think I have covered many of the points raised in the debate, but perhaps not all of them. I note that the member for Mount Gambier, on behalf of the Opposition, has foreshadowed a series of amendments to be introduced in Committee, and I also foreshadow a brief amendment in Committee to improve the measure before us. I commend the Bill to all members.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Interpretation.'

**The Hon. H. ALLISON:** I move:

Page 1, lines 22 to 25—Leave out all words in these lines and insert:

‘appointing House or Houses’, in relation to a committee, means the House or Houses, as the case may be, by which members of the committee are appointed’.

I had originally hoped and intended that the insertion of Part IA ‘Statutory Authorities Review Committee’, would be the principal amendment to which I would be speaking. The minor clause we are now addressing is consequential upon the subsequent amendment. I do not intend to speak on the membership of the committee or functions of it, as I have already aired my views as have other Opposition members, at some length in the second reading debate. I will not speak at great length. However, I listened almost with amazement to some of the comments expressed by the members for Albert Park and Napier, who inferred that there was a hidden agenda or that deals had been done. I simply remind them that it is members on the Government benches who worship at the shrine of Independent Labor. No candles will be lit on this side of the House and no deals have been done.

As I said earlier during the second reading debate, the amendment standing in my name as a test case (and on which I intend to divide) is a straightforward and simple enunciation of Opposition policy. It is long-standing and has been on our agenda for some nine years. The Hon. Robert Lucas in another place has, as members will be aware, expressed a considerable amount of concern about the role and number of statutory authorities in South Australia. They are so numerous that it has been almost impossible to list all of them accurately. Our amendment is designed specifically on principles which I believe that all members should accept.

The first principle is that we would be looking to sharing the load and sharing reimbursement (probably not too popular a suggestion with members on the Government benches, as I discovered earlier when I floated the idea). However, members on this side did not demur when I put that point to them. I was delighted with the pragmatic approach taken by all members in our Party room. We also have the principle that, if you have more members taking part in these committees, more members should be able to do more work—a spreading of the load. I commend the amendment to the Committee. It is an expansion at no cost, which again is an important factor. The Treasurer would be very interested to learn that that is the proposition.

How can members opposite take such a quixotic approach, seeing enemies behind every suggestion that we make, tilting at windmills and fencing at shadows which simply are not there? The principles are plain, simple and clear and the establishment of a fifth committee is really designed to further expand and improve upon the operations of the House. The suggestion that statutory authorities might be the sole purview of the Legislative Council, as was suggested by the member for Napier, is quite incorrect. No amendments have been suggested by me for the operations or functions of the Economic and Finance Committee, which would still be able to enter into examination of any of those statutory authorities. The controlling factor in all of this is that the principals, the President of the Upper House and Speaker of the Lower House would exercise the power vested in them (in a later clause of the Bill) whereby they would determine whether or not there was unnecessary duplication.

So, while the Statutory Authorities Review Committee would be largely the responsibility of the members of the Upper House, it would certainly not prevent the Economic and Finance Committee from entering into any examination

if it thought fit. In clause 6, even had paragraph (a) (iii) been amended, (i) and (ii) still allow the Economic and Finance Committee to examine any matter concerned with finance or economic development. That committee has a very wide scope. I commend this amendment to the House in the hope that members will see reason and will see fit to expand the number and role of the committees.

**The Hon. T.H. HEMMINGS:** I oppose the amendment. Perhaps at this point I should apologise to the member for Mount Gambier as regards his surprise when members on this side suggested that there was a deal between the Liberal Party and the Australian Democrats to enable the Australian Democrats to get a position on the committee. The reason I apologise is that the member for Mount Gambier has said twice—once in his second reading speech and subsequently in speaking to his amendment—that there would be no cost, a sharing of the load, and so on. He implied that members on this side were opposed to a Statutory Authorities Review Committee because the payments to committee members would be organised so that we would not have to spend more money. I think that is what the member for Mount Gambier was saying.

If one looks at the schedule—and hopefully the member for Mount Gambier has looked at it because it is his responsibility on behalf of the Liberal Party to put that change in the schedule—one will see that it tacks on to existing positions in the Bill and it gives the same percentage of salary. Mr Chairman, I know that I am breaching the Standing Orders in talking about a particular schedule before we come to it, but I think it is relevant that in this case we look at the schedule. On page 11, after ‘Other members of the social development committee’, the figure of 10 per cent appears and we insert ‘Presiding Officer of the Statutory Authorities Committee’, 14 per cent. They are exactly the same as ‘Presiding Officer of the Social Development Committee, 14 per cent’ and ‘Other members of the Statutory Authorities Review Committee, 10 per cent’. I did not exactly excel in maths, but the way I see it, that is additional moneys coming out of Consolidated Revenue to pay for this other committee.

The member for Mount Gambier cannot have it both ways. He cannot berate us on this side of the House and say that the only reason we are against a Statutory Authorities Review Committee is because it would take money away from us. I think that is rather scandalous and I refute it. It is actually misleading the House, because, in moving these amendments, the Liberal Party has every intention that those positions on the Statutory Authorities Review Committee will be recompensed in exactly the same way as existing committees.

