HOUSE OF ASSEMBLY

Wednesday 11 November 1992

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

PETITIONS

ROCK LOBSTER FISHERY

A petition signed by 135 residents of South Australia requesting that the House insist that a poll be taken of all South-East rock lobster fishermen to determine the outcome of a meeting held on 22 September 1992 was presented by the Hon. H. Allison.

Petition received.

The SPEAKER: Order! Mr Clerk, would you be seated. Every day there are complaints about members not being able to hear the petitions. The background noise is such that I cannot hear the petitions. If members come to order, we will all hear the petitions.

QUEEN ELIZABETH HOSPITAL

A petition signed by 65 residents of South Australia requesting that the House urge the Government to reduce waiting lists at the Queen Elizabeth Hospital was presented by Mr Hamilton.

Petition received.

TIME ZONE

A petition signed by 39 residents of South Australia requesting that the House urge the Government not to introduce Eastern Standard Time in South Australia was presented by the Hon. I.C. Wotton.

Petition received.

QUESTION

The SPEAKER: I direct that the following answer to a question without notice be distributed and printed in *Hansard.*

GAMING MACHINES

In reply to **MR BECKER (Hanson) 28 October.**

The Hon. FRANK BLEVINS:

I. Section 25 (1) of the Gaming Machines Act provides that the Independent Gaming Corporation will, on due application being made and the Commissioner being satisfied as to the matters specified in sections 19 and 21, be granted the gaming machine monitor licence issued under this Act.

2. Section 19 requires the Independent Gaming Corporation to satisfy the Commissioner that

(a) the applicant is fit and proper; and

(b) that each person who occupies a position of authority in the body corporate is a fit and proper person to occupy such a position.

The section goes on to provide that in determining whether a person is fit and proper the creditworthiness of the person must be considered together with the honesty and integrity of the person's known associates. Section 21 requires the Independent Gaming Corporation to satisfy the Commissioner that the applicant has appropriate management and technical expertise.

3. It is a condition of the gaming machine monitors licence that the licensee may only operate an approved computer system and also that the licensee not modify the monitoring system without the Commissioner's approval.

4. The Commissioner's role therefore is to satisfy himself in respect of both the Independent Gaming Corporation and the proposed computer system. It is the Independent Gaming Corporation's role to select the monitoring system. The Act does not provide for Government interference in the selection process. This is a purely commercial process.

5. The -Independent Gaming Corporation has not made application for the monitors licence. It is anticipated that this application will be made as soon as the regulations have been passed.

6. The scale of fees required to be approved by the Minister under schedule 2 to the Act have of course not been approved because to date there is no licensee to make application. The fee structure will be submitted when the gaming machine monitors licence is granted.

7. This licensing and approval process reflects the tenor of the Act. The regulatory authorities roles are to ensure the highest level of integrity and public confidence in the gaming machine industry without undue interference in the commercial activities of private licensees.

MEDICARE

The Hon. M.J. EVANS (Minister of Health, Family and Community Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.J. EVANS: I am pleased to be able to inform the House that the Federal Government has agreed immediately to release special Commonwealth hospital waiting list money to South Australia in recognition of the significant progress being made in the Medicare negotiations. South Australia is committed to the Medicare principles of choice of free hospital services, access on the basis of need and equity in service provision, and has agreed in principle to sign the new Medicare agreement. My negotiations with the Federal Health Minister and Deputy Prime Minister, Brian Howe, will mean that South Australian hospitals will have immediate access to the $4.365 million promised to us this financial year.

Officers from the Health Commission have already been talking to hospital administrators about people who have been waiting long periods for elective surgery. One of our first initiatives will be a contract with the Repatriation General Hospital to take advantage of its excellent facilities for orthopaedics and urology so that some of those long wait patients will have their elective surgery. Our immediate objective will be to develop review mechanisms across the public hospital system for patients who are waiting longer periods or over 12 months for their elective surgery. This could mean that patients will be able to have their elective surgery at another hospital with a shorter waiting time.

The second part of the plan to tackle waiting lists will include looking at more innovative ways of managing booking lists in South Australian public hospitals, much of which, of course, has been outlined in the Hunter report on long wait booking lists. This will include the development of criteria for assessing clinical urgency and regular reviews by doctors of their patients' conditions. We aim to do two things with this extra waiting list money: first, we want to treat those people who have

been waiting a long time for their elective surgery; and, secondly, we want to set up longer term strategies across the South Australian public hospital system to deal with the length of booking lists.

This booking list money represents the first instalment on millions of dollars of new Federal Government money for health services for South Australians. Some issues remain to be resolved, but there was sufficient agreement on the general principles of the Medicare agreement to release this money to South Australia. I am pleased that we have been able to take this first step today, and I look forward to further talks with the Federal Government on this issue.

LEGISLATIVE REVIEW COMMITTEE

Mr McKEE (Gilles): I bring up the minutes of evidence given before the committee on the Court Administration Bill and move:

That the minutes of evidence be received.

Motion carried.

Mr McKEE: I bring up the twenty-first report of the committee and move:

That the report be received.

Motion carried.

QUESTION TIME

UNEMPLOYMENT

The Hon. DEAN BROWN (Leader of the Opposition): My question is directed to the Premier. Why, after 10 years, has the Labor Government not honoured its 1982 election promise that 'its major goal will be to get South Australians back to work in a productive way' and at the same time reverse its actual performance of presiding over record unemployment for the past 12 months? An average 60 843 South Australians have been out of work since 1982, and the youth unemployment rate has been above 30 per cent since 1991.

The Hon. LYNN ARNOLD: The cheek of the Leader of the Opposition, who was a Minister in the former Tonkin Government, to come out with a question-

Members interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: —like that today, when 85 000 more South Australians are in work today than was the case when his Government left power. It is interesting to note how he headed up his press release today. I might say that one has to admire a touch of cheek on the part of the Leader of the Opposition, because what were he and his colleagues celebrating yesterday? They were celebrating 10 years on the other side of the Chamber: 10 years in Opposition; a decade of defeat. That is what they want to inflict upon South Australians in the 1990s-a decade of defeat and despair with the policies that they are seeing their colleagues introduce into Victoria at this very moment. The very same policy that brought 100 000 people out onto the streets in protest—

Members interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: In relation to the cheek of the Leader of the Opposition, his own press statement began as follows:

The foundations that were laid by a Liberal Government for a decade of development in the early 1980s ...

Where were they? Had they just had a case of collective amnesia? Could they honestly expect South Australians to believe that in 1982—

Members interjecting:

The SPEAKER: Order! Members know the consequences of interjections: they are out of order.

The Hon. LYNN ARNOLD: In 1982, when they were presiding over a major downturn in the economy, when they were presiding over a State that had gone into a malaise, into a depressed state, when they were not able to get things up and running, that was really the foundation they were talking about, when they were having to reopen some things three times just to try to get some credit for something. How many times were we all dragged out to Technology Park, and I give credit to the Leader, because he played a part in the establishment of that? How many times were we taken out to the bare space, to the bare fields? At one time, there was a road there, so we all had a look at the road, and it was declared open—

Members interjecting:

The SPEAKER: Order! The Premier will resume his seat. The member for Adelaide is out of order.

The Hon. LYNN ARNOLD: What else was happening? We also saw a decrease in manufacturing employment right throughout the Tonkin years. Of course, we are in a recession now: I have never disputed that, and I have always acknowledged that this recession would be much harder than was predicted by many in Canberra. I am on the public record as having said that. I am on the public record as having warned that this would be not a soft-landing recession but a hard-landing recession and that the Federal Government was getting it wrong in its predictions about this two years ago. Sadly, that has proven to be correct as Australia at large shares what much of the world shares in terms of a very major recession.

Until that recession hit here in South Australia, over that period of 10 years, what had been achieved in, say, manufacturing employment? What had been achieved is that we had arrested the decline in manufacturing employment that had virtually been unceasing since 1965.

Members interjecting:

The Hon. LYNN ARNOLD: The figures are there. Check the figures. If we look at the figures, we see that that decline was not arrested by David Tonkin and his team, which included the Leader—he was a member of that team for that period of time; he was in charge of the area—

Mr Ingerson interjecting:

The SPEAKER: The Deputy Leader is out of order.

The Hon. LYNN ARNOLD: He was in charge of the area of industrial development. That decline did not cease until 1985-86, and from 1985-86 until 1990, until the onset of recession, this State had triple the growth rate in manufacturing employment of the national average. We had at long last arrested that decline and brought it back

up. That is why we can now say—and the figures are there to prove it—that, even with the recession having bitten as hard as it has in this country and in this State, we have 85 000 more South Australians in work than were in work when the Leader was in the Cabinet back in—

Members interjecting:

The Hon. LYNN ARNOLD: You can laugh about those figures, but they are the figures. They are the figures on the public record, attested by the Bureau of Statistics. Until—

The Hon. Dean Brown interjecting:

The SPEAKER: The Leader is out of order.

The Hon. LYNN ARNOLD: —1990 the figure was even better than that, but the recession has seen jobs lost over the past couple of years. I have never disputed that. But in every country in the world the same situation has been taking place. The facts are that the foundations that the Liberal Party was laying back in 1982 would have brought this State to a decade of despair. What we have actually had is a vast number of achievements over the decade and we are looking forward to a decade of development and growth, because that is what this State needs and that is what this Government can deliver.

An honourable member interjecting:

The Hon. LYNN ARNOLD: The honourable member interjects, 'Under a Liberal Government.' Let us look at the decade of development that is being promised to Victorians now—that is being wrought upon Victorians—by Jeffrey Kennett.

Mr Becker interjecting:

The SPEAKER: The member for Hanson is out of order.

The Hon. LYNN ARNOLD: The Leader here is doing all sorts of flip flop positions at the moment trying to work out where he will go with what Jeff Kennett is doing. For example, one moment he says that he will cut the public sector; the next minute he says, 'No, I am not going to cut the public sector'; and the next moment he is going to cut it again. We have all his statements on the record; we are watching them very closely, and we will draw his own words to his own account.

The reality is that the policies of Jeffrey Kennett—the Leader's political confreres—will bring devastation to this State, as the Liberal Party will do to Victoria, if they happen to be applied in South Australia. That is why I say with confidence that a Liberal Government in this State would bring a decade of despair.

UNIVERSITY FUNDING

Mrs HUTCHISON (Stuart): Can the Minister of Education, Employment and Training advise the House what degree of success has been achieved by the South Australian universities in the competition for research funds from the Australian Research Council?

The Hon. S.M. LENEHAN: I can inform the honourable member and indeed the House that the figures I have received for the 1992 funding year indicate that our universities do extremely well in the national context. For example, compared with or State's share of the population, which is something like 8.8 per cent of the national figure, the three universities in South Australia have attracted the following: 11.3 per cent of large research grants allocated by the Australian Research Council; 11.9 per cent of small research grants; 16.9 percent of funds allocated for large equipment-almost double our population share; 13.6 per cent of funds to support research infrastructure in the universities; and 10.6 per cent of funding for special research centres and key centres for teaching and research.

As well as this, South Australian universities are involved in seven major cooperative projects with other universities from around the country. Yesterday, I met with the Chancellors, Vice Chancellors and Registrars of the three South Australian universities to discuss wide ranging policy issues relating to higher education in South Australia. Indeed, we stressed collectively the need to work together to ensure that South Australia receives maximum benefits in terms of the funding allocations from the Federal Government.

I think it is important to highlight for the House that the university sector represents a major component in the State's economic development in terms of attracting in excess of $500 million into the State each year. I will certainly be working with the universities to promote Adelaide's future as Australia's education city. It is important that, in terms of economic development, we focus on a whole range of areas. The education product which we have to export to other countries is something of which we can all be proud. The universities play a major role in terms of our economy. Of the $500 million that is attracted into South Australia, every cent is spent in this State, and we have to consider the spin-off effect, the multiplier effect, of that amount of money for South Australia.

STATE BANK

Mr INGERSON (Deputy Leader of the Opposition): Will the Premier confirm that the Labor Government did give one correct statement in its 1985 economic policy about the impact of the State Bank on all South Australians? At the 1985 election, the Government issued a document entitled 'South Australia's economic future: the next five years', in which it stated:

> Without doubt, the establishment of the State Bank has had a major impact on the South Australian economy and, indeed, the whole community.

This document also went on to promise:

> The State Bank, over the next five-year period, will aim to further boost its role in the economic and social development of our State.

Mr Brindal interjecting:

The SPEAKER: The member for Hayward is out of order.

The Hon. LYNN ARNOLD: The Deputy Leader is being very droll with his references, of course, but I notice he is choosing not to look at the effect of other financial institutions in this country over the 1980s, including Westpac, the ANZ and other banks. I also note that he is not making much of a reference to the deregulation of the banking system and all the changes which took place in the banking climate after that time and to which all banks have had to react since then. We

have had a very serious problem with the State Bank; no-one can deny that, and I am not attempting to deny it.

I am interested to note that now the Deputy Leader and his colleagues are finding so much of merit in the statements and documents that we issued, and he draws saying, 'This is a document of substance from which I upon that very good 1985 statement. Regarding his am quoting' and wanting to use, in his droll way, references to the State Bank, I take it that that means he must also be taking the rest of the document essentially as establishing some fairly—

Mr Ingerson interjecting:

The Hon. LYNN ARNOLD: Oh, now he is deciding he will not take the rest of the document. I think that is what is called 'selective quoting'-when one wants to The facts are, as I said before, that there are a number of hear only what suits the occasion and not the other facts. major achievements in this State over the decade, and nothing that the Deputy Leader can choose to say about that will dispute it.

Mr Ingerson interjecting:

The SPEAKER: If the Deputy Leader wants somebody named, it might be him.

The Hon. LYNN ARNOLD: The real question is: what do we want for this economy in the 1990s? This Government has established an agenda of—

Mr S.J. Baker interjecting:

The SPEAKER: Order! The member for Mitcham is out of order.

The Hon. LYNN ARNOLD: The member for Mitcham ought to wait and see in the fullness of time what will actually be happening. The reality is that this Government has constantly set economic growth as an agenda, and we are certainly setting that agenda in the 1990s.

Mr S.J. Baker interjecting:

The Hon. LYNN ARNOLD: Well, look at how far you have moved down. The non-verbal cues are rather embarrassing for the member for Mitcham. Not only is he indicating moving down the bench, as he certainly has done very effectively, he is also indicating—

Mr SUCH: On a point of order, Mr Speaker—

The Hon. LYNN ARNOLD: —he has to hitch a ride now, because he has not got a car to ride in any more.

Members interjecting:

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

Mr SUCH: On a point of order, Mr Speaker, the Premier keeps addressing the gallery behind him, looking for Lazarus or someone—I am not sure.

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! I would ask the Premier to direct his response through the Chair. The honourable member for Playford.

STATE SPORTS PARK

Mr QUIRKE (Playford): Will the Minister of Recreation and Sport inform the House of any planned developments within the State Sports Park at Gepps Cross to cater for the recreational pursuits of local residents and others? Many constituents fear that the land at Gepps Cross, which constitutes one of the largest open space areas so close to the city, could be used by future Governments for housing. My constituents have argued that existing sporting complexes on these precincts should constitute the first stage in a comprehensive community development for these lands.

The Hon. G.J. CRAFTER: Thank you, Mr Speaker—

Members interjecting:

The SPEAKER: Order!

The Hon. G.J. CRAFTER: I thank the honourable member for his interest in Sports Park and I know that he plays an active interest on behalf of his constituents—

Members interjecting:

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

Mrs KOTZ: Mr Speaker, I rise on a point of order. I believe that demonstrations are not allowed in this Chamber and I direct your attention to the member for Walsh.

The SPEAKER: The Chair has no idea what the honourable member is talking about. There is no point of order. The honourable Minister.

The Hon. G.J. CRAFTER: Thank you, Mr Speaker.

The Hon. T.H. HEMMINGS: Mr Speaker, I rise on a point of order. Is it against the custom and practice of the House as outlined in Erskine May that written literature be displayed in the Chamber? I draw your attention to the member for Mitcham's place in the House.

The SPEAKER: I ask the member for Mitcham to remove whatever the display is. Displays are out of order in the House. The honourable Minister.

The Hon. G.J. CRAFTER: Thank you, Mr Speaker. Once again I acknowledge the interest of the honourable member in the activities that are occurring in his electorate in respect of State Sports Park at Gepps Cross, which is being developed to provide South Australians with world-class sporting facilities that can attract national and international events while also being easily accessed by the public right across—

The SPEAKER: Order! The Minister will resume his seat. There are several members who seem to think it is amusing to dispute a ruling of the Chair and take a posture in this House. Let me tell all members that, unless the score at the end of the day is Speaker one and the rest none, this Chamber cannot operate. If members wish to flout the ruling of the Chair, that is their prerogative. However, they should remember that there are Standing Orders, Erskine May and all the precepts of the House to be applied against them if necessary. I ask the members for Victoria and Bright to remember that. The Minister.

The Hon. G.J. CRAFTER: Thank you, Mr Speaker. Members would be aware of the world-class hockey facility that exists at the park and also that the velodrome is now nearing completion. To complement the sport oriented park the Department of Recreation and Sport has been working with the Institute of Foresters to develop the Foresters' forest within the park itself. Foresters' forest will take the form of an urban forest consisting of 12 different species of Australian trees separated by open space and incorporating walking trails and picnic areas. The first plantings are planned to form part of World Foresters Day in March next year, followed by a program of planting and developing facilities into the year 2 000.

This project will bring together many organisations, including Government departments, the institute of Foresters, service groups and representatives of many other sections of the community. The urban forest will be a great recreational asset for the local community and sporting competition patrons, while providing ongoing valuable data to the forest industry on the growth patterns of the 12 species of trees in that local environment.The forest will also complement further planned sporting and recreational facilities planned for State Sports Park.

STATE BANK

Mr S.J. BAKER (Mitcham): My question is directed to the Treasurer. When does the Government plan to repay principal on the $3 150 million that it has borrowed in the name of all South Australian taxpayers to bail out the losses of the State Bank?

The Hon. FRANK BLEVINS: Leaving aside the nonsense in the question, the issue of the State Bank debt is all rolled up with the State debt and it will be managed totally as a component of the State debt. There will be no separate counting out and paying off: it is purely rolled into the State debt, which I may add in passing is pretty well the same as it was when we took over 10 years ago.

I thank the member for Mitcham for the feed; it was very well done. The financial decade until the State Bank was a decade of total success for this Government. We managed to bring the debt down from what we inherited from the Leader of the Opposition, among others. We inherited a debt expressed as a proportion of gross State product of about 24 per cent, and it is now about 25 per cent. Over the decade we got the debt down to about 16 per cent, and that is a remarkable achievement. This Government was in total control of the State's finances, on our own account, and it was a remarkable achievement. It has left us in the position that we still have a much lower level of State debt than, for example, Tasmania and Victoria. We also have a much lower level of taxation than New South Wales and Victoria. In fact, we have the second lowest level of State taxation in Australia. That has been another benefit of this decade for the people of South Australia: the second lowest level of State taxation in Australia. It is a quite remarkable achievement.

When that is coupled with an above average level of services, it indicates very clearly the level of financial control, financial commitment and commitment to services that this Government has had over the past 10 years. Every financial commentator has said exactly that: that the South Australian Government has managed its own financial affairs in an exemplary way. If members read the financial press, they will see that. I concede that the State Bank has been quite a significant problem. It is very easy in hindsight to castigate the State Bank and castigate the Government for the State Bank.

In conclusion, I wish to quote from an editorial in the *Advertiser* of 31 August 1988, under the heading 'Developing confidence'. Remember that date, because that is the point. I shall be happy to circulate this editorial to all members, but in deference to you, Sir, I will read only a small part. It relates to the Remm project as well, and it is very interesting, as follows:

> One of the happiest aspects of the project—

this is the Remm project—

> after the developers had reported difficulties getting finance, is that SA's State Bank, headed by Mr Tim Marcus Clark, who has recently done much to stimulate the development debate, came to the front by tying together its largest funding package yet for Remm. The financial go-ahead for this project, and statistical reports of the recent boom in non-residential development in Adelaide, are signs of confidence. This is something we all need to develop.

All these people, whether the member for Mitcham, the *Advertiser* or anybody else, are very good in hindsight, but let us not forget what they were saying at the time. There are some very interesting quotes for members opposite. Earlier on they were claiming credit for what they did in Parliament for the State Bank. A great deal of material is available which I will enlarge upon to the House from time to time. In summary, this decade has been exceptional for this State where the State Government has had total control of the finances. As I said, every financial commentator recognises that.

The Hon. H. Allison interjecting:

The SPEAKER: Order! The member for Mount Gambier is out of order.

FINE DEFAULTERS

The Hon. J.P. TRAINER (Walsh): Will the Minister of Correctional Services inform the House why the number of fine defaulters in prison increased during 1991-92? In the media release issued today entitled 'Just fine in prison under Labor' the member for Bright claims that fine defaulters are taking the soft option of a night or two in prison rather than paying their fine or carrying out community service.

Members interjecting:

The SPEAKER: Order!

The Hon. R.J. GREGORY: I was interested to read the media release of the member for Bright, because I do not believe that any form of detention is a soft option.

Mr Brindal interjecting:

The SPEAKER: Order! The member for Hayward is out of order.

The Hon. R.J. GREGORY: I do not know where the member for Bright comes from or what is his experience, but our prison sentencing system is quite extensive. If people are not able to pay their fines, they can make a special pleading to the court and do community service. A group of people in our community thinks it is quite smart to avoid community service and take what the honourable member calls the soft option. If he believes that being locked up from 4.30 p.m. to 8.30 a.m., being totally strip-searched when they enter prison and having nothing to do while they are there for three or four days is a soft option, I suggest to him that the next time he incurs a traffic fine he should not pay it, and he can then find out what the soft option is. I would like him to find that out, because I do not believe that going to prison is a soft option, and I believe he ought to think again.

We are building a detention centre for people who default on fines, because we believe there is an obligation to ensure that people who are punished by the court carry out their punishment. If the fine is for a certain amount and if they do not want or refuse to do certain

community service work, they go to prison for the amount of days stipulated—and I think that is the proper thing to do. However, for the member for Bright to say that it is a soft option is completely wrong. As I have said, the next time he gets a traffic fine he should not pay it and find out.

DEVELOPMENT PROJECTS

Mr OLSEN (Kavel): My question is directed to the Premier. When can South Australians expect to see work started on major projects worth almost $3 000 million promised by this Government over the past 10 years, such as the Marino Rocks Marina, the Mount Lofty redevelopment, the Wilpena development, the Marineland redevelopment, the paper recycling plant, the Victoria Square facelift announced just five or six days before the 1989 State election, the O-Bahn tunnel under the parklands, the southern O-Bahr and Tonsley interchange, the Art Gallery extension, the Woomera redevelopment, the Darlington bypass and third southern arterial road, a third unit at the Northern Power Station, and a petrochemical and coal gasification plant?

Members interjecting:

The SPEAKER: Order! Before the Premier responds, questions can be asked without support from any other member. If members continue to interject, action will be taken. The honourable Premier.

The Hon. LYNN ARNOLD: I noticed that while the question was being asked it was somewhat like a sideshow at the Royal Show with all these heads bobbing up saying, 'Yes, yes' and so on. However, occasionally there were a few heads that were not nodding any more-they did not want to nod at some of the projects mentioned, because they can recall: 'No, we didn't want that. We would have been very embarrassed if something had gone ahead.' Some members in particular felt very awkward indeed. The reality is that many major developments have taken place in this State, but the honourable member did not mention them.

Members interjecting:

The Hon. LYNN ARNOLD: Okay. Let us go through some of them. What about the major expansion of Apcel down in the South-East? Some of the projects that were not mentioned by the member for Kavel were very much smaller expenditure figures-

Members interjecting:

The SPEAKER: Order! The Premier will resume his seat. Three times now I have had to speak to the Deputy Leader. He is well aware of the consequences if he carries on interjecting.

The Hon. LYNN ARNOLD: Some of the figures he mentioned were many times smaller than just the investment in Apcel alone. We also have the BHP continuous castor and the major investment up there. Members opposite are quiet now because they know that that and Apcel were major investments. Then we have the BRAS refurbishment program. We also have other investment programs by manufacturing firms within the metropolitan area. A number of those are significant. The paint shop at Elizabeth is nearing completion-an excellent project that this Government has been very pleased to support. We have also seen developments at Mitsubishi, plus the submarine project, which was not mentioned in any list that came out today. It is a very partial list that has been issued by the Liberal Party today. It chooses to ignore all those points.

We also have the other developments at Technology Park. I have already paid credit to the Leader when he was in Government for, in a sense, getting the idea up and running. We saw him in the paddocks, and the grass grew very well under him; it really was a very nicely grassed area that he established. Since then, a number of facilities have been developed out there-buildings supported by the Government and others by the private sector directly that have taken place, I could go through and name all of them if members would like, but I am conscious of the fact that that would use up Question Time unreasonably.

Members interjecting:

The Hon. LYNN ARNOLD: Members opposite laugh! Then we have the Science Park development down south. We could go onto other industrial projects in regional areas, the Boral factory at Angaston, and then we could go to the plants at Murray Bridge. We can list many projects, which I have, indeed, listed during the Estimates Committees. One project going ahead at the moment is rather interesting because, in the very short list members opposite had when they were in Government they only had a few names on the list; and it certainly never went over the page in terms of major industrial investments in this State-they kept on crowing about Libe Herr. I can recall the former member for Kavel (in fact, he probably bequeathed the issue to the present member for Kavel) announcing, with such great pleasure, that this major investment was coming to South Australia.

I do not really know what members opposite did to try to attract them to South Australia-they may have done something, such as writing a letter here or there. The reality is that nothing came when they were in Government; nothing came for some years after. It is only under this Government that finally that project is going ahead. One can drive up Main North Road and see it there now well and truly established, when it was only a vision in the minds of members opposite. I could go on with many other projects out listing by a factor of many times the total investment value of the list that the would be Leader, the member for Kavel-

The Hon. Frank Blevins: The next Leader of the Opposition.

The Hon. LYNN ARNOLD: Yes, the next Leader. That would outdo the quantum of the list that the member for Kavel has read out today.

OFFICER BASIN

Mr FERGUSON (Henley Beach): Will the Minister of Mineral Resources inform the house whether agreement has been reached for the seismic testing of the Officer Basin between the Minister of Mineral Resources and the Maralinga and Pitjantjatjara communities?

The Hon. FRANK BLEVINS: I am happy to announce that I have signed this historic agreement separately with the two communities. The mapping of the Officer Basin is something that we have seen as highly desirable because the area is highly prospective. There

has been quite a significant period of amicable and productive negotiation involving the Government, the exploration companies and the communities, the traditional owners. I know every member will appreciate that the terms of the agreement do respect the wishes of the traditional landowners and provides for care of the environment, as well as allowing for the acquisition of the information. I think everyone in South Australia ought to be pleased with this agreement. As I have said, it has been a complex agreement to negotiate.

However, there is a sour note in all this, and I regret in some ways having to bring it up. I refer to the actions of the Leader of the Opposition. I know the communities have been quite distressed by the actions and words of the Leader of the Opposition, and they have issued a press statement today saying just that. I refer to the press statement put out by the Administrator of the Maralinga community, Mr Archie Barton, when he was confirming the agreement. Mr Barton stated:

> This agreement continues the constructive relationship which the Maralinga Tjarutja community has developed with mining companies and the South Australian Department of Mines and Energy since the passing of the Maralinga Tjarutja Land Rights Act in 1984.

Mr Barton noted, however, comments to the contrary made recently by the Leader of the Opposition, Mr Dean Brown, when he suggested that the Maralinga Tjarutja Land Rights Act and Pitjantjatjara Land Rights Act constituted a blanket prohibition on exploration. That has been the claim of the Leader of the Opposition, and the agreement that has been signed gives lie to that claim. Mr Barton went on to say:

> The Maralinga people welcome constructive and sensitive discussions like those we have just had with the South Australian Government and previously with all of the mining companies who have approached us since 1984, including Comalco, CRA, Stockdale and BHP Exploration.

Mr Barton goes on:

> Mr Brown must learn to check his facts before making such misleading and emotive statements. Had he spoken to any of the mining companies with whom the Maralinga Tjarutja has had discussions since 1984, he would have learnt that the Maralinga Tjarutja Land Rights Act and the Pitjantjatjara Land Rights Act have been successful in allowing for the protection of Aboriginal environmental interests whilst, at the same time, facilitating exploration.

I know from what has been reported to me from the community that the Leader of the Opposition has been blundering around the State creating annoyance and dissension not only amongst the communities in the north west but also amongst the mining companies, which have worked hard and long.

Mr BRINDAL: On a point of order, Mr Speaker, I believe it is against Standing Orders to debate the answer to questions. I believe you have ruled that consistently, and I draw it to your attention.

The SPEAKER: I ask the Minister to come back to the subject. It has been a fairly long response, and I ask him to draw it to a close.

The Hon. FRANK BLEVINS: I was just about to conclude, Sir. The Leader has been blundering about the State, annoying everyone concerned, not just the communities but also the mining industry, which has set up extensive consultative mechanisms with the communities, and they are being very successful, as this agreement demonstrates.

HOSPITAL FUNDING

Dr ARMITAGE (Adelaide): How does the Minister of Health, Family and Community Services equate the 1982 election promise of the Labor Party-'We will halt funding cuts to our public hospitals'-with the horrifying evidence that exists in South Australia today of cancer patients being unable to get treatment, of wards being closed, of patients waiting for hours in corridors on barouches and of a record 9 000 people on waiting lists?

The Hon. M.J. EVANS: Of course, today I have been able to announce to the House the extension of the Medicare agreement in relation to South Australia, which will provide substantial additional funding. I think it is important to recognise that, when we look at some of the examples which the member for Adelaide has raised in this House in recent times, it is difficult indeed to trace back some of those individuals examples through this process. I think some concern needs to be expressed about the way that is being done.

I cite, as an example, the matter that was raised in the House on 29 October concerning a patient at the Queen Elizabeth Hospital who, as he stated at the time, required surgery and concerning the waiting list that applied in that case. Investigation has revealed that, some 10 days prior to the matter being raised in the House, the surgery was undertaken.

Members interjecting:

The Hon. M.J. EVANS: At the time the question was asked in this House, the patient had been at home for six days.

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. EVANS: I understand clearly that—

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. EVANS:—there are individual cases which need to be addressed, and I am certainly prepared to do that. The example I have just given shows that the commission and I are prepared to check back through any individual case that the member for Adelaide or any other honourable member wishes to raise in this House.

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. EVANS: I am prepared to take on that responsibility, because the Minister of Health is responsible not only for the health of 1.3 million South Australians as a whole but for each of those South Australians individually. That is a difficult responsibility to pursue on a case by case basis, but certainly it is a responsibility that we have to take back. I question the way in which that process is used in this House on some occasions. We have to be conscious of the fact that, whilst there is a substantial requirement to address those waiting lists, the Medicare agreement indeed does that. Some 48 per cent of the patients on that waiting list are dealt with in the first four weeks of their being on that list.

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. EVANS: When we consider elective surgery, we must bear in mind that some 4 000 more procedures have been performed over the past three years. Activity levels in our hospitals are increasing and

remain excellent. I understand that there are waiting lists. I have never denied that there are booking list procedures that we need to address. That is clearly being done, and the member for Adelaide has again referred to the Hunter report, which I addressed in my statement to the House this afternoon. Quite clearly, we need to address those procedures, and the Government is doing that.

HOUSING TRUST ESTATES

The Hon. T.H. HEMMINGS (Napier): I direct my question to the Minister of Housing, Urban Development and Local Government Relations, if the Minister for Recreation—

Members interjecting:

The SPEAKER- Order! If members on my right would come to order, we could get on with Question Time. The member for Napier.

The Hon. T.H. HEMMINGS: Will the Minister of Housing, Urban Development and Local Government Relations advise the House of the progress of redevelopment of Housing Trust estates in the Elizabeth and Munno Para areas, and I promise not to leave the Chamber if he does not answer.

The SPEAKER: That remark was out of order, and the member for Napier knows it.

The Hon. G.J. CRAFTER: I know of the honourable member's interest in this development. During the short period I have been the Minister of Housing, Urban Development and Local Government Relations, it has been a delight to see the innovative and creative work being undertaken by the Housing Trust. Yesterday I was associated with the Housing Trust's receiving two awards, and today it was a winner in the Corporate Cup in another sphere of activity.

The redevelopment of the Elizabeth-Munro Para area is a good example of the innovative approach that the Government is taking in South Australia in the area of urban renewal. The first stage of the redevelopment is a demonstration project known as Rosewood Village located at Elizabeth North. The project involves the refurbishment and construction of some 270 Housing Trust units on a parcel of land previously occupied by 215 units. It includes some 100 private homes, which will benefit from the improved road alignments, landscaping of public areas, brick paving of footpaths and creation of new public reserves. The redevelopment will provide major new opportunities for people to buy a home of natural advantages that Elizabeth currently has in good their own at a very realistic price. It complements the shopping, transport and recreation facilities, and of course its warmer weather.

The South Australian Housing Trust will retain 15 per cent of the housing stock for rental purposes. The Rosewood Village project will act as a model for how we undertake urban renewal programs in other areas of metropolitan Adelaide and the State in the future. The project aims to show how key housing an*d urb*an planning principles can be integrated harmoniously into a single development. It demonstrates improved planning practices, with all relevant bodies being involved in the process from conception right through to delivery.

The project demonstrates better land use, greater densities close to regional centres without compromising private space and, further, co-operative partnerships between local communities, Government and the private sector. The community was involved in extensive dialogue, funding was provided from all three levels of government and the Delfin Property Group has been retained as management and marketing consultants for the project. The project builds onto this Government's objective of increasing home ownership opportunities particularly for low level and middle income South Australians. The project will result in more than 100 South Australian families achieving home ownership.

I was pleased yesterday when opening World Planning Week that the Rosewood Village was awarded the Royal Australian Planning Institute's award for an outstanding project of significance to the South Australian community and I am pleased to advise that the Deputy Prime Minister will be coming to Adelaide to launch the village and open the series of display homes there in a few weeks time.