The member for Hayward said that members in this House should have a right to examine authorities such as SGIC, ETSA, the Housing Trust and whatever. Yet, in this amendment, the Liberal Party is taking that right away from this House and putting it with the Upper House, the House of review. Mr Chairman, you in your capacity as a member of this House (for Elizabeth) have always said that the Economic and Finance Committee is the correct committee to look at statutory authorities. I have no problem with that at all.

So, I suggest that the member for Mount Gambier go back to his briefing notes or stand up in this Chamber and tell the Committee how he can talk about sharing the physical load—and I will cop that—and the financial load, yet the schedule refers to additional salaries for the members of this new fangled committee that has been connived with the Australian Democrats in the other place.



**The Hon. H. ALLISON:** The honourable member's remarks deserve response; I suppose they also deserve a challenge. I know it is inappropriate in this place to refer to Parliamentary Counsel directly, so I refer to the discussions which took place in the early part of the day and which were rather rushed. Members will realise that the final amendments arrived on their desks rather late in the proceedings, although before the dinner adjournment, and that gave them sufficient time to look at them. The amendments are complex, the first being consequential upon the actual establishment of a committee. The honourable member might have given me a little more credit for decency in realising that not only the schedule but also the number of members on the subsequent committees would have to be reviewed were the Government to accept the postulation that we have a fifth committee.

In other words, I am quite prepared to accept the Government's ruling today that we have a fifth committee and then to leave some of the final negotiations with the Minister's and the Government's concurrence to another place. For example, I have made no provision in three of the four committees for the political balance to be properly maintained. There is simply no fall-back clause. However, there is a clause that again would be a test clause for the Economic and Finance Committee, because that committee will remain absolutely unchanged, irrespective of which of the recommendations are accepted today, either those that have been amended with the inclusion of a fifth committee, or the *status quo* with the committees as they stand.

I discussed the matter of remuneration—the salaries clause—with the Parliamentary Salaries Tribunal. The schedule was deliberately amended and the insertion of salaries on the lowest rung for the fifth committee is, I think, to be accepted as evidence of good faith on my part. Rather than delay the preparation of the amendments and the placing of those amendments before members, I undertook—and will undertake openly in this Committee—to do the mathematics and work out precisely how much money would be expended in salaries for the four committees as proposed. I will then work out how much the reduction would have to be for a Chairman and members of each committee—in other words, the precise percentage to be placed in the schedule—so that the intent of the Opposition's amendment can be properly achieved.

The honourable member says that he simply does not want to see money transferred from the Lower House to the Upper House, and that in itself is a reflection upon the lack of pragmatism on the part of some members in this House. I thought we were really looking at the better operation of the committee system, the sharing of the load and the sharing of some emoluments. If the honourable member wants to take the question of emoluments to the nth degree, he should recognise that the 14 committees of the British Parliament, with 11 members on each, are unpaid committees. Nevertheless, there is a lot of competition from members of Parliament to get onto those committees; they make a career structure out of not being paid. I was simply making a commitment, in responding to the honourable member, that our intentions are perfectly honourable. That a deal be done with someone in another House had never occurred to me, I must admit. I simply do not deal with very small minorities—I do not have to.

So I simply say to the honourable member that our intentions are that those percentages, which are written into the schedule, should be amended before the Bill finally passes the Upper House and comes back to the Lower House. The honourable member is testing my integrity. I simply put out the challenge to him: if I moved for an

adjournment of the Committee stage to allow another Bill to be brought on this evening and so that the mathematics could be worked out precisely, would he support that motion so that his wishes could be fully satisfied here and now?

**The CHAIRMAN:** It may assist the Committee to have before it all of both the proposed amendments, that is, to clause 3, page 1, lines 22 to 25 and also after line 28, to insert paragraph (aa), the Statutory Authorities Review Committee, since it is obvious that the debate is ranging to that extent. Is the member for Mount Gambier agreeable to that course?

**The Hon. H. ALLISON:** Yes. I move:

Page 1—

Lines 22 to 25—Leave out all words in these lines and insert: 'appointing House or Houses', in relation to a Committee, means the House or Houses, as the case may be, by which members of the Committee are appointed.

After line 28—Insert paragraph as follows:

(aa) the Statutory Authorities Review Committee;

**Mr FERGUSON:** I am absolutely astounded that we should be debating a proposition of such profound importance that it will affect the total workings of the Parliament without having before us the complete proposals. It is amazing that half-baked, bandaid measures should be put before this Committee. I do not place any blame on the people who compiled these amendments; I would like to know what sort of time scale they had.

It is disgraceful that such a convoluted and complicated set of amendments relating to such an important proposition, with none of the consequential arrangements being put in place, should be put before us five minutes before we are to discuss them. Moreover, if the amendments were successful, they would affect members on both sides.

Given the arguments put forward by the member for Mount Gambier, it is apparent that he has not even taken the opportunity to discuss those propositions with the members in this place who would be affected. I find that to be absolutely disgusting. The very reason we are bringing legislation before this House is so that committees can examine propositions before they reach the Parliament. We have a situation in which a member is trying to force something through this Committee without having consulted the members who will be affected. I do not think I have ever seen that since I have been in Parliament.