PRIMARY INDUSTRIES

Mr D.S. BAKER (Victoria): My question is directed to the Minister of Primary Industries. What new and credible assurances can the Government give the rural sector, having said in 1982 'We will work with our farmers to reduce costs and expand markets', when, in fact, rural production has since decreased by 35 per cent in real terms and farm income has been reduced by nearly $1 000 million in real terms since 1981?

The Hon. T.R. GROOM: The honourable member ought to realise that there is a world-wide recession and rural crisis in many countries. The degree of that crisis fluctuates from country to country, but it is a world-wide phenomenon, and South Australia and Australia are not alone in that process. I do not know how the honourable member or the honourable member's Party would have cured the world-wide recession which, obviously, has impacts—

Members interjecting:

The Hon. T.R. GROOM: You well know that with a world-wide recession there are factors that are simply beyond the control of any one nation or State. The fact is that rural communities all over the world are suffering. They are suffering from a trade war and many of the problems are simply market driven and, combined with recessionary impact, it has produced a severe situation in all Australian States.

Next week I hope to be in a position to release details of a major overhaul in relation to agriculture in this State. It will set the direction for the next decade and beyond and it will set a direction towards prosperity and profitability that will benefit the whole of South Australia, not only the rural community. By their efforts and by the underpinning of the rural communities through research, development and new technology, as well as through organisational efficiency, we will be able to get Government input costs down and in that way benefit the rural sector.

The Hon. Dean Brown interjecting:

The Hon. T.R. GROOM: The Leader of the Opposition says it is rubbish, but the rural sector contributes 50 per cent of our wealth by payment of income and has 50 per cent of our asset base. It has great potential to increase profitability in South Australia—prosperity for the rural sector and profitability for the whole of South Australia. The recommendations in the review that will be released next week will set a new direction of prosperity for rural South Australia.

The Hon. Dean Brown interjecting:

The SPEAKER: Order! The member for Price.

WASTE MANAGEMENT

Mr De LAINE (Price): Can the Minister of Environment and Land Management say what steps have been taken to ensure Australia-wide control over the management of non-toxic wastes and the monitoring of movement of such wastes throughout Australia?

The Hon. M.K. MAYES: I thank the honourable member for his question and his interest in this area, because the tracking and audit of hazardous waste, both nationally and internationally generated waste, in this country is a matter of great community interest. I am pleased to be able to say that following the ANZEC conference last week there has been an endorsement by that council of an Australia-wide hazardous waste system to track the international and interstate movement of hazardous waste.

The Australia-wide system will be built on a waste tracking system already in place in several States which has arisen from the need to institute safe handling and disposal of these hazardous chemicals by very clear procedures. The establishment of a nationwide system will be based on the waste manifest which will be capable of being tracked and will be compatible with overseas tracking systems which have been used internationally and been recognised by international bodies.

ANZEC also agreed to the establishment of a task force to investigate the establishment of a national pollutant inventory which will pool information on pollutants from different sources and make information available to the Australian public. That is a very significant announcement from the point of view of community concern. At the moment, with the movement internationally of hazardous waste, such as plutonium, there is great community concern about how it is being managed.

I believe that the public has a right to know what is being moved, where it is being moved, where it is being stored and so on. Both the hazardous waste tracking system and the national pollutant inventory are designed to inform the general public about the movement and generation of waste in Australia and to heighten public awareness to the dangers associated with the generation and use of hazardous waste. I am pleased that the council has endorsed that. A lot of work has gone into this, and I am sure it will not only inform the public but also give people in the community confidence in the way in which we handle such waste in this country.

FISHERIES RESOURCES

Mr BLACKER (Flinders): I desire to ask a question of the Minister of Primary Industries. In the interests of fisheries resource management and local policing, will the Minister review the decision of the Department of Fisheries to close the regional fisheries office at Kingscote? I have received a communication from representatives of the fishing industry who have expressed concern about the future of fisheries management on Kangaroo Island, particularly in the areas of policing and resource management. I have briefly discussed this issue with the member for Alexandra and I know of his concern and the concern of local government on Kangaroo Island about this issue.

The Hon. T.R. GROOM: I appreciate the concern of the honourable member. I do not propose to reverse the decision. The Resource Protection Branch underwent an internal review in 1992 to ensure that maximum effective and efficient effort is achieved to attain the objects of what was then the Department of Fisheries. The recommendations that flowed from that review included the closure of the Kingscote office of the department and corresponding increases in staff levels at Victor Harbor. The review was conducted by experienced fisheries officers from the resource protection branch, and the proposed initiatives were those identified as best in order to utilise available resources.

It is obviously a sensitive issue. When a country centre loses a facility such as that, it causes some concern, and the honourable member has correctly raised that concern in this House. The recommendation to me is to support the closure of the Kingscote office. I have already looked at the papers, and I think there is wisdom in what the department has recommended regarding the best way to utilise resources. As there will be a corresponding increase in staff levels at Victor Harbor, I will go back to the department and ensure that Kangaroo Island is not prejudiced in any way by the closure regarding staff levels and policing. Ultimately, the best utilisation of resources must prevail.

SPORTING RECOGNITION

Mr HERON (Peake): My question is directed to the Minister of Recreation and Sport. What recognition does the Department of Recreation and Sport, through the South Australian Sports Institute, give to those individuals who have achieved national or international success in their chosen sport?

The Hon. G.J. CRAFTER: I thank the honourable member for his question and interest in this aspect of my portfolio. The South Australian Sports Institute, which is part of the Division of Sport within the Department of Recreation and Sport, is celebrating its tenth anniversary this year. From its inception in 1982 the South Australian Sports Institute has been the catalyst for providing South Australia's athletes with some of the best facilities and equipment available in Australia. Indeed, more than 700 elite athletes in our community have been assisted by that very valuable organisation.

In just these few short years, the Sports Institute has gained prominence as an international standard academy.

Much of this recognition came as a direct result of the outstanding performances of South Australian athletes. On 25 October this year, I had the pleasure of launching the first phase of the South Australian Sports Institute Hall of Fame. The SASI Hall of Fame is a photographic display of SASI olympic medallists and world champions plus the South Australian members of the 1992 Barcelona olympic team. This impressive collection is displayed at the administration building of the sports division at Kidman Park.

On Saturday 14 November, I will host the inaugural South Australian sports awards at Football Park, West Lakes. The awards will recognise outstanding South Australian athletes who have received training, funding and coaching through SASI over the past 12 months. The awards will also honour those junior athletes who have excelled at their sports as well as those competing in sports for the physically disabled and other minority groups through the SASI sports development programs. It is timely, as part of the 10 year celebrations of the achievements of SASI, that a permanent visual display of South Australia's outstanding sportsmen and sportswomen is now established at the Hall of Fame and that an awards dinner personally acknowledges those who through our own South Australian Sports Institute have achieved success either as coaches, administrators of sports or, of course, outstanding athletes.

SCHOOL TEACHERS

Mr SUCH (Fisher): My question is directed to the Minister of Education, Employment and Training.

Members interjecting:

The SPEAKER: Order!

Mr SUCH: How can the Minister explain the Government's 1985 election promise that 'teacher numbers will be maintained' when that is compared with an actual reduction in teacher numbers of 1 200 since 1985 and the fact that 24 000 South Australian schoolchildren suffer literacy and numeracy problems?

The Hon. S.M. LENEHAN: It is most interesting that the honourable member picks a statistic out of the complete picture of what is happening in education in this State. I will be very pleased to debate with the honourable member at any time this Government's record with respect to education compared with other States in this country. Let us look at the quality of education as measured by a number of indicators and see what this shows. It shows that we have the best teacher:student ratio in this country, and I suspect that, if we had a look at what happens in other parts of the world, we would fmd that we are world leaders in terms of the number of students being taught by the number of teachers-in other words, class sizes.

If we look at the quality of education as measured by the quality of our teaching force, we find again a very rosy picture. We fmd teachers who have better training and who-if we look at the end of step 11-are certainly paid more than their counterparts in any other part of the country. With respect to the kind of support services in terms of ancillary staff in non-contact time and professional development, again our professional teaching force is ahead of the rest of the country. We can look at that picture right through from child care, children's services, primary and secondary education and further education.

It is interesting that the honourable member seeks to try to score some sort of cheap political point from our teaching staff and teacher numbers. However, let me assure the House and the honourable member that the quality of education in South Australia is second to none in this country. That does not mean that we will rest on our laurels; indeed, we intend to make sure that we move the quality of education ahead even further, that we work as a Government with teachers, parents and students to ensure, in the first instance, the maximum choice for our students, so that we can give students the confidence and skills to be able to make choices and to be able to form part of the economic development of this State and this country. I am happy to provide any further details to the honourable member that he requires, because, unfortunately for him, he has chosen one of our very strong and positive sectors to attack. While I am answering this question I would like to pay tribute to my predecessor the former Minister of Education-

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: -because of the work that he did in this area. In fact, this morning I visited SSABSA. I had the opportunity to go through SSABSA and see what we are doing there in terms of exporting the whole SSABSA system to Malaysia and other parts of South-East Asia. It is a credit to the former Minister and to the SSABSA board in terms of the development of the examination system and the assessment system that we have in this State. I should ask the honourable member to perhaps ask for a briefing from an organisation such as SSABSA because he would learn an enormous amount about the quality of education in our system.

Members interjecting:

The SPEAKER: Order!

HELPMANN ACADEMY

The Hon. D.J. HOPGOOD (Baudin): My question is directed to the Minister of Education, Employment and Training. When will what I believe is to be called the Helpmann Academy for the Performing Arts be set up? What will be the nature and function of this academy, and under whose aegis will it be established?

The Hon. S.M. LENEHAN: The stage is now set for significant progress in establishing in South Australia a world-class academy for the performing arts.

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: This is in fact quite an exciting proposal, because the universities are now working together on the basis of a joint arrangement which will include the TAPE school of music and drama. I understand that a number of Opposition members already have been briefed on these exciting proposals, and this is an issue on which there will be truly strong bipartisan support. In answer to the last part of the honourable member's question, the establishment of the Helpmann academy will come under the responsibility of the universities and the TAFE sector. It will be, if you

like, at arm's length from Government but certainly will report through me as the appropriate Minister. The establishment of this academy will add to Adelaide's already international reputation. It will enhance Adelaide's reputation as the festival city. I look forward to working with the universities and with TAFE on this exciting proposal.

FINE DEFAULTERS

Mr MATTHEW (Bright): I seek leave to make a personal explanation.

Leave granted.

Mr MATTHEW: In reply to a question earlier today, the Minister of Correctional Services made a derogatory reference to me regarding my public statement—

Members interjecting:

The SPEAKER: Order!

Mr MATTHEW:—that fine defaulters are taking the soft option and going to prison rather than undertaking community service or paying their fines. The source of my information is the 1992 annual report of the Department of Correctional Services which was tabled in this Parliament yesterday, and in particular I refer to page 11, which states:

> An alarming and extensive number of individuals are still prepared to accept imprisonment for default. The combined effects of concurrent default and prison overcrowding resulting in early discharge encourage such action.

GRIEVANCE DEBATE

The SPEAKER: The proposal is that the House note grievances.

Mr HAMILTON (Albert Park): Today in Question Time we heard a question from the member for Adelaide in relation to serious problems he is having in locating the Hunter report, and it may well be that we need to investigate installing telephones underneath our desk so that the member for Adelaide would not have to be absent from the Chamber—

The Hon. T.H. Hemmings: Computer link-up.

Mr HAMILTON: Well, computer link-up, as my colleague suggests, for the member for Adelaide, because this is not the first time he has had some difficulty in being fully acquainted with the facts. On one of the rare occasions when the member for Bright and I have cooperated in this House, regarding a serious matter involving the health area, the member for Bright, to his credit, was good enough and decent enough to give me a letter expressing his appreciation for the manner in which I handled that matter. Unfortunately, the comment from the member for Adelaide on talk back radio did not square off with what he had told me privately. I am very much disturbed about that, because I think it indicates that the member for Adelaide has a lot to learn, despite his so-called academic qualifications. There are certain procedures and protocols in this House and, if he has not learnt them, he should be told by his colleagues. Of course, I have referred to one of them.

Where he is at the moment, I do not know. It might be that his colleagues are out looking for him. But it is obvious that today in Question Time he spat the dummy. He dished it out but could not take it.

Members interjecting:

Mr HAMILTON: As the member for Price quite properly remarks, he went visibly white when the Minister of Health—and I do not think it is any secret that he and I have not always got on well together in this Parliament—quite properly, and in no uncertain manner, served up the member for Adelaide. The member for Adelaide went visibly white; he was pale for a considerable time and ran out of the Chamber like the big sook he is. As the member for Spence has pointed out on a number of occasions, it is obvious that he has a conflict of interest regarding traffic management in his area. He has reacted very quickly; he spits the dummy very quickly. It is not often that I get involved in those areas, but the actions of the member for Adelaide are obvious to all and sundry, particularly to the media.

The Hon. T.H. Hemmings: Unbecoming of a doctor.

Mr HAMILTON: I did not think it was quite appropriate anyway. I can remember many occasions when I was in Opposition when I had opportunities—

An honourable member interjecting:

Mr HAMILTON: Well, I remember vividly the years between 1979 and 1982. The member for Victoria knows very well that I could say a lot of things, but I do not. I do not believe in walking down the slippery, slimy path that some walk. I am not referring to the member for Victoria in this regard. But there are few people in this place, including me, I hasten to add, who have not done something in the past of which they are not completely proud. It is very easy to dish it up in this place but it is another thing to be able to cop it. I have dished it out in my time and I have copped it in my time, but I do not run around squealing like a stuck pig, as some other people do.

I suspect that for the first time in 14 years in this Parliament I have wasted my five minutes in the grievance debate. I normally refer to my electorate. But I think on one occasion in 14 years, to express a view about some people opposite, is perhaps a luxury I can be afforded.

Mr MEIER (Goyder): It appears that the Leader of the Democrats, the Hon. Mr Ian Gilfillan, visits Yorke Peninsula once in a decade. He did so recently; in fact, he visited the northern part of Yorke Peninsula and managed to get a headline in the local paper which read 'Government accused of criminal negligence on Yorke Peninsula'. The article states:

> Mr Ian Gilfillan has accused the two major political Parties of 'criminal negligence' in their approach to problems on Yorke Peninsula. Labor and Liberal pay lip service notions of decentralisation while committing themselves to an increasing rationalisation of services away from the country to metropolitan areas.

I think it is high time someone told Mr Gilfillan that the Liberal Party has not been in government in this State for 10 years: likewise, at the Federal level it has not been in government. To accuse it of criminal negligence is outrageous. I am tempted to call him a fool, but that would be a reflection on all fools. Certainly, after reading his comments, my estimation of Mr Gilfillan has gone

down considerably from a fairly low level of estimation to start with. Whatever the case, Mr Gilfillan now comes out and says that the Yorke Peninsula roads—

The DEPUTY SPEAKER: There is a point of order. The honourable member for Walsh.

The Hon. J.P. TRAINER: I rise on a point of order, Mr Deputy Speaker. I take this point of order with regret, because many of us might agree with the honourable member opposite, but he should not reflect on a member of another place.

The DEPUTY SPEAKER: I uphold the point of order and refer the member for Goyder to the Standing Order under which he must not reflect on members in another place. The member for Goyder.

Mr MEIER: Thank you, Mr Deputy Speaker: I did not think I was reflecting. The Leader of the Democrats then went on to say that Yorke Peninsula roads were a disgrace and, amongst other things, he said:

> Look at the major roads on the peninsula They are a disgrace. I will be asking questions in Parliament of the new Transport Development Minister (Barbara Wiese) at the first opportunity- Something has got to be done.

I note that Mr Gilfillan, since he has come back, has asked a question about roads—a matter that I have taken up on many occasions. In fact, looking back through the records, I notice that the first reference to some of these roads was in 1985, when I referred to roads that were officially not in my electorate at that stage. In August that year, I wrote to the then Minister of Transport (Gavin Keneally) asking for assistance with sections of the Port Wakefield to Kulpara road. In August 1986, I requested and managed to get both the Minister of Transport and the then Minister of Lands (Hon. Roy Abbott) to visit. We had a bus tour around northern Yorke Peninsula on many of the roads, including the Kadina to Wallaroo road. We sought assistance at that stage.

In January 1987, I sought immediate action on the Kadina to Wallaroo road. That did not occur, but shortly thereafter I led a deputation to Parliament House to the Minister of Transport asking that that road be put on a priority schedule. That was not done at that stage, but it was not long before it did get onto a priority schedule. On 14 October 1988, I raised with the Minister of Transport concerns about sections of the Port Wakefield to Kulpara road and asked whether something could be done about the terrible undulating nature of the road. Something was done, and the undulations were smoothed out to some extent, even though since 1988 the road has deteriorated considerably.

In June 1990, I sought assistance regarding the South Hummocks hills part of the Kulpara to Port Wakefield road, because about 20 cars had slipped on that section of the road over a long weekend. I thank the Minister, because that road was resurfaced. Again on 11 April I raised concerns about the Port Wakefield to Wallaroo road and asked for further assistance. I was informed that upgrading was programmed to commence in the 1992-93 financial year.