*The Hon. H. Allison interjecting:*

**Mr FERGUSON:** The honourable gentleman is sarcastically talking about the hip-pocket nerve—and I do not know how he can put it in those terms—when he has not even consulted the people who will be affected. How does he know what will be the reaction to his proposition if he has not put it to them? The committee should throw this out because it has not had a proper opportunity to examine it.

I have not had a chance—and I am sure most members would not have had a chance—to properly examine the proposition that is before the Committee. I believe that it will affect not only the proposed Statutory Authorities Review Committee, which the honourable member wants to set up but also, given what I have in front of me—and I would need a proper interpretation, which I have not had the time to get—the other committees of Parliament.

If that is so, the honourable member is suggesting that the House of Assembly, in which Governments are won and lost, should give away to another place some of the powers that it has taken upon itself. I find it very hard to take the suggestion that at some time in the future our committees should be dominated by members from another place but this is an interpretation that one could put on the proposition that is in front of us. The honourable member



is proposing, by way of amendments put before us a few minutes before we discussed them, revolutionary changes to enable the handing over of power from this House to another House. Words fail me!

Mr Chairman, you have suggested that we should talk about that part of the Bill relating to the establishment of the Statutory Authorities Review Committee. The setting up of that committee would destroy the very principles of the Bill that is in front of us. Prospective members of the new Economic and Finance Committee and of this place were looking forward to the time when they could examine statutory authorities in South Australia. It is proposed that, with one fell swoop, we halve the responsibility which that committee, which was to be the most important committee in Australian politics, would have. I find this very difficult to understand. That there has been no consultation on this matter with members of the committees is unforgivable. I cannot accept this proposition. The propositions which the Government has put to this House are the proper way to go. There should be no taking away of power, and I hope that the members of this House reject the propositions in front of us.

Mr BRINDAL: I am shocked by the comments of the member for Henley Beach. Only weeks ago, many members opposite were not keen at all on this Bill. Now they have been converted with a zeal that is astounding. Unlike the Government whose new-found conversion is to be remarked on long and loud, this has been a policy of the Liberal Party for many more years than I have been in this place. That statutory authorities should be reviewed by a committee of the Legislative Council has long been a policy of the Liberal Party. It is not a Johnny-come-lately thing.

If Government members had bothered, as they normally do, to look very carefully at our policies and to plagiarise from our policies everything with any merit that they believed they could get away with and introduce into this place as Bills, they would have been well aware that this has long been the policy of the Liberal Party in South Australia. Far from the contention of the member for Henley Beach that this amendment will halve the authority of the committee, the Liberal Party considered this proposition most carefully and, in accepting it, believed that the committee had more responsibility than a group of seven people could handle in the course of a year.

They believed that it was a most powerful committee and, because it was so powerful, that its functions were obviously and easily divided into two: one part the statutory authorities and semi-government authorities and the other part the responsibilities which would have devolved on the old Public Accounts Committee. That is why these changes have been proposed. So, let not members opposite bleat about these changes being ill-conceived and sprung on them at the last moment. They continually come into this place and give us the minimum possible notice of all legislation which comes before this Chamber. We are lucky to have a day or two days' notice, and we are expected to have done all our homework and get it right. It is the prerogative of this House to decide on amendments. An amendment has been moved, it is a good amendment, and it supports—does not detract from—the committee work of this House. I am appalled that the member for Henley Beach should make the comments that he does, because they are ill-considered and ill-advised.

The Hon. T.H. HEMMINGS: I suppose the member for Hayward can be excused for the way that he carried on. When castigating my colleague the member for Henley Beach, the member for Hayward said that this has been Liberal Party policy for many years. That may be so; I am not

refuting that. However, just prior to the member for Hayward coming into the Chamber, the member for Mount Gambier admitted to the Committee that he did not know that the schedule referred to remuneration of committee members. He was saying that we could share the load and share the cost.

Then, the honourable member had the audacity to say that he was seeking my support to adjourn the Committee so that he could get some advice about the amendments. I find that ridiculous. It goes to prove, no matter where one is, that the running should never be given to a backbencher, because the backbencher, who has been given the onerous task of trying to convince this Committee of the way to go, does not even know what the amendments are. Then he says, 'Please support me in asking for an adjournment so that I can get a further briefing and we can have another go.' What the member for Mount Gambier has been saying in relation to this amendment is complete gobbledegook and it should be rejected.

Mr HAMILTON: Over the many years that I have been in this place I have come to know the member for Mount Gambier as a very intelligent man. I know that some of my colleagues on this side would disagree with me. However, I have served with him on the Public Accounts Committee and I know that he visited the United Kingdom. I have a capacity for remembering statements that members have made over the years. One of the statements made to me and to other members on this side by members opposite—I will not name them because I do not want to embarrass them—is, 'Whatever you do, make sure that you do not allow those people from the Legislative Council to get involved in the Public Accounts Committee or an extension of it.' That is fact. There is no denying that, because we on this side know that that has occurred.