The DEPUTY SPEAKER: Order!

Mr MEIER: I just wish people would look before they leap.

The DEPUTY SPEAKER: Order! The honourable member for Gilles.

Mr McKEE (Gilles): When I was 15 or 16 years of age-

Members interjecting:

Mr McKEE: No, not very long ago—

Mr D.S. Baker interjecting:

Mr McKEE: No, it is definitely not. At that time I had no idea about what Vietnam was or where it was. I had to consult an Atlas to find out where it was geographically. Like many other people at that time, I became very much aware of where Vietnam was and what was occurring there because of the press coverage of the day, particularly the television or electronic media coverage, which was bringing what was happening in Vietnam into everyone's home. Also at that time I came to the conclusion that I was opposed to the war in Vietnam. I believed I was correct then and I believe even today that I was correct then to have opposed the Vietnam war.

Mr Atkinson interjecting:

Mr McKEE: And I am correct now as well, as the member for Spence suggests. It was driven home to me at that age, as it was to many Australian males, in particular, of that age, that we were about to have some involvement in the Vietnam conflict, whether we liked it or not, given the policies of the Government of the day in going, as was said at that time, 'all the way with LBJ'. To further enhance that position, the draft was introduced. As I approached the drafting age of 20, it was driven home to both me and a number of my friends. I was fortunate. I applied for the draft, as we were required by law to do, but my number did not come up. It was the only time I was happy not to win a raffle. However, many of my friends were drafted, and I must say that, in a couple of cases, they have not been quite the same jovial, happy people since that experience.

Today of all days I would like to point out the futility of war. I believe it to be the most abhorrent and most base of activities that human beings can undertake. Today, Vietnam is a different country. After nearly 100 years of fighting in conflicts involving the Japanese, the French in the battle of Dienbienphu in 1954, and latterly the Americans, assisted by our own countrymen, the Vietnamese people wish to put that war behind them. They wish to grow like other Asian countries of that region. They have taken note of the economic growth of the regions of southern China and of what is taking place in Thailand and Indonesia, and they wish to be part of it.

Vietnam has a population of 70 million, in excess of 90 per cent of whom are literate. Half the population is under the age of 25 years. Since the mid 1970s, they have embarked predominantly on a program of education for their population. To give the House some idea of the enormity of the project, from kindergarten to tertiary they have about 15 million students and 800 000 teachers and professors in 15 000 schools from primary to secondary. They have given a great emphasis to educating their population for the future.

Australia can play a role in that not only by assisting in the education program and the exchange of education programs between Australia and Vietnam, but there is also a lot to be gained for South Australia and Australian business ventures in Vietnam. Opportunities still exist in a wide ranging area. The Vietnamese Government has embarked on a five-year economic program to bolster the

much needed infrastructure that is needed and opportunities do exist for South Australian business in the areas of food processing, mineral processing, coal washing, gold mining and manufacturing, as well as other opportunities available to Australian companies.

South Australian and Australian companies should not think it is going to be a Victorian gold rush. Obviously, laws and directions are set by the Government in Vietnam on how business should proceed. In fact, an Australian law firm based in Melbourne has interpreted the business laws of Vietnam into a document that is available—

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

Mr BRINDAL (Hayward): I rise today to speak on the public perception of politicians across this country and, in doing so, I want to acknowledge the genuine commitment to public service given by members on both sides of this Chamber, in the other place and in similar Chambers throughout this country. I believe that no-one, until they have served in the Legislature, really knows the amount of work involved or the commitment required, and I know that, from whichever side of the House a member of Parliament comes, most members—I hope all members—of Parliament give that commitment to the people of their State, their country and the people for whom they are the elected representative.

I for one am sorry that that is not always acknowledged. However, since we present ourselves for public leadership we cannot escape the glare of public scrutiny and accountability. Although that glare might sometimes be more harsh than we would wish, that is our lot. Like everyone else in our community, I believe that we can expect some measure of natural justice and can demand that such scrutiny be fair.

I do not think it is fair, when every cent of the money which I and all other members earn from the public purse is exposed to public scrutiny and criticism—when every member of this Chamber must come in every day, because it is our job, to question, criticise and sometimes blame Ministers because, under the Westminster system, theirs is the responsibility (I note that the member for Ross Smith is sitting here today and he is perhaps the most poignant example of the responsibility which we bear if we hold high office in this Chamber), yet others, who as certainly as we do work for the public purse, seem not only determined to conceal their employment package from their rightful employers-the people of South Australia—but also to fudge and deceive the very Ministers through whom they must be accountable to this Chamber.

The statement made yesterday by the Treasurer is the most eloquent example of a group who, having failed in their duty of care to all South Australians, have cavalierly, apparently, hung up their shingle once again, and it reads 'Business as usual—and be damned to whoever might be Treasurer of South Australia.' I want to put on the public record the fact that I am absolutely appalled that the Treasurer had to come in here yesterday and make a statement that was at variance with a statement that he probably gave the House in good conscience and good faith.

If I believe that, I must then say he has been deceived by those who in fact are paid from the public purse. I hope that the Executive Government will do something to bring those people to account, because I believe that what happened yesterday was just once too often in respect of the State Bank. Despite these factors, I think we bring part of the criticism in this Chamber upon ourselves. There are some among our number who consistently diminish the stature of this institution, an institution of which we are but passing custodians.

In that respect I draw the attention of the Chamber to some of the more outlandish statements made by the Prime Minister of Australia. I believe he serves no Parliament or Chamber of Parliament any good purpose when he speaks of the 'unrepresentative swill'. However, closer to home we have another perpetrator, and I refer to the member for Napier, who rises day after day and wastes the time of this Chamber by contributing what in the most charitable form I would call irrelevant tripe. He plays the statesman and the fool at once. Indeed, he would have been a fine character for Lear: he makes the fool of Lear seem a wise man by comparison.

The member for Napier has been in this place for a long time, at least one or perhaps two terms too long, and it will be much better for this Chamber and for the people of South Australia when there is a new member for Napier and that new member is the Minister who has some ability—

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

The Hon. J.C. BANNON (Ross Smith): I would like to draw two strands together today. First, I refer to the concept that has been developed vigorously and effectively by the Government to make South Australia the transport hub of Australia. A number of elements are in place to ensure that the particular advantages we can provide as an entry point, as a distribution location, for goods and services around this country can be enhanced and developed, and the more progress, the more energy and activity, and the more expenditure by private, Federal and State sources on this concept, the better.

One of our claims to be the transport hub relates not just simply to geography but to history. After all, it was in the last century that Sir Charles Todd, Surveyor-General of South Australia, with the active support of a number of citizens and the Government of the day, managed to ensure that the overland telegraph line, the international connection that linked Australia for the first time with the rest of the world, was brought down the centre, out through Adelaide and distributed into the east and west of this country, rather than going down the eastern coast, as many people had urged at the time. It was a sensible decision and it was done enormously effectively. There are other links, including the Darwin-Alice Springs railway, which would complete that important aspect, and, of course, the Government has been vigorously pursuing those links.

The second element that I want to draw into this equation is Armistice Day and another claim to historic connections with links between the rest of the world and Adelaide as a centre. This refers to the historic first flight in 1919, made in 30 days, which was undertaken by four Australians, three of whom were South Australians, from

the United Kingdom to Australia. It was part of an air race. In fact, those who came second in the air race took eight months to complete the journey. The success of the Vickers Vimy, piloted by Sir Ross Smith and navigated by his brother, Sir Keith, with Sergeants Shiers and Bennett as the mechanics and support crew, has a place in the annals of history. It was in consequence of the technological developments that had occurred during the First World War that that venture could take place. The machine used was a military aircraft and the training that these intrepid Australians had undertaken came in the course of their First World War service.

The link of the transport hub, Armistice Day, the First World War and the realisation, beginning with Gallipoli, that we were part of the larger world order all centres appropriately on South Australia. I should like to concentrate particularly on that aspect, namely, the largely forgotten great hero, Sir Ross Smith, who led that flight. The electorate that is named after him is the one that I am proud to represent. We should know more and celebrate more. It is particularly appropriate that we should do so this year because 4 December will be the centenary of the birth of Sir Ross Smith, which is an appropriate time to recognise and acknowledge his role.

He was an extraordinary man whose life was unfortunately short. He enlisted within days of the start of the First World War, he was at Gallipoli, and he was invalided out. He was a member of the Light Horse and then the Air Force Squadron and a founding member of the Royal Australian Air Force in its origins. He was pilot to T.E. Lawrence, the famous Lawrence of Arabia, in the Middle East, and he is referred to in that great literary epic, 'The Seven Pillars of Wisdom'. I will deal with that in more detail later.

There are four places: his grave at Collinswood, his statue at Adelaide Oval, the Vickers Vimy in its hangar at Adelaide Airport, and Northfield where I think we should be able to commemorate next month Sir Ross Smith and his colleagues linking Australia with the rest of the world. They ended their great flight in Adelaide. They were welcomed by many thousands of Adelaide citizens, and in 1922 he was farewelled by those same citizens.

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

Mr GUNN (Eyre): It has been interesting to listen to the member for Ross Smith clearly indicate the epic flight of those early Australian aviators. As one who is interested in that area, I listened with some care.

The matter to which I want to refer is the decision of the Government through the Department of Correctional Services no longer to provide housing to employees who operate our correctional services, particularly at Port Augusta. I understand that all the employees who currently live in departmental houses have been given a number of options. This exercise poses the question whether the same course of action will apply to correctional services officers in other parts of the State such as the Riverland and Port Lincoln. Is this the beginning of the end of Government housing for its employees: police officers, school teachers and various other people?

People at Port Augusta have approached me on this matter. They are particularly perturbed because, when they sought and were granted employment, there was an expectation that it would be ongoing. Some of the options they have been given are that they can purchase their properties at commercial valuation or, if they do not wish to do that, the rents will be increased. The question that I pose to the Minister is: what has brought about this course of action and what will happen if agreement cannot be reached with those people who are currently occupying these houses? As I said earlier, there was a clear expectation when they were granted employment at Port Augusta and elsewhere in the State that the houses with which they were provided as part of an employment incentive package they would get at a figure below the normal rental.

As a result of the latest options that have been put to them, they will be paying rents in excess of Housing Trust rents. In my judgment, that is neither fair nor reasonable. If they are to rent the properties and if the Housing Trust is the Government housing authority, the rents they set should be the basis for the rents that others pay for Government housing of the same or similar standard and quality.

When is the deadline for the Government to reach agreement with its employees? Is the intention to dispose of all Government employee houses currently owned by the Department of Correctional Services? This matter has been going on for some time. Indeed, I have a letter dated 28 July, written by the Executive Director, Mr Dawes, from which I should like to quote. It states:

> Budgetary reform and restraints imposed have necessitated a department-wide review of all its policies and practices. One of the aspects of this process has involved the review of subsidised housing ... The draft report was presented to the Department of Correctional Services executive on 15 June. While the executive agreed to the key principle that subsidised housing should be phased out, [it] reserved full implementation until a strategy was developed (copy attached). However, the following recommendations are to be effected immediately:
>
> No future subsidised housing to be provided.
>
> No positions to be advertised indicating availability of reserve housing ...
>
> The consultation process will determine, amongst other things, issues such as phasing in of the policy, level of assistance required, and the impact on the family.

I understand that if this policy is implemented quickly life will be difficult for a number of people. They are keen to remain in the area and in their employment, and many of them are keen to continue to occupy the houses in which they have lived for some time.

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

SELECT COMMITTEE ON RURAL FINANCE

Mr FERGUSON (Henley Beach): I move:

> That the report be noted.

First, I would like to extend my congratulations to the committee, which comprised Mr S.J. Baker, Mr P.D. Blacker, Mr G.M. Gunn, the Hon. T.H. Hemmings, Mr P. Holloway and Mrs C.F. Hutchison. This committee set out to work as a team, and that is what it did. The considerations of all members of the committee were taken into account, and their collective wisdom is

included in the report. It was with great pleasure that I worked with the committee. We worked in harmony with all points of view being taken into account, and I believe that is the way in which a select committee should operate. It should not operate on the basis of conflict.

It has been my pleasure to be associated with this committee, the members of which have produced a worthwhile report. I also wish to extend my congratulations to Mr Graham Trengove, the research officer who was assigned to the committee and who assisted us greatly in our deliberations. His inside knowledge of rural matters was of great assistance to us from time to time. One of the things that struck me in relation to this report was the extent of the rural crisis which, in many ways, does not normally come to the attention of people in the metropolitan area. It is only when one takes on a task such as the one given to me that one realises the extent and depth of misery in the country.

All major banks gave evidence to the committee. From the evidence given to us by those four banks, the thing that stuck in my mind was that about 30 per cent of their customers are what one would describe as non-viable. I think the only reason why many people are able to maintain their situation in the country is the relatively good seasons that South Australia has had during the past decade. If ever we have what could be considered a real drought in South Australia, one that consists of three, four or even five seasons of lack of rain, I believe the casualties will be very heavy indeed.

Another thing that struck me was the stupidity of banks and financial institutions. A sort of madness appeared to descend on us during the 1980s, particularly regarding rural finance. Evidence was given to the committee that you, Sir, would find hard to believe. We heard evidence of bank managers going out to rural properties and almost trying to force people to take overdrafts. We heard evidence from one person in a large country town whose bank manager arrived on his doorstep and offered him $250 000, without his attempting to gain an overdraft, and suggesting that he could buy an imported motor car, a yacht, the farm next door or whatever he liked, but that money was available to him. Even when that person sat down with a pencil and paper and explained to the bank manager that if he took the overdraft, even on current commodity prices—which were reasonably good at that time—the bank would have difficulty getting its money back. Having gone through that exercise, the bank manager still persisted in trying to force the money onto him. That is the sort of madness that prevailed in country areas in respect of financial institutions during the 1980s.

Another thing which struck me and which is mentioned in our report is that the bank manager was regarded as a trusted financial friend, an adviser, someone from whom the farmer could seek advice as to how he should invest his money, whether he should borrow or whether he should purchase this, that or the other thing. In years gone by, under the cautious banking system that we had, the local bank manager could be treated in that manner as a friend, as a financial ally, someone who could offer financial advice as to the way in which a person ought to go.

With deregulation, this attitude went out the door. The bank manager turned into a person who, in the commercial sense, was in the same category as a used car salesman, a local businessman or any other person in business. Bank managers attempted to lend money and to force to the fullest extent the financial capabilities of their clients. In other words, the advice that was tendered was not the steady, conservative advice that had been tendered in previous years. Deregulation sent into the financial world something which no one had seen before and with which many people could not cope. That was the situation that we found when we conducted our tour of country South Australia. We visited a large number of country towns.

I have seen more of South Australia in the past 12 months than I have seen in the rest of my life. We interviewed hundreds of people from the rural community. So, the committee's findings should not be taken lightly. The problems accelerated with two events: first, the drop in world commodity prices, which was sudden and which nobody expected; and, secondly, the spectacular increase in interest rates. I dare say that nobody could have anticipated the extent to which interest rates would rise.

In the all too brief time that I have at my disposal, I should like to refer to just one or two of the summaries. I hasten to add that I will not be able to refer to all the summaries, One of the things that the committee found was the quite ridiculous position whereby the financial institutions, and banks in particular, applied penalty interest rates to those people who could no longer afford to pay the prevailing interest rate. In other words, penalty interest rates were used as a tool, particularly in the early stages of the financial crisis, to drive people off the farm rather than to try to settle their problems. We found it quite ridiculous that penalty rates, some of which went as high as five additional percentage points, were put onto those farmers who could not afford to pay the penalty rates that they were already paying. We mention in our recommendations that we certainly hope that, if the same sorts of conditions arise again, better consideration will be given by the financial institutions, and the banks in particular, to imposing penalty rates on top of very high interest rates.

I should like to quickly mention two other recommendations before my time runs out. First, I refer to the very convoluted and legalised way in which contracts are drawn up. We had read to us at Port Lincoln a contract that was from a bank to a farmer for a particular loan, and I would defy any member in this House to understand what the contract actually meant. It was presented in such legalese that it would be impossible for the everyday person in the street to be able to interpret exactly what that contract was actually saying. Secondly, we have recommended that the banks give a full schedule of charges and interest rates and any other administrative fees that can be, have been or will be imposed for the length of a particular loan.

We found that, although interest rates dropped, open-ended contracts meant that the banks and the financial institutions were able to increase their charges and administrative costs to cover the drop in interest rates. In fact, many farmers found that they were making exactly the same repayments, even though interest rates had dropped. Some contracts are made out in such a way that banks are able to increase their administrative and bank

charges at any time during the currency of a contract and to any extent they want. The committee had some difficulty in respect of that.

There is a long list—and I do not have time to go through them all—of proposed changes that the committee is suggesting with respect to RFDD policies. We hope that the department takes these into account and makes the proper changes. I do not want to be overly critical of that department, but with any department there are areas in which change is needed. We have made quite a long list of recommendations that we believe the department ought to consider. One relates to information being given and taken over the telephone, where no proper survey of telephone calls and what has been said and where they have come from has been undertaken. We certainly hope that the department is prepared to look at that.

Last but not least, one of the other problems to which we have alluded is that of farmer education. There is a great need for improvement in this area, and the committee has suggested that the Government should be prepared to use some of its money in order to extend programs to farmers, particularly in respect of financial areas. The changes in deregulation have meant that farmers now have to take more interest in matters relating to their financial affairs, and it needs to be looked at.

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

Mr GUNN (Eyre): I am pleased to be able to participate in this debate, as the member who originally moved to refer this matter to a select committee. I am pleased at the manner in which the select committee conducted its affairs and the amount of time that all members put into what has been a most difficult and painstaking exercise. The committee was faced with people who have been in the most terrible predicament, people who really had nowhere else to go and were at their wit's end. They were angry at the financial system. In most cases they had particular reason because, as one of those in the community who does not believe a great deal of good has come to the average Australian citizen through the deregulation of the banking system, I believe these people have borne the full brunt of the deregulation of the banking system, and many of them were encouraged to enter into financial contracts when things were going well.

No thought was given to making provision for a crash in commodity prices, a steep rise in interest rates or the imposition of penalty rates and that there would be no friendly smiling bank manager but someone who was sent there to get the money in. The bank administrators in Sydney and elsewhere acted in a highly irresponsible manner and allowed scoundrels to waste thousands of millions of dollars. To their mind, the easiest people to get money back from were the many long-suffering farmers who did have some assets that the banks could sell. That is the general view of many people, and I think quite rightly so. Most of them had one desire in life, that is, to remain in an industry in which they had spent all their life and in which they believed they could do reasonably well.

We did receive a great deal of very good evidence, particularly from some of the rural councillors who went into great detail. When we were taking evidence, one of the interesting aspects was that some of the representatives of the financial institutions appeared to me, and to other members of the committee, to have a slightly different attitude when they were talking to us compared with when they were talking to other people. It may be that I am slightly cynical or that I did not understand them, but I came to the clear conclusion that they had several different stories: one when they were talking to the committee, another one when they were talking to the Minister of Agriculture by themselves, and yet another one when they were talking to the Minister of Agriculture as a group.

I therefore believe that select committees of this nature do serve a very important role. First, they give people who believe they have been wrongly or badly treated the opportunity to inform the Parliament. Secondly, they give them the opportunity to criticise publicly and to comment about those people who they believe have placed them in a situation about which they can do nothing. The committee then can discuss these matters with the financial institutions.

At the end of day, all the members of the committee knew that, because we are only a State Parliament, we have limited powers, but we do have the power to suggest to the financial institutions that they could account publicly for their actions. I do not think some of them felt particularly comfortable about doing so. In my judgment, that in itself is a jolly good thing, because one of the things I have found in my time in public life is that many well-meaning, honest, good citizens are very poor advocates for themselves. When they are dealing with people in offices, when they are by themselves and are not in a very strong position, they get talked into courses of action to which they normally would not agree. Those people are more cautious.

It is bit like the situation in a country town where there is a good lawyer; the local police are a lot more cautious than those in a town up the road where there is no lawyer. I know that from representing a large number of small towns. It is a lot different because, if there is a good, aggressive young lawyer in the town, the local police sergeant knows that, if he appears in court and everything has not been done according to Hoyle, there will be a problem.

The Hon. J.P. Trainer: Did you ever represent them in court?

Mr GUNN: I have had a fair success rate in representing them—I will not say where. One does not have to go to court; there are other very effective methods. This is one such place. I have found that suggesting to someone that the Parliament might be interested in a particular circumstance works wonders. It was a similar situation when those people who were advancing the finance were given the opportunity to appear before this committee: some of the attitudes changed dramatically. In my judgement, it was the parliamentary system working at its best and in the best traditions of the Westminster system. I have always been of the view that, when inflexible people with fixed views are invited to express those views in public, they have a change of heart and are prepared to reconsider the matter. One of the things I always ask people is, 'Are you

prepared to have another look at it?' Think about it. This select committee gave people the opportunity to do that.

The committee had many difficulties explained to it. At the end of day, I believe that, if those people had been cautioned more effectively by the financial institutions, a good number of them would not have got into difficulty. Of course, some people made decisions which no-one could have helped them get out of, because unfortunately we cannot stop everyone from making unfortunate mistakes.

I am one who believes that the agriculture sector is so important to the welfare of this State and nation that those people involved in Government departments and in Government have to bear that sector in mind when setting policy objectives. One of the things I do hope is that the Minister of Primary Industries in this State will pursue all the recommendations made by this committee, both with his department and at the Agricultural Council meetings, to ensure that everything possible is done to assist. At the end of the day, I believe that all the members of the committee were of the view that action should be taken to ensure that agriculture continues to operate effectively in this State.

I add my congratulations to the Chairman for the manner in which he conducted the committee. He ensured that everyone had more than adequate time to present their arguments—and it did take some time. I thank also those people who assisted the committee in its deliberations. I found it to be a very worthwhile exercise. I am sorry that it was necessary to have a select committee, but I believe that the committee has done a considerable amount of good. I sincerely hope that the Department of Agriculture and the Rural Industries Assistance Branch accept the recommendations in the manner in which they were put forward—in good faith. They were not designed to engage in a witch-hunt. The decisions were made after mature judgement of the issues, because sometimes people get too close to the scene and do not quite understand all the ramifications. Therefore, I have much pleasure in supporting the recommendations. I hope they can all be implemented. I sincerely hope that commonsense prevails in the future and that we do not again have a situation where penalty rates are imposed on people.

Finally, I believe in fairness and a fair go for everyone. I sincerely hope that some of the institutions currently engaged in some very unusual write-offs and financial arrangements apply the same principle evenly to all their clients. I believe that, if the interest and capital burdens and the debt are to be reduced for one person, it should be applied evenly to everyone, not just selectively, as I believe is occurring. That is a matter of concern to me. I say good luck to the individuals who are benefiting from it.

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

Mrs HUTCHISON secured the adjournment of debate.

Mr QUIRKE: Mr Speaker, I draw your attention of the state of the House.

A quorum having been formed:

JAMES BROWN MEMORIAL TRUST

Mr S.G. EVANS (Davenport): I move:

That this House congratulates the James Brown Memorial Trust for its 100 years of service to the aged and the needy in our community; notes that in its centenary year the services it provides to the community continue to grow; and offers its best wishes for the trust's future activities.

In moving the motion, I state right at the beginning that I am fortunate to have within my electorate the Kalyra Hospital. I know something of its more recent history and recognise the work that it does through its different sections for those who are not so well off. Jessie Brown was a woman well ahead of her time-a woman with a vision. In 1892, her bequest of £140 000 nurtured the creation of the James Brown Memorial Trust, a charitable organisation charged with the responsibility for providing care and support for the sick, the aged, the disabled and the homeless people.

The James Brown Memorial Trust is named in honour of Jessie's husband, James, a Scot, who came to South Australia in 1839 and became a successful pastoralist. At its first meeting, the trust proposed the founding of a consumptive hospital, a home for the blind, the aged blind in particular, and a home for incurable or crippled children. Land was acquired at Belair for a consumptive home, and Estcourt House at Grange was acquired for the care of crippled children and the aged blind. Despite early financial difficulties, the trust persisted in developing these initiatives at a time when infantile paralysis and tuberculosis were rife in our society.

In 1948, when tuberculosis was still a major public health risk, Kalyra Sanatorium gained vital help from the Commonwealth Government under the Tuberculosis Act. During the post-war years, the trust bought suburban accommodation for low rental housing for the destitute and unemployed tuberculosis sufferers following their hospital treatment. Through a service club, I have had some connection with one of the villages, which was established at Crafers and which is named after an ex-director of the estate, Dr Woodruff.

For a century, the James Brown Memorial Trust has touched the lives of many thousands of needy families in this State. In saying that, I recognise it is not just those who are suffering but their families who receive the benefit from an institution, hospital or caring service such as Kalyra. Five generations of South Australians have witnessed the James Brown Memorial Trust's administration of the Jessie Brown bequest. In particular, we have seen the evolution of Kalyra from a sanatorium to a hospital and hospice, and to the 40-bed nursing home and hostel complex it is today.

In the early 1900s, it also featured prominently in the care and treatment of young and old people ravaged by infantile paralysis, scarlet fever and other debilitating diseases of that era. The James Brown Memorial Trust operated Estcourt House for the aged, blind and crippled children until 1954. At that time the trust passed control of Estcourt House to the Adelaide Children's Hospital. Perhaps the most important consideration of the transfer was the realisation by the trustees at that time of the need for more specialised medical facilities for the treatment of crippled children and an acceptance that the Adelaide Children's Hospital was a more appropriate centre for such specialisation. Hostels at Belair and low rental

cottages and pensioner flats in other suburban locations in Adelaide were uses to which the trust directed many of its funds in meeting the needs of people of limited means who were frequently desperate for accommodation.

A shift in the direction of the trust's activities occurred in the early 1960s with the marked decline in the incidence of tuberculosis in the South Australian community. At that time the buildings, which were used also as a reformatory for young men, were knocked down, and the Flinders University was built on that site. My brothers and I had the privilege, if we can call it that, of knocking down those buildings under contract.

Kalyra ceased to be a sanatorium and became a hospital, specialising in rehabilitation and convalescence. A model hospice evolved at Kalyra in the early 1970s after the trust recognised that specialised care was needed for people who were dying from cancer. Patients and their loved ones experienced the beautiful, tranquil atmosphere at Belair where heritage buildings set amongst gum trees provided the ideal environment in which to spend one's last days. Kalyra hospice was renowned for the care given by its compassionate staff and volunteers, for the medical people who served the institution, and also for the community support available to the people, as well as the support of a dedicated board of trustees.

With the sudden closure of the Kalyra Hospital and its hospice by the South Australian Health Commission in 1988-and most members would remember that occasion-the trust's immediate priority became the establishment of a high quality nursing home. A total of 25 000 people signed a petition asking that Kalyra be allowed to continue under its original role, but the Health Commission set about to close down that function. At that time the spirit of the James Brown Memorial Trust and its trustees was evident, as was Jessie Brown's original intention of working for others, because it was only through the dedication, determination and commitment of the board of trustees, its supporters and staff, that it was able to move to take on another role after that closure.

The nursing home was architecturally designed to retain the essential heritage characteristics that had long been a feature at the Belair site. The trust also continued to provide hostel accommodation. Another positive step that the board took in 1980 was to successfully make representations to this Parliament to have the trust's longstanding Act of 1892 amended to give it the authority to pursue a wider diversity of activities. A mission statement was developed at that time and, as a modernised statement of philosophy and intent, it gives clear indication of the continuing vision of the trust into the future. It reads:

> The James Brown Memorial Trust is a charitable organisation for the benefit, care, relief and maintenance of persons in need in South Australia, especially those with insufficient means. The trust's major focus of activity is that of a service provider of the highest standard in the fields of health and welfare, with particular emphasis on the aged, disabled, chronically or terminally ill and the homeless.

That is a great mission statement, and I believe that the trustees carry out that mission to the last letter in their efforts to provide the services. Kalyra has always been fortunate to enjoy Government and public support. It owes its success not only to the hundreds of volunteers who have given years of dedicated service and to the loyal contribution of its experienced staff, whether in the provision of services or in management, but also to the trustees and the outside community, which have provided support through fund-raising activities and in other ways, not necessarily as volunteers in the canteen or other parts of the operation. In contemplation of the next century, the James Brown Memorial Trust has reappraised its priorities, having conducted several inquiries into the perceived needs of the community today and in the future. The result is a further shift of emphasis to provide services and accommodation for the disadvantaged as well as the ageing population.

As to its future course, the trust's attention will be focused on providing aged care, accommodation and other services for those within the South Australian community. Obviously, these services will be necessary well beyond the year 2 000. Already, the attractive features at Belair, such as the picturesque hills setting, the trust's unblemished reputation and the high standard of care, have led to a high demand for admission to all its services.

I am pleased that in recent times the trust has obtained approval from the council and all the other authorities from whom one must have approval to begin the construction of a retirement village. This is part of its future development plan, which will comprise 80 villas and 34 serviced apartments, and it will provide independent and semi-independent living, hostel and nursing home care in the future once all of those facilities are created.

I believe it is also fitting in moving the motion that I put on record the names of those trustees who served on the board when it was first created, and members will recognise some of those names. In 1892 the trustees were: Mr A. Adamson, Senior (Chairman), Mr A. Adamson, Junior, Rev. A.T. Boas, Sir Charles Goode, Bishop G.W. Kennion, Archpriest D. Nevin and Miss C.H. Spence. Of course, the member whose electorate is named after this lady will be speaking later. Also, the present board of trustees should be recognised. Some board members may not be far away and may be interested in what is happening on this occasion. The 1992 board consists of: Dr. W.S. Lawson (Chairman), Mr L.J. Davis, Mr D.R. Brenner, Mr. J.C. Butler, Mr B. Cousins, Dr. E.R. Hobbin, Mr G.D. Mitchell—some members will recognise the name of the Clerk of the House, who serves as one of the trustees—Mr V. Mortimer, Mr G.S. Ottoway and Mr B.F. Waite.

I commend all the trustees who have served over the years and who, in helping those people who are not so well off, have ensured that the intention of Jessie Brown in setting up a memorial to her husband has been carried out to the letter.

The trust has experienced troubled times and occasions when the Government cooperated and did not cooperate. The most difficult period in my time was in 1988. Again, I commend all of those people who fought to save and then more particularly took another path and rebuilt the institution, creating a magnificent facility that will go on serving not only the local but also the wider community for many years to come. I trust that the next 100 years of the James Brown Memorial Trust will be as successful in serving those in the community who are not so well off

as it has been in the past 100 years. I commend particularly those people who are working at the moment on the new venture and I ask the House to support the motion.

Mr ATKINSON (Spence): The 100th anniversary of the founding of the James Brown Memorial Trust occurs in two days and it is appropriate for this House to support a motion commemorating the event. The trust was established under the terms of the will of the late Jessie Brown, widow of James Brown, who was a successful Scottish migrant who arrived in the Colony of South Australia on 4 May 1839. The purpose of Jessie Brown's bequest was:

> ...to found, build, endow when and so often and in such manner as they think fit, an institution or institutions and create a fund or funds as a memorial to my late husband James Brown and bearing his name for the benefit, care, relief or maintenance of such of the destitute or the aged blind, deaf, dumb, insane or physically or mentally afflicted or deserving poor of any class as the trustees in their absolute discretion may deem proper and expedient.

In 1893 the Supreme Court of South Australia made certain determinations on these terms and conditions and a private Act of Parliament incorporating the trust was subsequently enacted in this House on 21 December 1894. The trust applied its funds in the early days to the establishment of a hospital on a property at Belair, known as Kalyra, purchased from the endowment and supplemented by public donations; and also for the purchase of the property known as Estcourt House, near Grange, in 1893.

In the early days consumptive patients and those with other afflictions were admitted to Kalyra. Estcourt House was used for convalescents and subsequently for children, many of whom were recovering from orthopaedic complaints. Apart from tuberculosis, other diseases with which the early nursing staff had to cope were scarlet fever, diphtheria and poliomyelitis.

The names of the doctors who served both institutions, mainly in an honorary capacity, read like a medical *Who's Who* of Adelaide, and I should like to mention just one doctor, Dr Cyril Evans, a TB specialist whom I had the privilege to know. Estcourt House was subsequently sold to the Adelaide Children's Hospital in 1954. Kalyra's function then became mainly one as a sanatorium for the care of tuberculosis sufferers and for their rehabilitation and convalescence at a time when the disease was rife in Australia.

In 1948 the Chifley Labor Government undertook to reimburse the States for authorised capital expenditure necessary for the treatment of TB, and this led to the development of high-class facilities at Kalyra. With the decline in the incidence of this disease, this agreement ceased in 1978 and the role of the James Brown Memorial Trust shifted to that of dealing mainly with rehabilitation and convalescent patients, many of them discharged from major public hospitals in the metropolitan area.

At its peak Kalyra had a hospital of 74 beds and in 1976 the then Governor, Sir Mark Oliphant, opened the first of two hostels. Indeed, my own grandfather, Frederick O'Connor, was cared for at Kalyra during his final illness in 1978 and our family was most grateful to that institution for its first-class services. The trust also established at five suburban locations and, at Crafers, independent living units or flats for the aged or infirm at modest cost to the residents.

Beds at Kalyra were allocated for the State's first palliative care or hospice institution in 1979 but, as the member for Davenport mentioned, the trust's hospital and its hospice were closed in 1988. On 1 July 1989 a 40-bed nursing home was opened by the present trust Chairman, Dr Bill Lawson, and in this homely atmosphere the nursing home offers one of the highest standards of accommodation in South Australia.

As to its future, apart from the running of the existing hostels, nursing home and independent living units, the trust has just been given approval for building, over the next six years, a residential complex at Kalyra for the active aged. In the forthcoming years the trust aspires to extend its existing facilities and intends increasingly to concentrate its attention on the needs of the ageing population in sickness as well as in health. In 1990 a new Act was passed incorporating appropriate modifications to the original private Act of 1894 to meet the changed circumstances of the latter part of this century but essentially retaining the character of the intentions of the trust's benefactress, Jessie Brown. I support the motion.