I give credit to the member for Mount Gambier for testing the Bill. There is no doubt that a deal has been done. We know that; and, although the honourable member also knows it, he is trying to say that it has not been done. I have been around the traps long enough to understand that people can say that a deal has not been done, but I know. He had a wry smile on his face and he said, 'Well, Kevin, you understand the game. This is what it is all about. A deal has been done. I have to look after my colleagues in the Upper House.'

An honourable member: And the Democrats.

Mr HAMILTON: Absolutely. I understand all that. The member for Mount Gambier, as I said, has a tremendous capacity for picking up things quickly, but on this occasion, as the member for Napier said, he is seeking an adjournment to get more information. I find that absolutely amazing. I have seen the member for Mount Gambier on numerous occasions pick up a document, go through it, digest it, and rattle it off almost verbatim from the top of his head, and I give credit to him.

The honourable member has tremendous ability, yet he tries to tell me and other colleagues who have served on those committees, 'I have not had enough time.' The member for Mount Gambier may be able to snow his own colleagues, but he should not try to snow us on this side of the Chamber.

There is no doubt that a deal has been arranged. They are trying to satisfy someone in the Upper House, and it will not come off. For a whole range of reasons I have always admired the member for Mount Gambier. I came from the South East, and I think that he has represented the electorate of Mount Gambier very well. But, in this instance, with this biggest piece of diatribe I have ever heard from the member of Mount Gambier, he has done himself

and the Parliament a grave injustice. But, in all fairness to the honourable member, he did it in style with a wry grin on his face. I oppose the amendment.

**The Hon. G.J. CRAFTER:** The debate on this matter has been long and far-reaching, and the message is very clear: the Government opposes this amendment. It is unfortunate that the member for Mount Gambier was not able to put the amendments into a form which provided for the committees to be cost-neutral. In so doing it would have been easier to understand that argument that he advanced. I think the fatal flaw in his argument is that it really does vest in another place a function that is perceived to be more appropriately the function of the Lower House, the House of the people. It is for those reasons and for the other reasons that have been canvassed that the Government opposes this amendment.

**Mr BECKER:** In my 22 years in this place, that is about the weakest excuse I have heard from a Minister of the Crown. The Minister gave no real reason why he opposes the amendment. I remind the Committee again that there are 248 major statutory authorities in South Australia that we know of, and it has taken some 10 years to try to find the exact number. If the Public Accounts Committee decided next week that it would investigate statutory authorities in South Australia, at the best it would be able to investigate three of those statutory authorities in six months, or six in a year. It would take almost 42 years to investigate all the statutory authorities in South Australia.

Is it not about time that we had a little bit of help and assistance in looking at all the statutory authorities in South Australia? I have got the gist of what you, Sir, have been after all these years: you are talking about accountability to the people and about wanting to get on with the job of investigating the finances of this State to see whether we are getting value for the taxpayers' dollar. If that is to happen, we need more staff and more committees.

To turn around and accept the situation where even the existing Public Accounts Committee would take 42 years to look at the major statutory authorities is just beyond comprehension. We must do more work and look at these organisations. It has already been said that, had we the power and the legislative control, we could have looked at the State Bank, SGIC and a whole range of statutory authorities, including WorkCover. But we have given up the opportunity to look at the Timber Corporation. We had a chance to look at Scrimber. A couple of years ago we wanted to look at the Electricity Trust—

**Mr Venning:** But we can't afford it.

**Mr BECKER:** It is not a matter of whether we can afford it; it is a matter of whether we have the time and staff to do it. The Public Accounts Committee could have done a lot of work over the years, even when I was Chairman, as much as we tried. But, we were hampered by the lack of staff and resources. We have not had the opportunity to do the job we really wanted to do. It is well known that back in 1979-80 the Hon. Rob Lucas started a thesis on the number of statutory authorities in South Australia. We used the Auditor-General, the Ombudsman and the Government Management Board, as it is now known, to try to come up with a list of the official statutory authorities. Just how many off balance sheet companies do the State Bank of South Australia and Beneficial Finance have?

At one stage, there were something like 600 committees in the Education Department. Goodness knows how much those committees were costing the taxpayers of this State. It is well known that the Education Department cannot tell us the exact number of people on its payroll. It has no idea; it cannot balance the numbers. It is Liberal Party policy

and has been for nine years to have a Statutory Authorities Review Committee. Why should we not include it in the present legislation?

As the member for Albert Park has said, we have been concerned for some years. I have stated many times that we were always fearful that, if the Public Accounts Committee Act was opened up, we would get next a request to have a joint committee, and then the pressure would be on to take the committee away from the House of Assembly. The Public Accounts Committee must be given the opportunity to be responsible for the accounts of the State, for the various Government departments and for the Consolidated Account. That is the role of the Public Accounts Committee. Let the House of Review, as it is commonly known, be given the authority to look at statutory authorities in this State. And I hope that it does not take 42 years to go through the list!

The Committee divided on the amendments:

Ayes (21)—Messrs Allison (teller), Armitage, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, Blacker and Brindal, Ms Cashmore, Messrs Eastick, S.G. Evans, Goldsworthy, Gunn and Ingerson, Mrs Kotz, Messrs Lewis, Matthew, Meier, Such, Venning and Wotton.