The Hon. B.C. EASTICK (Light): It is with pleasure that I support the motion now before the House. A few years ago a lesser organisation was likely to close up when refused the sort of assistance that any community could expect from its Government. However, undeterred the trust continued, even though it had to forgo that aspect of its activity directly associated with hospice care. The board may well have received some satisfaction from the fact that this Parliament in more recent times has taken up the importance of hospice care and dignity in death and dying, these matters having been considered by a select committee which has already reported twice to this Parliament and which, we trust, is soon to bring down its final report, wherein hospice care and the all important aspect of palliative care will be given due regard on behalf of the people of this State.

We believe that such a report will have ramifications reaching far beyond this State. I genuinely believe that the board and those who have guided the affairs of the trust over the years can take considerable credit for the fact that there is a public awareness of the importance of acknowledging dignity in death and dying and of the importance of providing palliative care for those in need. Whilst the trust's name, or more particularly the Kalyra Hospital, will not be directly associated with some of the report information, there will be a clear link with the work undertaken in the first instance by the trust.

I was particularly interested to read the document celebrating 100 years of service to the South Australian community, 1892 to 1992, which provides a worthwhile background to the James Brown Memorial Trust, the Kalyra Hospital and the other organisations that form part of that organisation, including the cottages, in Fullgrabe Drive, Crafers, named after Philip Woodruff, a person who is very well known more specifically to the older members of this House for his great involvement in the provision of health services, particularly public health, in

South Australia. The work carried out with the James Brown Memorial Trust by Philip Woodruff, who was often present in the precincts of this House in his official capacity, has been commemorated in the name of those cottages at Crafers.

To all those people who have played a part through the years in maintaining the trust and building up its very commendable services to the public, I add my appreciation. I believe that when Her Excellency the Governor visits the site on Friday of this week she will be signifying by her presence the importance of this organisation within our community. I offer my congratulations to all those who have been involved in the past and all those who are currently involved, and may this institution continue for many years to come.

Motion carried.

MURRAY-DARLING SYSTEM

The Hon. D.J. HOPGOOD (Baudin): I move:

That this House notes the continuing community concern with the quality of water in the Murray-Darling system, in particular, with the volume of nutrients entering the rivers of the system from agricultural, horticultural, dairying, industrial and domestic activities as evidenced by outbreaks of blue green algae; the House therefore urges the upstream States to follow South Australia's lead in drastically reducing nutrient intake particularly from sewage and asks that South Australia's representatives on the Murray-Darling Ministerial Council draw this motion to the attention of other members of the Council.

On previous occasions in recent times in this House, both by way of question and grievance debate, I have drawn attention to some of the problems in the Murray-Darling Basin. These problems relate particularly to the drastic alteration of the environment of that area with its attendant human occupation. We have dammed what were free-flowing rivers, we have massively cleared vegetation from the surrounding Mallee areas, we have set up horticultural and pastoral activities, the horticultural activities being particularly nurtured by irrigation from the rivers of the system, and there is now a very significant human population in the basin (about one million people) with the attendant secondary industries, some of which return pollutant loads to the rivers of the system.

I am not advocating, nor is anybody else to my knowledge, that we should completely turn back the clock. We are not suddenly going to undam the rivers and get rid of the weirs and the locks, we are not going to stop irrigation tomorrow and we are not going to say to the populations of towns like Toowoomba, Canberra, Bendigo, Bathurst Orange or any other towns in the basin that they should pack up and go back to the coast or anything like that. Those towns will remain. However, we have a responsibility to consider what we should do with the pollutants and what we should do about the more gross examples of the way in which the environment is being treated in that area.

In a previous speech I talked about salinity in the Murray. Today, as members will note from my motion, I am particularly concerned about nutrients in the system such as phosphorus and nitrogen. The Murray-Darling Ministerial Council was sufficiently concerned about the problem of nutrients to have an investigation into nutrient pollution in the Murray-Darling system. That was carried out for the commission by the consultants Gutteridge, Haskins and Davey, and they reported in January 1992. I commend that report to members.

First, they distinguish, as many do, between diffuse sources of pollution and point sources of pollution. I do not have time today to talk about the diffuse or non-point specific sources of pollution; perhaps on some other occasion. Today, I want to concentrate on the point sources which are specifically from sewage treatment, industry and drainage from the irrigation areas.

I have a table from the report which summarises the nutrient loads to the rivers in tonnes per year from Queensland, New South Wales, ACT, Victoria and South Australia. It is purely statistical, and I seek leave to have it incorporated in the record.

Leave granted.

Estimated Nutrient Contributions from
Municipal Sewage Treatment Plants

State/Territory	Nutrient Loads (tonnes/year) TP	TN
Queensland	50	210
NSW	260	1 070
ACT	10	840
Victoria	160	600
South Australia	20	70
Total	500	2 790

The Hon. D.J. HOPGOOD: I will summarise the table. Queensland provides 50 tonnes per year of phosphorus and 210 tonnes of nitrogen; New South Wales, 260 tonnes of phosphorous and 1 070 tonnes of nitrogen; the ACT, 10 tonnes of phosphorous, quite low, but 840 tonnes of nitrogen; Victoria, 160 tonnes of phosphorous and 600 tonnes of nitrogen; and South Australia, 20 tonnes of phosphorous and 70 tonnes of nitrogen. The total is 500 tonnes of phosphorous and 2 790 tonnes of nitrogen. As members can see from that table, South Australia's contribution to the nutrient load fortunately is modest, and I am advised that it is decreasing because increasingly we are rearranging the sewage treatment on the river so that the nutrients are taken away.

The effluent from the Mannum sewage treatment works now goes on to the golf course rather than into the river. Murray Bridge plans are well under way for a similar treatment to occur. Indeed, of the three river communities with sewage treatment plants, the report makes clear that only Murray Bridge makes a significant contribution to the nutrient load in the river, and that shortly will be corrected.

It is important to point out that sewage is more important than the other two forms of point source pollution in the nutrient contribution to the rivers. If we, with the other States, can do something significant in relation to sewage treatment, that will considerably reduce the nutrient load. However, the investment decisions have to be made now because it takes time for these plants to be built or for the existing effluent treatment reticulation to be rejigged. Therefore, it is

important, particularly in the Eastern States, that that proceeds as quickly as possible.

I am particularly concerned for the Darling in all of this. The Darling is the longest river in the system. It flows for 2 700 kilometres into the Murray, and it is part of the longest continuous stream in Australia. Beginning with its source at the Condamine and finishing at the mouth of the Murray, we have 3 780 kilometres of river. The catchment of the whole of the Murray-Darling Basin in Queensland is larger in area than the catchment in Victoria, but most of the Queensland catchment is, of course, semi-arid and the rainfall is unreliable. Indeed, the catchment of the Darling is greater than the catchment of the Murray above Wellington; yet the Darling contributes only about 12 per cent of the total run-off of the system to the Murray. Because of this, the Darling is potentially one of our most polluted rivers. In fact, it has been suggested to me that in the future it will probably be green in all but years of highest flow.

Diversion from the rivers of the system in New South Wales is very high as the report makes clear—for example, 85 per cent of the average annual flow of the Macquarie is diverted; 80 per cent of the Lachlan; and 40 per cent of the Gwydir. Victoria diverts 75 per cent of the average annual flow of the Loddon, and at the Goulburn weir 50 per cent of the Goulburn is actually diverted. To conclude this little bit on statistics, the maximum draw of the whole system is from New South Wales. The highest draw ever that New South Wales took from the system was 2 160 gigalitres in 1984-85; Victoria's maximum draw was 1 805 gigalitres in 1987-88; and the highest South Australia has ever drawn has been about 700 gigalitres.

Why the problem with nutrients? The problem with nutrients, of course, is that they lead to things such as algal blooms. Algal blooms are caused by nutrient pollution, reduced flow in the rivers and the degradation of the river and the lake ecosystems. I do not have time to go into that in great detail, but what it amounts to, for example, is that certain species that were planktonic grazers that tended to eat some of these things as they developed are less well represented in the environment because of the degradation of that environment, and therefore that natural control is no longer available. I think I have said enough about nutrient pollution and the reduced flows in these rivers to indicate that we have a recipe for a rather disastrous situation, one which has to be addressed in terms of the amount of water that we allow to run free in the rivers and the amount of nutrients that we actually introduce into the river system.

Mrs Hutchison interjecting:

The Hon. D.J. HOPGOOD: It is a vital lifeline to South Australia, as my colleague points out, not only for the metropolitan area but of course for her constituents because of the pipelines to the northern settled areas of the State. It is very important that through the Murray-Darling Ministerial Council we exercise some moral suasion to ensure that the upstream States get their house in order and that whatever plans they have to ensure that the sewage from the settled community is diverted from the rivers proceeds as quickly as possible. Perhaps at a later time I will take the opportunity to highlight the problem of nutrients from diffuse sources where South Australia has a problem in relation to the lower Murray flats, but there is no time for that. For now, having put certain facts before the House, I can only ask members to support my motion.

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

FAMILY SERVICES OMBUDSMAN

The Hon. D.C. WOTTON (Heysen): I move:

That this House calls on the Government as a matter of urgency either to establish by statute a Family Services Ombudsman to adjudicate on and resolve disputed decisions and administrative acts by officers of the Department for Family and Community Services or to appoint a family services advisory panel to advise the current Ombudsman for the same purposes.

I have had only a relatively short time as the shadow Minister of Health, Family and Community Services. In that time, I have been inundated with cases where individuals and families believe they have been hard done by as a result of decisions of the Department for Family and Community Services. I believe there is a very real need for action to be taken in this regard—hence my motion.

At the outset, I realise the extreme difficulties faced by members of the staff of this department and the sensitivities of many of the areas that are the responsibility of those people. Some cases of which I have been made aware have been before the court and have been successful, while others have resulted in the accused being exonerated. There have been other cases where the accused has been exonerated, but the children have not been returned to the family. It is those particular cases about which I am very concerned. I am also concerned about the difficulty in many cases of having matters taken before the court.

A large number of people who have been to see me have explained their extreme difficulty in having matters considered by a court. In many cases, the financial backing is not there to enable this to happen. In other cases, those people who have been to see me are illiterate or lack the capacity to even consider taking the matter to court. I know that there are members on both sides of the House who have had constituents in this position and that they would recognise the extreme frustrations felt by those people.

Many people who have come to see me have been told that they can challenge the decision of the department in court—and for the majority of people that is the case—but, as I said earlier, there are some who do not have the capacity to do that. I recognise the magnificent work that is being done by a number of church agencies and other organisations such as Torn Apart Families and the Listening Ear, just two organisations that have been established to help many of these people who have either been before the court or who, in the majority of cases, have had children removed from the family as a result of action taken by the Minister of Health, Family and Community Services.

I have attended one meeting of Torn Apart Families to talk to many of the people who make up that organisation, and I have also had the opportunity to discuss some of the problems being experienced by

members of the community who make their concerns known to the Listening Ear organisation. There is certainly a need for people to be given the opportunity to challenge the decisions of the department or have them further investigated. At present, that opportunity does not exist, and there is considerable frustration as a result. I hope, through my motion, to change that situation, and I hope I have the support of the House. During the Estimates Committee, I asked questions of the then Minister. I am pleased that the member for Baudin, who was the Minister at that stage, is present in the House.

I asked the Minister to determine what liability the Government accepts for any recompense of legal, medical and financial costs incurred by families or individuals who, in the defence of their innocence, incur significant expenditure and trauma, particularly in such cases where the department's allegations are not upheld by the courts. I went on to ask:

> What independent assistance and support is provided by the Government to these families and individuals?

I referred to the specific example of a family of whom I have been made aware and with whom I have had a number of meetings, namely, Mr and Mrs Bean. The then Minister was aware of that case and was able to provide some detail, as did the then head of the Department of FACS who has since moved on. I was not satisfied with that response, and it is a matter that I intend to take up on behalf of Mr and Mrs Bean.

Mr Bean was charged and appeared in court, but later he was exonerated as a result of an appeal in the Supreme Court. There is no doubt that extreme trauma was experienced by Mr and Mrs Bean and their grandchildren as a result of this case. There was considerable frustration regarding the time that was taken to deal with the case; it took some 18 months to be resolved through the justice system. I do not want to dwell on that case, and it is not appropriate that I should do that, but I just want to refer in part to the answer that was provided by the then Minister, as follows:

> This is one of the most difficult problems that our people [and he was referring to the Department for Family and Community Services] in the field face, or are likely to face. They are damned if they do and damned if they don't. An allegation is made. If it is not investigated or not investigated properly in the eyes of some people and if subsequently it is found that it was a legitimate case of abuse, of course, we are in trouble.

As I said earlier, I appreciate the sensitivities of this matter. It is a very difficult area for any Government department to administer, and I certainly appreciate that. I do believe that there is a very real need for people to be able to challenge the decisions that are made by that department. Some facility needs to be provided to enable them to do just that. That is why, after a considerable amount of discussion with people who work in this area, I have suggested that the establishment by statute of a welfare ombudsman or a community service ombudsman should be considered seriously. At the very least an advisory panel should be established to advise the current Ombudsman on matters relating to some of these concerns.

I am aware that some time ago a panel was established to advise the Minister and was very effective for a period. It worked very effectively and, indeed, I have spoken to people who served on that panel. It was with considerable regret that, as a result of a change by a previous Ombudsman, that panel was dropped. The advice that was provided through the Ombudsman's Office to families and individuals who found themselves in this situation was very welcome indeed.

While on this subject, in the same question that I raised with the then Minister, I referred to the need for guidelines to be put in place at either State or national level to evaluate allegations of child sexual abuse. I asked the then Minister why no such guidelines were in place, and whether he would support representations which at that time I intended to make (and which I have since made) to both the Australian Medical Association (the AMA) and the Royal College of Psychiatrists, urging them to consider the formulation of such guidelines; and, if he was not prepared to do that, I asked him why he was not prepared to do so.

The current Minister advised me that such guidelines were already in place and offered to provide me with a copy. In fact, he did send me some material that I already had and which he suggested took the form of guidelines. I am not satisfied with that material. I believe the material that I have been provided with does not constitute the type of guidelines that I would want to see in this very important area. It staggers me that apparently no such guidelines exist, and I am still awaiting confirmation of that or some advice from the AMA and the Royal College of Psychiatrists.

In closing, I want to express my concern about the desperation that some of these people, who are faced with difficult decisions that have been made by the Department for Family and Community Services, are experiencing. I have checked with my electorate secretary and, in the short time that I have had this shadow portfolio (which is probably about five months), about 45 to 50 cases have been brought to my attention.

Mr Atkinson: But not from your constituents.

The Hon. D.C. WOTTON: Not from my constituents: I am referring to cases that have been brought to my attention from various parts of the State that have come out of the Department for Family and Community Services. It is of concern to me that some of the people who have made representation to me are desperate; they feel that they have nowhere to turn; and they feel that there are not sufficient organisations—whether they be Government or non-Government—to be able to provide counselling to assist them. I believe that in itself is a very sad situation, and I hope that the Department for Family and Community Services is aware of it. I believe it is the role of the department to counsel those people who are seriously affected as a result of the decisions that are made by that department. There is certainly a feeling of total helplessness and a belief that very little support is available to help those people.

An ombudsman or panel in this area would also provide an advocacy role for families who have particular problems and concerns: it does not have to relate to the sensitive issues of child abuse, and so on. However, if they have other concerns, it would be good for an advocacy role to be established, and I see that such a position, through either an ombudsman or a panel, would be of assistance. I urge members of the House to give the motion serious thought and to support it. Any debate as a result of this motion will only help to redress what I

believe is a very serious situation for a considerable number of people in this State.

Mr ATKINSON (Spence): I oppose this motion, though I do so with no vehemence. The member for Heysen said there was a need for a right for citizens to challenge the decisions of the Department for Family and Community Services. I agree with him; there is a need for such a right, and such a right is contained in the Ombudsman Act. So, people who are dissatisfied with decisions of the department can appeal to the Ombudsman to see whether the decisions of that department were properly made. But, of course, there is a distinction in administrative appeals between the merits of the case and procedural fairness. No Government, whether it be Labor or Liberal, will countenance the Ombudsman's making fresh decisions on the merits of every case that comes before a Government department. The Ombudsman is not capable of making decisions on the merits of Department for Family and Community Services decisions, nor should he have to make decisions on the merits.

It seems to me that the honourable member's motion really seeks to provide the Ombudsman with a panel of experts in the area of family and community services to advise him about how to make decisions on the merits in those cases. That would be a highly inappropriate administrative structure. The Ombudsman is there to ensure that procedural fairness is observed by departments in the exercise of their discretions. If the Department for Family and Community Services fails to observe procedural fairness in dealing with its clients, those clients may now appeal to the Ombudsman.

What the member for Heysen is driving at is that in many of these cases—and I am aware of some cases through my electorate office—the Ombudsman investigates the Department for Family and Community Services and comes to the reasonable conclusion that procedural fairness was followed; therefore, the constituent gets no satisfaction. However, what the constituent really wanted was for the Ombudsman to look at the merits of case and then decide differently from the department. So, I do not think the Ombudsman should have the obligation to decide Department for Family and Community Services cases on the merits. That is not his function. Nor should he have pitch-forked onto him a panel to advise him on how to take decisions on the merits.

If there is any delay in the Ombudsman's dealing with Department for Family and Community Services cases, he ought to be given sufficient staff to look at the procedural fairness of the department and not to be provided with a specific advisory panel on family and community services. If the logic of the honourable member is followed, we will have an advisory panel to the Ombudsman on water resources, on transport and on Treasury matters. If the honourable member wants the Ombudsman to deal not with procedural fairness but with the merits of cases, he ought to move to amend the Ombudsman Act. But I fear that not one member on his side of House will support him.

It seems to me that the member for Heysen has moved this motion to fob off the large number of people who come to him from all over South Australia, in his capacity as shadow spokesman in this area, to have the result in their case changed. I do not doubt that there are many cases of injustice in the way the Department for Family and Community Services handles some matters, including child abuse cases, and I do not doubt that from time to time there have been some fairly intrusive, self-righteous and arrogant people in the employ of the department who have overstepped their role in these cases.

However, the best remedy for dealing with that is an appeal on procedural fairness to the Ombudsman or an appeal to the courts. I do not think anything is gained by forcing the Ombudsman to consider these cases on their merits. I oppose the motion, but not with any great vehemence. It might be that the Minister of Health, Family and Community Services will consider the honourable member's motion and possibly assent to it. But, for my part, I cannot see much in it.

The Hon. D.C. WOTTON (Heysen): I regret the stance that has been adopted by the honourable member who has just resumed his seat and who represented the Government in this matter. I believe that he has presented a short-sighted view on this issue, which is an extremely serious one. He has indicated that he is not opposing the motion with vehemence. It is a serious concern and, if the honourable member had spoken to the same number of people as I have, I am sure he would have taken the matter much more seriously.

Mr Atkinson interjecting:

The Hon. D.C. WOTTON: He says that he has spoken to some of them, and I know he has, because some of those people have come to me as well. However, I regret the way in which the honourable member has responded on behalf of the Government. It might not be appropriate for the Ombudsman to be involved personally in considering the decisions made by the Department for Family and Community Services. That is why I put in the alternative.

However, I believe strongly that it would be appropriate to have a panel established, as has been the case before. I have already indicated to the House that a panel was established previously and it worked very effectively indeed. I invite the honourable member to seek further information about that. The panel comprised people who had considerable expertise in this area. Indeed, it involved people who understood the decision-making of the department. That is why I believed it was appropriate that the motion suggest an alternative. I reject totally the honourable member's suggestion that this motion has been moved as a way of fobbing off people who have been to see me.

Mr Atkinson interjecting:

The Hon. D.C. WOTTON: It is no good the honourable member smiling now, because that certainly is not the reason for my moving this resolution motion at this time. If that were the case, I would have involved many more specific cases that are before me to give me more backing. I was tempted to do that in any case. However, it was not moved as a method to fob off these people. It is a genuine attempt to have the Government, the Minister and the Government backbenchers consider this matter more seriously than has been the case in the past. I hope—

Mr Atkinson interjecting:

The Hon. D.C. WOTTON: What did you say?

The SPEAKER: Order!

The Hon. D.C. WOTTON: The honourable member will be interested to see the policy that the Liberal party will bring down in this area in due course. But, certainly, I can assure the honourable member that the Liberal Party recognises the need for some form of device to be introduced to provide assistance to those people who would seek to challenge some of the decisions that have been made. The honourable member will just have to be patient in waiting for that policy to be brought down. I treat this motion seriously indeed, and I regret that the Government, through the honourable member who has just spoken, has found it necessary to oppose it.

The House divided on the motion:

Ayes (22)—H. Allison, M.H. Armitage, P.B. Arnold, D.S. Baker, S.J. Baker, H. Becker, P.D. Blacker, M.K. Brindal, D.C. Brown, J.L. Cashmore, B.C. Eastick, S.G. Evans, G.M. Gunn, G.A. Ingerson, D.C. Kotz, W.A. Matthew, E.J. Meier, J.W. Olsen, J.K.G. Oswald, I.B. Such, I.H. Yenning, D.C. Wotton (teller).

Noes (22)—L.M.F. Arnold, M.J. Atkinson (teller), J.C. Bannon, F.T. Blevins, G.J. Crafter, M.R. De Laine, M.J. Evans, D.M. Ferguson, R.J. Gregory,T.R. Groom, T.H. Hemmings, Y.S. Heron,P. Holloway, D.J. Hopgood, C.F. Hutchison, J.H.C. Klunder, S.M. Lenehan, C.D.T. McKee, M.K. Mayes, J.A. Quirke, M.D. Mann, J.P. Trainer,

The SPEAKER: There being 22 Ayes and 22 Noes, I cast my vote for the Noes.

Motion thus negatived.

CHILD-CARE

The Hon. D.C. WOTTON (Heysen): I move:

That this House notes the report 'Caring for sick children—how working mothers cope' prepared by the Children's Services Office Consultative Committee, South Australia for the National Women's Consultative Council from information gathered and subsequently analysed from a South Australian phone-in in which 445 working parents participated.

In 1992 the National Women's Consultative Council and the Children's Services Office Consultative Committee of the Children's Services Office in South Australia sponsored a phone-in to find out from working parents how they cope when their children are sick. The issue had been raised originally by a parent on the Children's Services Office Consultative Committee as a concern held by many working parents and as a dilemma that resulted in difficulties at work, in the home and in assessing child-care services, which currently do not cater for sick children.

The phone-in was held over 3 days—from Friday 12 June to Sunday 14 June 1992. It was hoped that, by providing an extensive range of times, working parents would be able to take the opportunity to ring in and respond. Publicity had been widespread. A total of 20 000 fliers was produced, with 5 000 in other languages, being mailed out to a wide variety of organisations and groups, including State and private schools, child-care services, ethnic groups, women's groups and unions. Articles were also included in union journals and a range of other newsletters. During the phone-in, radio provided coverage of the event, interviewing participants and running news stories and sessions on talk-back shows. The *Advertiser* also printed articles.

It was quite incredible that, as a result of the phone-in, some 445 people responded. Over 40 volunteers spent time answering phones during the three days, including interpreters of 11 different languages. A questionnaire was filled out by the volunteers during each phone call, and the information gathered and subsequently analysed from this questionnaire is included in the report that I bring to the notice of the House today. The report is intended to be descriptive, providing a snapshot of the dilemmas faced by working parents and, more particularly, working mothers when their children are ill. Many callers commented that the issue caused significant stress and anxiety in their lives, and they were grateful for the opportunity to talk about this problem and how it affected them.

Since a recent seminar held to launch this report, I have discussed this matter with a number of parents, both mothers and fathers, who find themselves in a situation where, regrettably, they are forced to lie to employers on occasions when their children are ill, so that they can stay home and care for those children. I believe it is abhorrent that a person would be put in the position of having to lie to enable them to stay home and care for their children. I commend this report to members on both sides of the House. The conclusions are too lengthy to refer to in detail, but the summary states:

Callers suggested a range of possible services and leave arrangements to help them care for their sick children. Many callers preferred to be able to stay home and care for their sick children themselves, and to have some form of parental leave included in award conditions to enable them to do this. Sweden currently permits extensive parental leave for the care of sick children...and it has been found that this has not significantly increased the amount of leave taken in the workplace.

Callers also said that an in-home care service would be very useful if they were unable to stay at home themselves, although many suggested that such a service would be most acceptable if the care provider was already familiar to their child. A special facility in their usual child-care centre where their child could be cared for in familiar surroundings by familiar staff was also seen as a useful service by many callers.

Service options currently being trialled overseas include hospital-based child-care for sick children, special facilities in child-care centres, in-home care services (sometimes using a regular worker in the usual child-care centre) and a family day care service specifically for sick children in the local area and linked to the local child-care centre. Such service models for the care of sick children are being trialled in the United States of America.

I have been pleased to receive information about some of the activities that have been addressed in the United States. At the recent seminar that was called to discuss this report, one of the speakers, Audrey VandenHeuvel, from the Australian Institute of Family Studies, referred to a number of issues, and in summary she stated:

I applaud the attention that the phone-in and the resulting report has brought to the issue of the care of sick children. It is an issue faced by many parents and a difficult one to resolve. Results from both the phone-in and other research show that working parents often feel guilty about either letting their employer down for missing work or about not being there to care for the child themselves. Many parents wish they did not have to lie about using their own sick leave to care for sick children. The

more attention we can give this topic in an attempt to find solutions and make these solutions happen the better.

Many factors are involved in the issue; these include the attitude of the employer to the issue, flexibility of a worker's job, expectations within the family as to who should care for the ill child and leave and other benefits available to parents. All these areas need to be considered as potential arenas for change with regard to making the care of sick children a less harrowing affair for the parents who have to deal with it many times a year.

Finally, I should like to pay a tribute and refer to a group of people who came to see me from the Clarence Park Community Centre. These people are looking at trialling an in-home respite care program in the Unley area, and I applaud the work they are doing. I support strongly the program to provide in-home respite care for the Unley community. The trial will form the basis for a more permanent program which, I hope, will be funded.

They have made the point that in difficult economic times the plight of families, particularly families with no support network, can be ignored or shelved. However, during these recessionary times the pressure on these families actually increases, which can put both children and the primary care giver at risk. I commend the program to the House, and I refer particularly to the report, which is readily available in the Parliamentary Library, entitled 'Caring for Sick Children, How Working Mothers Cope' and I hope that all members on both sides of the House will take time to consider this report. I urge the House to support this motion.

Mr FERGUSON secured the adjournment of the debate.

ARMISTICE DAY

Mr QUIRKE (Playford): I move:

That this House notes the sacrifice, courage and service of all those men and women in Australia who served in the Great War 1914—1918 and, further, notes the special significance of Armistice Day each year for the remaining veterans from this the greatest of all conflicts to engulf Australian forces.

Today is the 74th anniversary of the first Armistice Day. Hanging in a corridor of this building is a photograph depicting 12 November 1918 and the scene in front of this House, Government House and the precincts of North Terrace and King William Street, filled with an estimated 30 per cent of the Adelaide population at that time.

That photograph is clearly marked 12 November, because the news that came through to Australia was somewhat delayed from the European end, which is the date we find in all the history books and which denotes the end of the Great War. In fact, two days before the end of that conflict the British Prime Minister, David Lloyd George, was addressing that night a civic function and he knew something that few people in the British Empire at that time knew.

In fact, the firing had stopped on the Compiegne front, in front of the French Army at that point, for about four hours so that a car filled with German negotiators could cross the frontier and in a railway car in Compiegne settle the debate that had ensued in the form of conflict since 1 August 1914. Although Australia was to declare war or have war declared for her by Great Britain on 4 August, the fighting started on 1 August 1914. In that railway car, which in a subsequent conflict was destroyed, including the surrounding forest when Hitler reversed those decisions in June 1940, the terms of the Armistice were reached, that the German Army would offer up within 36 hours from that point sufficient of its artillery, machine guns, trains and rolling stock so that it could not renew the conflict if a peace treaty could not be agreed upon within six months of that Armistice.

Lloyd George on that night went through that history of the Great War. He went through the events of 1918 because, in fact, those events were a microcosm of the war as such. Britain was almost defeated in March 1918 and, in fact, in April the commander, Earl Haig of the British Expeditionary Force, which included all of the Commonwealth divisions, issued the famous backs to the wall statement when he said that, if the British Army were not to stand its ground, it would be thrust into the sea.

They were important words because that is exactly what happened in May 1940. Lloyd George went through the ups and downs of that year and in his speech he made reference to the great victories in Mesopotamia, to the victories in other theatres of war, to the losses on the western front and, finally, to the great offensive which started on 8 August and which was spearheaded by the Australian Infantry Force.

I raise this matter now because in each one of those battles in 1918 the Australian soldiers and their New Zealand allies, the Anzac Corps, were the shock troops of the British forces. They were used in all of the major battles and the counterattacks of that year. In fact, they had played that role since 1916. Lloyd George was soon advised by messenger that an Armistice had been agreed to and that it would come into effect on the eleventh hour on the eleventh day in 1918 and that, in fact, the German Army would agree to a series of provisions which would be in force until such time as a peace treaty could be convened within six months.

What also happened that day was that the British Army, again led by Australian forces, reached the town of Mons, Belgium, where the British Army first saw combat about four years and three months earlier. In many respects history books indicate that little had been achieved in that four years of fighting. In fact, a great deal had been achieved in a military sense. The German Army was driven from the field of battle, it was driven from its trench lines, it was driven hundreds of miles back, and, after 8 August, von Ludendorff, the commander of that force, indicated to the Kaiser that he should seek peace on almost any terms that he could get. On 8 August the British Army smashed the Hindenberg line; the British Army, led by the Australian divisions, stormed through and broke the will, the moral fibre and the military force of the German Army.

Hitler and other German politicians in the intervening years and in the Second World War always argued that the German Army had never been defeated. The German Army was defeated; it was driven from the field of combat; its soldiers turned on their commanders; they were throwing their rifles down; and on 8 August the German Army in its official history noted that as the black day.

What happened was that the Australian and the British forces, long before the American forces were to go into combat, had won the First World War. The American forces in sizeable numbers would only appear on the

western front on 26 September, some six weeks after the final assault that the British Army would launch which would lead to a series of events and eventually to the Armistice.

This is not to decry the American forces and the role they played, because there are twice as many dead Americans in fields on French territory (they never fought in Belgium) than there are Australians. However, we need to recognise that there were 130 million Americans at that time and only 4.25 million Australians. In fact, the combined population of Australia and New Zealand at that time was only slightly over 5 million. The Australian forces suffered the highest casualties in this conflict of any of the belligerent nations. Some 221 000 Australians were either killed or wounded in this conflict out of 320 000 who were sent to the First World War.

In 1915 the Gallipoli campaign, which so adequately celebrated its 75th anniversary two years ago, was the first taste of fire that the Australian forces had in that conflict. The resultant casualties were enormous and the suffering in many Australian towns is clear to see on the various edifices that have been erected to that particular conflict. However, Mr Speaker, if you look closely at the fine print on some of those edifices, you find that the 8 000 men who did not come back from Gallipoli are matched by the 59 000 who are buried in France. The French conflicts were more vicious, longer and more deadly for Australian forces than those in the Middle East or in Gallipoli.

Another point that needs to be made is that in 1916 Australian forces took part in the great battle of the Somme. The Somme became the first battle in the history of warfare where one million casualties were the product of such a conflict. In 1916 two great battles took place, each of which resulted in one million casualties to the belligerents. There has been no battle since that time in any theatre of war that has reached those numbers of casualties. The Somme campaign and the battle for Verdun in 1916 killed off the flower of Western Europe, killing a large number of German soldiers as well and a great many Australians. If we go to the area around the Somme we find about 73 Commonwealth cemeteries. The small cemeteries (because most of them contain 1 000 men or less) denote the terrible struggles that took place in 1916 and further to the north the Paschendaale offensive of 1917.

In 1916 the Australian Army put five divisions into France and Belgium. They comprised part of the 43 British divisions that fought on the line at that time. Although it sounds only a small token effort, those five divisions out of the 43 suffered many more casualties because they were always used as the storm troopers in the offensives on the Somme, at Paschendaale a year later and then in the great battles of Albert Canal, Amiens and the third battle for the Somme in 1918. In August 1916 the Australian forces suffered more losses than in all the wars of our history, including the Second World War. Those figures were reached in about seven weeks in a battle for a small town called Poziere. Some 27 000 Australians fell in that conflict.

It was against this backdrop that Australia was plunged into the great conflict over conscription. The reality for that was that there were five Australian divisions, or roughly 100 000 men, on the front and they were being killed or rendered unfit for military service in 1916 at the rate of 55 per cent. The casualty rates were coming in at over 11 000 per month, the recruiting rate in Australia was less than 6 000 per month, and it was estimated that by the middle of 1917 Australian divisions at the front would cease to exist as military formations. The casualty rate abated somewhat in the winter months and went on in 1917 to equal horrors but, as we all know, the debate for conscription failed in two separate efforts.

I note, too, that women left these shores to serve overseas. They served largely as what were called VADs. Those women were at the time single and over 30 years of age. To my knowledge, of the estimated 600 veterans who still exist, there are none who served in this particular theatre. I could be wrong, but that is the information that I have. Those women saw the product of modem warfare.

The 1914-18 war was like no other war that had been fought in history. Some 55 per cent of all casualties came from artillery fire; 25 per cent of casualties came from machine gun fire. Those weapons of mass destruction that would dominate the rest of this century had their first airing in the 1914-18 war in such size and power. Industrial Europe provided the ammunition and the supplies to fight 12 months of the year. In 1916, in the prelude to the great Somme offensive, three million shells were used in a five-day period. By 1918, when the Germans launched their great attack on 21 March, that had increased to seven million shells being dispatched in five hours on a front that would stretch from here to Victor Harbor. The scale of the conflict bears testimony to the fact that we need to recognise the service of these people in the House today.

The Hon. B.C. EASTICK (Light): The Opposition has no difficulty at all in embracing and supporting this motion. I appreciate the fact that the member for Playford has brought it to the attention of the House. In so doing he perpetuates the memory of the person after whom his electorate is named, who was a great Premier of this State and who served in that Great War. I want to put history in a slightly different context in my address to this motion, because I can lay claim to having grown up in the era immediately post that war, although not the first few years. It came vividly to my mind when thinking of what to say and what to put on the record relative to this motion that, in actual fact, I was born less than nine years after the day of which today we are celebrating the 74th anniversary.