Noes (21)—Messrs Atkinson, Bannon, Blevins, Crafter (teller), De Laine, Ferguson, Gregory, Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Mr Klunder, Ms Lenehan, Messrs McKee, Peterson, Quirke, Rann and Trainer.

Pairs—Ayes—Messrs Chapman and Oswald. Noes—Messrs L.M.F. Arnold and Mayes.

**The CHAIRMAN:** There are 21 Ayes and 21 Noes. There being an equality of votes, I give my casting vote for the Noes.

Amendment thus negatived; clause passed.

Clause 4 passed.

Clause 5—'Membership of committee.'

**The Hon. H. ALLISON:** I move:

Page 3, after line 12—Insert subclause as follows:

(1a) Not less than three members of the committee must be persons nominated by the Leader of the Opposition.

This amendment seeks to re-establish the same balance in the appointment of membership of committees that already exists in the Public Accounts Committee Act, and I commend the amendment to the Committee.

**The Hon. G.J. CRAFTER:** The Government opposes the amendment, which has also been debated to some extent earlier and I do not want to go over that ground again. The amendment is not seen as desirable in resolving committee membership in the way that the Opposition proposes.

**Mr BECKER:** The Minister has not given a satisfactory reason at all. Much thought and effort went into the promotion and establishment of the Public Accounts Committee by Bill Nankivell. The provision was deliberately designed in the way it appears in the Public Accounts Committee Act. If there is to be any semblance of democracy and, if we are going to talk as the Minister did in his opening speech about democracy, Parliament, accountability and better government, one would have thought that the practice of stipulating the number of members nominated by the Leader of the Opposition would be upheld. As part of the parliamentary democracy procedure in most of the British Commonwealth countries this type of courtesy is given to the Opposition.

By not stipulating the number of members or make up of members on the committee a Government in the future could well break tradition and put the whole of their numbers on the Economic and Finance Committee. There would be nothing to stop a ruthless Government from doing that.

I would have thought that you, Mr Chairman, would take enough interest in this debate and give it sufficient consideration, even though you are a relatively new member of the Parliament, to enhance the statement that we believe and support democracy in this Chamber. I would have thought that you would uphold the principle of giving the Opposition a fair go. It is about time you made a statement in that respect. You either believe in giving the Opposition a fair go or you do not. This is your opportunity to support the amendment.

*Members interjecting:*

**The CHAIRMAN:** Order!

Amendment negatived; clause passed.

Progress reported; Committee to sit again.

### ADJOURNMENT

**The Hon. G.J. CRAFTY (Minister of Education):** I move:

That the House do now adjourn.

**Mr D.S. BAKER (Leader of the Opposition):** This Thursday we will have the ninth budget handed down by the Premier and Treasurer of this State. We must look at the context of the position in which South Australia finds itself and at what the Premier and Treasurer has been saying about how he should be judged. There is no question that he has murdered the jobs of 70 000 South Australians. No incentive is left for business in this State at present. There is absolutely no confidence left in this State because of the financial handling by this Treasurer over the past eight years. No-one can dispute that and, most decidedly, nobody opposite can dispute it.

*Members interjecting:*

**Mr D.S. BAKER:** You can keep disputing it because you have a few home truths coming to you over the next few days. Members can try to sell that in their electorates, right up to the next election they can try to sell the responsibility and accountability of this Government (and I will help them talk about it), but they will find that the people in droves in South Australia will reject what they have done in this State.

*Mr Atkinson interjecting:*

**The DEPUTY SPEAKER:** Order! The member for Spence is out of order.

**Mr D.S. BAKER:** I wish to look at three or four areas of financial accountability and I start with the State Bank. On 12 February the Treasurer reported to this Parliament the shocking situation and mismanagement that had gone on in the State Bank. The buck stops at his desk, although he says that it is someone else's fault. I will go on to Scrimber to show the scandalous lack of accountability by Minister Klunder over that issue.

The Treasurer said that the State Bank bale-out would amount to \$970 million. Not many people understand what \$970 million is. I will look at the budget of last year and show members what it is. However, I want to know whether the Treasurer was telling the truth on 12 February. Was he telling us whether that was the total bale-out necessary for the State Bank? I want to know what figures he had at his disposal when he made that announcement. I do not know when that documentation will come forth, but in the deteriorating economic circumstances in which we find ourselves we suspect that he was not telling the Parliament of South Australia the complete truth about the problems that had gone on in the State Bank.

The buck stops at the Treasurer's desk. The truth has to come out in this Parliament. If the Treasurer has misled this Parliament once again in relation to the financial institutions of this State, he has to be prepared to be accountable to this Parliament. When one looks at the summary of last year's State budget, one sees that \$970 million equates to just under the total budget of the Minister of Health, which is \$1 billion. So, if we wipe that out in one fell swoop, that is the total of the health budget for South Australia for last year.

I now refer to the budget for the Minister of Emergency Services. We all talk about law and order and the problems we have in that area. Time and again Ministers stand up in this House and say that members on this side keep asking for more money, 'they want more things done around the State and, of course, we cannot provide the services.' If we had not had the mismanagement that went on at the Treasurer's desk, in bailing out the State Bank with \$970 million, we could have run the Police Force in this State for five years continuously, because the budget to police South Australia is \$200 million per annum. If we look at the most ebullient Minister of Employment and Further Education, Youth Affairs and innuendo and whatever else he talks about—

**An honourable member:** You are talking about the 'fabricator'.

**Mr D.S. BAKER:** I am talking about the 'fabricator', who stood up in this House today and said that, every time he suggests having a conference to talk about unemployment, the Liberal Party does not join him in having a talkfest. His budget is \$432 million. If we had not had the bale-out of the State Bank, twice as much could have been spent on unemployment in South Australia, twice as much could have been spent to get the youth of this State a job instead of having 30 per cent of them unemployed as a result of the mismanagement not only of the Minister to whom I refer but also that of the Treasurer of South Australia and all Ministers on that side of the House. That is the magnitude we are talking about, and that is the sort of culpability these people must accept for the financial problems of South Australia.

We will hear on Thursday what the Treasurer will do about it. I have been told by a little dickie bird that the problems may be worse than we already know. How can the problems with the State Bank be worse when the Treasurer of this State stood up in here on 12 February and told us that he was giving us the worst case scenario in relation to the State Bank bale-out. He said that he had done all that he could, that he would fix it and that it would cost \$970 million. If he is going to back down on what he told us on that date, he has to accept ministerial culpability, resign and go to the polls in this State.

Just look what happened to the Scrimber operation and the Minister involved in that debacle. The Auditor-General had been saying for four years that it should be returned to Cabinet for complete re-evaluation and rejigging as far as its financial viability was concerned and it should then be looked at by the Government. Of course, I do not know whether that happened; I was not privy to what went on. I was interested to read in the *Financial Review* that the Western Australian R&I Bank had a disastrous year and that it lost \$70 million. That was written up in the *Financial Review* as a financial crisis in Western Australia, and it was stated that that \$70 million bale-out of the R&I Bank by the State Government had the ability to bring down the Government. We just wiped out this money in one fell swoop when the Minister of Forests closed down the Scrimber operation. What did he do? He said that it was not his

fault but the fault of the management. In the Westminster tradition, that is the most culpable statement that has ever been made in this Parliament, and it shows the lack of accountability by this Minister and the disdain with which he treats this Parliament and his ministerial responsibilities.

I give that example because it pales into insignificance when, in respect of the \$970 million bale-out, the Treasurer of this State said, 'It was not my fault; it was the board's, I think, or it was management's, I think, or it was lending, I think, but I have done my very best for South Australia. I have lent the extra money and the buck does not stop at my desk.'

It will be very interesting on Thursday when the Treasurer's ninth budget is handed down in South Australia and the people of South Australia understand exactly the results of the Government's financial management of this State for the past nine years. I hope that members opposite will listen with interest. The member for Henley Beach is apparently looking down under the table. He understands something about finances, but all he got for his understanding of that was to be cast onto the back bench. At least he had some idea of what was going on and might have been able to have some input into the financing of South Australia and the management of those finances.

It is very interesting to see what has happened with WorkCover. WorkCover will become a millstone around the neck of business in this State. What has happened? The Minister involved has run away and hidden because he said that the unions would not let him do anything. Talk about ministerial responsibility! Once again he has not had the guts to stand up and say, 'We have problems; we want to fix WorkCover.' Instead, he runs out and listens to the union movement. I had union representatives in my office today, and they are talking the greatest load of ideological nonsense I have ever heard in my life. They do not want to be well-managed. They will not let the Minister do anything, and he does not have the guts to do it himself. They will not let business in South Australia have the load taken from them so they can be competitive with other States. They will not let it pick up at all.

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

**Mr FERGUSON (Henley Beach):** Once again the Liberal Party has put forward a half-baked proposal concerning a radical education policy and then, as always, it has run for cover. The only details supplied are that parents will be given a voucher for the costs of education which they can spend at any private or public school, and education payments to the States will be scrapped. Much fine rhetoric about freedom of choice, quality education and increasing the power of the poor accompanies this proposal. Such use of high level principles to dress up its policy tells us nothing about how a voucher plan would work in practice. Anyone can spew out persuasive ideals, but the voting public is entitled to hear the facts and not be treated with contemptuous neglect by a political Party whose aim is to serve the self-interests of a relatively small group.

Economist Milton Friedman first developed the idea of a voucher plan for the American school system in the 1950s. In his scheme, the Government would issue a voucher directly to the student. The student would select a school and use the voucher as payment for the education provided. The school would then give the vouchers back to the Government in order to receive funds. Friedman's plan essentially was about competition. Schools desperate under free market conditions would go out into the market and compete for students or, more precisely, they would compete to

attract the dollar. Friedman believed that this would improve the quality of education in the United States. If schools did not provide a quality service, they would lose enrolments to their competitors. Under the voucher scheme, the loss of pupils would mean the loss of funds.

The idea has appeal to the more conservative elements of our society. Right wing think tanks have adopted this proposal as an alternative to our current means of providing education in Australia. It is obvious that these conservative groups are the people who actually formulate the Liberal Party. It not only concerns me that an outside group can exert so much influence on a major political Party in this country but also this Party is proposing to subject our children to an irreversible experiment if it wins Government at the next Federal election. Attempts to introduce education vouchers in the United States, England and New Zealand have either failed or been rejected from the outset.

In the early 1970s eight school districts in the United States were offered generous grants to study the feasibility of a voucher system. Only one, the Alum Rock School district in California, agreed to participate in the trial. Ivan Snook, from Massey University in New Zealand, provides information to show that the Alum Rock experiment was an expensive failure. To determine the success of the voucher system, the students from these schools were assessed using State-mandated tests. The results were compared with previous scores from these same schools prior to the introduction of vouchers. In all grades except one, the score was lower than in any previous year.

Snook further points out that very few parents 'took the opportunity to move their children to a different school'. A similar but watered down version of a voucher plan was also tried in Great Britain. Once again, it proved too costly and unworkable. Even Margaret Thatcher admitted that they could not operate a voucher system because of the high administrative costs. Other attempts to implement the scheme have all failed to attract support from school officials or families. Teachers and administrators were not willing to risk their positions for the sake of an experiment, and parents were not convinced that the plan would advance the interests of their children.

The evidence is conclusive: education vouchers have not worked overseas, yet the Liberal Party is still willing to entertain the idea as a policy option for education in Australia. It appears that the Liberal Party members do not place much emphasis on the overseas experience. They are in a Party out of government. They have become desperate for ideas which might change their political fortune and are less concerned with the consequences of implementing those ideas. I ask members of the Liberal Party: have they considered the effect that a voucher system would have on the lives and future of our children?

Under a voucher plan, schools will be required to operate like a business run by private entrepreneurs. Their survival will be determined by the number of vouchers they can attract. In such a system the potential for abuse would be great. Would profiteers skimp on education and make themselves rich? Will schools misrepresent their programs to increase their enrolments? Such dishonesty will wreak havoc on the lives of our children.

In principle, the idea of the voucher is simple: vouchers will be given to parents and, automatically, they can buy an education for their children. But what sort of education would be available using vouchers? Will the vouchers cover the cost of the most expensive school in the country or will they provide only a basic education? The value of the voucher is a critical issue. Our social justice system in South Australia provides that parish schools receive more assist-

ance than the richer schools. Under a voucher system, all students will receive the same amount from the Federal Government. So, under this system, greater amounts of money will go to the richer schools, and I cannot see any great advantage in that.

Under a Liberal Government, parents will be allowed to add money to their vouchers. Hence, the *status quo* will not change under this system. The rich will remain at the more expensive schools and the poor will be restricted by the value of their vouchers. The poor will have less educational opportunities available to them under this system. Once again, the Liberals aim to introduce a policy that will benefit the wealthy and the powerful at the expense of the poor and the powerless.

For its supporters, a voucher scheme represents a way of getting the Government out of the business of education. Their aim is to reduce the size and the power of the bureaucracy. Who then will administer the scheme? An issuing and redemption body would be needed; a mechanism to evaluate the requirements of students with special needs would have to be created; and what sized bureaucracy would be needed to curb the potential for abuse of a privatised school system.

On the one hand, the Liberals want to reduce the role of Government, but, on the other hand, they want to create a bureaucracy that will become more powerful and more intrusive. Has the Liberal Party considered the adverse consequences of their plan on the present school system. Schools will operate individually implementing their own programs. Education will become the responsibility of the private entrepreneur, and the present school system and the community appeal will be destroyed forever.

Vouchers are a plan for financing schools, not for improving them—Alum Rock is certainly testimony to that. The only way to improve the quality of education is to devise specific goals to achieve that end. But what concerns me most is that the Liberal Party is prepared to experiment with the lives and future of our children. It is willing to place the future of our children in the hands of private entrepreneurs in search of the fast dollar. The Liberal Party's voucher plan is a serious threat to the equality and fairness which underpins Australian society, and it is a proposal which starkly reveals the Liberal Party's inability to grasp the fundamental principles of social justice in education in Australia today.

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

**Mr GUNN (Eyre):** During last Thursday's Question Time, the member for Stuart engaged herself in a most dangerous exercise. This Parliament is the forum in which to debate issues and policies, not personalities. If members on the Government benches wish to take us down the road of personalities, that is how it will be. The Liberal Party will not start that particular exercise, but it will not shirk its responsibilities or run away from a fight.

I am disappointed that the honourable member is leaving the Chamber, because she engaged herself in the most disgraceful conduct. She used the privilege of Parliament to make an untrue and unfounded statement designed purely to denigrate the Leader of the Opposition. It was not based on fact or on evidence but on hearsay, scuttlebutt and rumour. It was prepared in the Premier's office by Mr Anderson and read to this Parliament by the member for Stuart, in a most cowardly and disgraceful manner.

If the Labor Party wants to take us down that track, it will be accommodated—make no mistake about that. When a political Party is facing defeat—as the Labor Party surely

is across this nation—it is the hallmark of a responsible and decent Party to face defeat with dignity. That is the hallmark of a democracy. But when a political Party is so intent on maintaining power at all costs that it tears up its principles and the rule book of the Parliament, it is making an attack upon the democratic process itself and that is something of which we should all be ashamed.

*Mr Ferguson interjecting:*

**Mr GUNN:** The honourable member, who has just had the opportunity to speak, will have a further opportunity if he disagrees with what I have to say. That is up to him, but I have always believed in a fair go and that, if you are wrong, you admit it. The honourable member has had all day to admit her mistake, and we have waited until the last opportunity today for her to do the right thing—to respond and apologise. That has not been forthcoming. I am surprised that the honourable member's colleague walked out of the Chamber also, because we want to be fair and reasonable. We want this Parliament used to debate issues, not personalities. We all know that this Government is under great pressure. If the Government has to use its henchmen in the Premier's department to denigrate the Liberal Party, it will find that those compliments are returned with interest. We know what happened.

I saw the Bush Bash go through Murray Town on that Saturday. Every car had flashing lights, hooters and various other instruments to attract attention. The organisation concerned raises money for the good of the underprivileged. I should have thought that all members would be interested in supporting and joining in that exercise. The Leader of the Opposition made himself available to assist with that exercise. If Labor members of Parliament, for some short-term political gain, attempt to misrepresent members on this side of the House who are involved with those charitable organisations, those charities will miss out on funds that they could well and truly do with.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr GUNN:** I know what took place at Quorn. It was not the local police officer at Quorn who made the complaint. The officer involved has cast aspersions on every police officer who took part in that exercise. Every officer has had called into question his or her good name and dignity and support in the community. The officer concerned was from Port Augusta and his name was McDonald. He was the grumpy fellow who sent the fax to the Police Association alleging some misconduct. Obviously, he got out of bed on the wrong side or had a late night and decided to take it out on somebody. That is up to him but, if he wants to make inaccurate and grossly misleading statements, he has to wear them.

He sent the fax to the Police Association. Someone in that organisation obviously decided to engage in a bit of scuttlebutt and run off to the Government. Instead of checking the facts, they got the hapless member for Stuart. They prepared this question; it was not the honourable member's question. Members should read very carefully the words and the way that it was put together. That is not the sort of language that the member for Stuart uses. The honourable member read it word perfectly and did not *ad lib* at all. That is not the normal way in which she asks questions. We know what happened: it was prepared by one Mr Anderson. This particular police officer—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr GUNN:** —has reflected upon the good name and standing of all police officers by this sort of activity. It obviously went to the Premier's department. The honour-

able member is noted for asking Dorothy Dix questions, but that was a dirty tricks question. One only has to read the question.

The Leader of the Opposition has responded and put the record straight. One would have expected the member for Stuart to do the right thing, because we all thought she had some credibility and would want to do the right thing. We are reaching a very poor state of affairs when we reduce the Parliament to this sort of exercise.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr GUNN:** The exercise in which members opposite have engaged will mean that members on this side, unless a sensible and more responsible attitude is adopted towards this matter, will return the compliments, and with interest. It is dangerous, it is unnecessary and it should not take place. There is nothing wrong with vigorously debating issues, but there is a great deal wrong in getting into the gutter and telling untruths with a view to denigrating the Leader of the Opposition because the Labor Party is facing electoral defeat.

If members opposite cannot take that in a democratic society, they should not be in the political arena. I will sum up by quoting what Friday's *News* had to say about this matter. The Editorial states:

State Opposition Leader Dale Baker is entitled to feel angry today. The attack on him in State Parliament in the form of a Labor backbencher's question about a trivial incident, which may or may not have occurred on a charity rally, was an instance of poison politics. It was bunyip smear tactics.

That the Labor Party should be smarting after the success of recent Liberal attacks on South Australian financial institutions is understandable. But that a Party headed by a man so normally decent as Mr Bannon should indulge in such irrelevant tripe is demeaning.

Even if Mr Baker was involved in a prank involving playing a pig noise tape at police (which he denies and the *News* accepts his denial) so what? Are police so entirely bereft of a sense of humour? From what has emerged about this tea cup tempest it seems that, following an unfortunate incident at the start of the Bush Bash rally, police response was hamfisted.

The whole thing, however, is irrelevant to the good government of South Australia. Indeed, it would not be worth editorial space if it was not symptomatic of a recurrent tendency in Australian politics. Whenever the going gets rugged, resort to gossip, innuendo and scuttlebutt. This ludicrous over-reaction was a waste of parliamentary time. From Labor's viewpoint it was also counter-productive.

Mr Bannon's time must be at a premium these days. But he would be well advised to have a word with his Caucus and tell them to play the policy not the man and to try and get a sense of proportion.

I am perturbed that it has been necessary to stand in this place and respond to what has been an unfortunate, uncalled for and unnecessary attack. It should be corrected in the interests of parliamentary democracy, commonsense and fair play. Nothing is achieved by any of us by personal denigration. If it continues, the whole institution will deteriorate. Therefore, I call on the Premier and the honourable member concerned to withdraw and apologise.

Motion carried.

At 10.27 p.m. the House adjourned until Wednesday 28 August at 2 p.m.