Mr Ferguson: You would never know.

The Hon. B.C. EASTICK: You would never know. As I say, 74 years ago today is the circumstance we are talking about. The people who were involved at the end of the war are probably now aged 94 plus, except for those who joined the navy and military forces at the age of 15 or 16—and there were quite a number of those. We are talking about quite old people, many of whom are aged well over 100 years. Many of my contemporaries were the sons and daughters of people who came back from that conflict which was to end all wars. How wrong we were!

I think of the credit that was given to them for the action they took on behalf of the people of Australia and the assistance that was provided by the Government in an

attempt to re-settle them, whether it be on river blocks or in the Murray-Mallee. I think of the devastation and disasters that befell a great number of those people because the best of intentions had not been thought through. A large number of people by virtue of the Great Depression in the late 1920s and early 1930s were placed in an invidious and impossible position and had to walk away from their endeavours.

We then found that 21 years later we had another world conflict, which was the war to end all wars. Praise be that at least now, if we take 21 from 74, we have had over 50 years without conflict of the same proportion as the war to which the member for Playford has referred or the Second World War, which is known to many more of us, although many people in this House were not even a twinkle in the eye on the occasion of the Second World War. That is *very* evident if one goes into schools or other places to try to put history into perspective. When you talk about the Great War or the Second World War the eyes look at you in disbelief. They know nothing about it—they have no history and no background. That is why this motion is important. This motion and the one earlier today in relation to the 100 years of service to the community by Kalyra place on record our remembrance of these events.

After his return from the Middle East in the Second World War, my father was invited to address an assembly at the Urrbrae Agricultural High School where I was a student. The headmaster introduced him and said, 'We would like you to tell the students about the war.' I have never forgotten my father's words. He said, 'I am here to talk about the people with whom I served, the sights and the scenes, but never about the war.' Those who remember the people who were lost do not talk about the glory or the majesty of war as much as the comradeship. They talk about their ability to serve their country, about those things which give a country quality—there but for the grace of God go I. We could have been the losers, but in actual fact we were the winners. So, all those different emotions come into a motion such as this, and I believe they should go onto the record in a very positive way.

In 1990, I had the opportunity to visit a number of the war areas in Belgium and France about which the member for Playford has spoken. In traipsing down the side roads and main roads, it was interesting, not in a macabre fashion but in an historical sense, to see small cemeteries dotted through so much of the area about which the honourable member has spoken. When I moved into Italy and other places I saw massive war cemeteries associated with the Second World War. There were many losses in the First World War. Those people were buried and their graves are still cared for today by the people whom they served when they fought for their country. I spoke to a number of people in Belgium and France to try to gauge what they felt about having these foreigners buried in their territory. There is still great respect: they are remembered as people who came in from the outside to answer a call and to assist. Those are the sorts of things that I remember today on the occasion of the 74th anniversary of the First World War, the day of the Flanders poppy, which so many members today have been prepared to wear in replica form in recognition of this event.

Other conflicts have come and gone since, and those who served in those other conflicts still look upon Remembrance Day—as they do Anzac Day, which occurs on 25 April—as a special day in the totality of life, with respect and pride in their own country. We have talked today of Remembrance Day, as we have talked previously about Anzac Day and El Alamein, another great event which gives us pride not in the glory of war but in the memory of those who served and the reasons why they served. That is why members of the Opposition are pleased and proud to align themselves with the motion before us.

The honourable member's motion refers to sacrifice, courage and service but, in actual fact, one recognises that a great deal of that sacrifice, courage and service continued well after the event of which today's date is a central theme. The member for Playford's namesake, the Hon. Thomas Playford, served his community. Others have served in a whole host of other ways and continue to serve from later experience in the self same way, and I believe it is a true feeling of the pride of being an Australian. A former Speaker in the House of Commons finished up by saying that 'the surest way to uphold the dignity of any institution is to preserve its historic continuity'. I offer that same comment in relation to the historic importance of events such as Remembrance Day to this community in the year 1992.

Mr FERGUSON (Henley Beach): It gives me great pleasure to support this proposition. It does us well to remember the sacrifice of Australia and its fighting people during the Great War—the war that was to end all wars. Like the member for Light I, too, have had the opportunity of touring the countryside in France and Belgium. As an Australian, naturally I took great interest in the war graves in those areas.

The thing that impressed me beyond anything else was the number of stones and crosses that are in that part of the world, so many miles away from Australia where so many Australians gave their life. Perhaps one of the things that is not known is that, even though so many crosses are planted in the countryside of Belgium and France, the bodies of over 18 000 Australian men have never been found, and their remains are still being discovered.

More than 60 000 of the 330 000 Australian men who went to war in 1914-18 died on the other side of the world. One of the things I do from time to time when my duties take me to country towns in South Australia is to have a look at their war memorials. The number of people who are proscribed on those memorials is amazing when you consider the size of the towns. In fact, some country towns never recovered from the loss that occurred during the First World War. There are other problems in Australia as well. When one looks at the Victorian education system, for example, one sees that four out of every five teachers volunteered to go away to the First World War, and that is incredible when you think about it. The education system in Victoria suffered badly from the casualties, not only in respect of those who gave their life but those who were wounded while they were away.

Much is made of Australia's effort in Gallipoli during the First World War, and we tend to forget that

Australians fought in many other places, including, Egypt, Papua New Guinea, France and many other theatres. I refer to an article in H. Septimus Power's book *Bringing up the Guns,* in relation to the Australian effort in the First World War. Entitled 'The Australian troops spearhead the breakthrough of the enemy lines that leads to the victory in the First World War' it states:

The Australians first went into action in France in July 1916 in a massive allied offensive on the Somme. Nearly 7 000 Australians died around Pozieres by the end of September and any romanticism about the war which might have lingered after Gallipoli was drowned in the stinking mud of the abortive offences in 1917. So they became part of grinding, dying, trench-warfare machine (gaining the nickname 'Diggers') but there were still some moments of glory to come: in Palestine the Light Horse broke the Turkish defences, opening the road to Jerusalem.

In the summer of 1918 the final offensive began. Monash's five Australian divisions (which had stopped the German onslaught at Amiens) together with four Canadian, three British, and three French were positioned south of the river Luce, in front of Amiens. On 8 August, the day the Germans remembered as 'the blackest day of the war', this army, spearheaded by the Australians and Canadians, suddenly punched through the German lines. The stalemate was broken.

I do not wish to continue with that; suffice to say that Australians were used as shock troops in the European conflict and their efforts often resulted in casualty.

The field of remembrance service was at 11 a.m. today as it normally is, and I asked the library to research the history of this service. King George V first painted a cross on the lawns of Westminster Abbey before the Armistice day service in 1928. The custom is still continued by the Queen. Our first field of remembrance in Adelaide was laid on the lawns of the War Memorial on North Terrace in 1954, and there were 279 crosses. Although primarily this is an RSL hospital visiting committee project, it is a community act, and all members of the public are entitled to plant a cross free of charge in memory of a relative or friend in a space provided for the general public.

As more people became interested in the project, the field progressed in size and has moved to the lawn section running from the War Memorial, along North Terrace towards King William Road. By 1975 the total increased to approximately 17 000 crosses. In 1979, some of the First World War units decided that they could no longer cope with the maintenance of their increasing numbers and decided to use one large cross bearing the name and colour patch to signify their units. This reduced the count to 15 551 in 1979; last year there were 16 837 crosses in the field. The format is in sections: one for the 'Supreme sacrifice', which is closest to the War Memorial; next is 'Passed on since'; and then comes the RSL sub-branches, both city and country, followed by Legacy, the Rats of Tobruk, Ex-prisoners of war, and so on. The Boer War, the First and Second World Wars, Korea and Vietnam are all represented.

Each unit is responsible for keeping their numbers on crosses up to date. Every year now many more crosses are added to the 'Passed on since' section. The Governor lays a cross prior to the service on 11 November. There is also a section for allied countries and interstaters. Crosses are available at the field free of charge, but any donations are added to the poppy day appeal and used for maintenance of war cemeteries and war veterans' homes. I have great pleasure in supporting the motion. It is proper that it should be brought before the House on 11 November, and I hope it is supported unanimously.

Mr BRINDAL (Hayward): I also support the motion. I, like I am sure every member in this House, do not glorify war or believe that what we went through in two wars and in subsequent conflict is anything other than a tragedy in terms of the life that was lost. It is interesting to note that, so many years removed from the Great War, the nations that fought it and the empires on whose survival they claim the war depended have been swept away. In many instances, that sacrifice was made very nobly and bravely for perhaps little reward in the long term.

Nevertheless, those soldiers who went away to fight for their country did so at the behest of their Government and for values and principles in which they believed. It is well recorded in many of our history books that there is a belief in this country that this nation came of age on the shores of Gallipoli. I salute those who went away and fought in all conflicts at the behest of their Government, but at the same time I deplore the lives that in many cases were sacrificed for little if any good for humanity. They were a waste of life, as the member for Henley Beach pointed out; a great tragedy for this country and many communities. However, it was not only this country because people on the other side also suffered grievously as a result of the machinations of war.

My own grandfather fought in Flanders Field. He, like the person mentioned by the member for Henley Beach, returned and coughed his life away while my father was serving in the Second World War. Unfortunately, he was one of those who was gassed. He lost three quarters of his lungs and lived a very poor standard of life. He survived until the Second World War and, while my father was away serving in the Navy in the Second World War, my grandfather died. Many Australian families can tell a similar story. I salute them for what they did, and I commend this motion to the House.

[Sitting suspended from 6 to 7 p.m.]

The Hon. J.P. TRAINER (Walsh): In my contribution to this debate, I should like to add a personal note or two. Others have spoken eloquently already in general terms of the senseless slaughter of the last great imperial war, an imperial war begun as a consequence of great power rivalry without any pretence—apart from propaganda references made by each side to the alleged or actual barbarism of the other side—of being any more than a struggle between great empires competing for status, for territory and for access to resources.

At the end of that war, four great empires had collapsed: the Russian empire, the German empire, the Turkish empire and the Austro-Hungarian empire. Ten million had died: 20 million were missing or wounded, including those in categories often not recorded in the better known histories, such as the 150 000 Serbians who died of typhus. The Carnegie Institute, at the conclusion of the war, estimated that in the dollar values of that day the war had cost perhaps $400 billion. How many trillions that would be in today's value, I would not like

to calculate. Revisiting the scene of earlier military activity, in August 1918 F. Scott Fitzgerald wrote:

> See that little stream—we could walk to it in two minutes. It took the British a month to walk to it—a whole empire walking very slowly, dying in front and pushing forward behind. And another empire walked very slowly backward a few inches a day, leaving the dead like a million bloody rags. No European will ever do that again in this generation.

Unfortunately, F. Scott Fitzgerald was wrong. I did say that, initially, the war was basically an imperial one that resulted from great power rivalry but, towards the end of the war, the Allied side adopted more noble objectives, such as the preservation of liberal democratic values, the granting of national self determination to ethnic groupings and, the most noble of all their goals, the ending of all wars. As other people have commented already today, it was referred to as the war to end all wars. But during that war men by the millions, an entire generation, rallied behind their national and imperial banners out of patriotism and a sense of adventure—the sort of adventure described by Rupert Brooke in one of his poems as follows:

> Now, God be thanked, who has matched us with His hour,
> And caught our youth, and wakened us from sleeping.

They acted out of that sort of patriotism and sense of adventure, but nearly 10 million of them never returned, being buried, in most cases, far from home or, in some cases, not being buried at all in the normal sense, so destructive were the artillery bombardments. They died far from home, like Rupert Brooke, who had said:

> If I should die, think only this of me:
> That there's some comer of a foreign field
> That is for ever England.

Throughout the various theatres of war, the passing of this generation is marked with the neatly tended war graves and, in their home country, by the war memorials—those lonely little memorials in the centres of the villages of Britain, Germany or Australia which marked the loss of a whole generation. As human beings, we have a natural tendency to celebrate heroism but, above all, in relation to this war, we must acknowledge the incredibly disastrous waste of mankind and material, those who were the cannon fodder of the First War and those whom Siegfried Sassoon referred to in the following terms:

> Who will remember, passing through this Gate,
> The unheroic Dead who fed the guns?
> Who shall absolve the foulness of their fate-
> Those doomed, conscripted, unvictorious ones?

A further 20 million were casualties of war in other ways, shattered physically or mentally. Others who participated in that Great War were more fortunate. My father, John Patrick Trainer Sr, aged 17 in early 1917, joined up when, like many of his generation, he lied about his age in order to enlist in the Manchester Rifles, serving in the mud of the Somme, where he was wounded, with a thigh full of shrapnel—small fragments of which he was still extracting half a century later.

Intensely affected by the experience, he became very active in the early years of the RSL as an organisation when he came here to Australia in 1923. Apart from promoting the poppy day custom, to which I will refer again in a moment, he was particularly active with the hospital visits committee, to which the member for Henley Beach referred. Along with Arnold Dury (later a Labor Senator), my father was one of the founders of the Field of Remembrance in 1954. He was also one of those who strongly supported the custom of wearing poppies on 11 November—a custom going back to the belief that it was the enrichment of the soil by the bodies of the fallen that had given rise to the incredible crops of blood red poppies across the fields of the Somme and Flanders during the First World War.

This particular floral emblem was popularised by a poem in perhaps the most unlikely publication for a reference of this sort; *Punch* of 8 December 1915 reproduced John McCrae's poem *In Flanders Fields:*

> In Flanders fields the poppies blow
> Between the crosses, row on row,
> That mark our place; and in the sky
> The larks, still bravely singing, fly
> Scarce heard amid the guns below.
>
> We are the Dead. Short days ago
> We lived, felt dawn, saw sunset glow,
> Loved and were loved, and now we lie
> In Flanders fields.
>
> Take up our quarrel with the foe:
> To you from failing hand we throw
> The torch; be yours to hold it high.
> If ye break faith with us who die
> We shall not sleep, though poppies grow
> In Flanders fields.

On behalf of those described by John McCrae and on behalf of all those generations who suffered in the most wasteful of all wars, I commend the motion to the House.

The Hon. H. ALLISON (Mount Gambier): On Armistice Day, as members have said, at the eleventh hour of the eleventh day of the eleventh month, we commemorate the of signing of the Armistice Treaty in 1918. It has come to be a day to remember the fallen and to reflect on the glory and the folly of war—the First World War, the Second World War, Malaya, Korea, Vietnam and Iraq, to name just a few in which Australians have participated with great valour.

Today many members have spoken of the contributions made by Australians in particular in the cause of world peace, of defence and of peace and freedom against megalomaniacs and dictators. It is appropriate to reflect on the courage, loyalty, dedication, mateship and the self-sacrifice of Australian men and women who not only fought in the armed services but also accompanied them in the auxiliary services—ambulance, nursing, catering, religious and so on.

I was brought up between the wars to believe—and it was said repeatedly—that the First World War had been the war the end all wars and that ex-servicemen would return to a land fit for heroes. Instead, the 1920s and 1930s brought long, deep, lasting depression. By the time the world was recovering in the mid 1930s, the dark clouds of war were again casting deep shadows over Europe, which was menaced by Hitler and later by the Axis powers which joined him across the world.

Today we still have a world of poverty; it is racked by strife. I refer to places such as the Slavic States, South Africa, Iraq and Kuwait—from which we are just emerging—the Soviet bloc, Israel and Palestine, and Northern Ireland. The list of countries where strife still exists is far from exhaustive. It is obvious that you can beat your enemy but you cannot beat the baser elements of human nature. I notice, as I join with many other Australians on Armistice Day and Anzac Day to pay our respects, that the First World War Australian Diggers are

in declining numbers. We have very few First World War veterans remaining. I will mention one survivor in Mount Gambier, Arnold Haines, who is treated with respect and reverence by members of the RSL. We still remember those who died over the past three or four years, including Mr Somerville, Mr Taylor and others from the First World War strife.

Only last weekend we had the 9th Division, 2nd AIF Australia-wide fiftieth reunion commemorating El Alamein. The veterans there were in their late 60s and over, and I reflected during the many hours that I spent with them over that weekend that I did not hear war being glorified. Generally, their conversations were a reflection on comrades remembered, of peace being won and of territorial aggrandisement being stopped, at least for their time being. We still have conflicts borne of religious differences, nationalism, greed, poverty, oppression, racism, tribalism, and for other reasons, and they have to be very sobering thoughts at a time when we are reflecting on the First World War, the war to end all wars.

Australia normally celebrates its greatest moment of glory on Anzac Day, with probably a sort of irreverent touch of larrikinism and whimsy in that, because, whereas most nations celebrate great victories, Australia celebrates a great and glorious defeat, for which it is respected even by its then greatest enemy, the Turks, and one is happy to say that the few who still remain join together in friendship.

I visited Europe last year, and one of the specific things I wished to do was to look at some of the war graves where Australians were buried. War graves abound around the world, as some members have mentioned. The Commonwealth graves are generally run by the War Graves Commission in London, for the greater part. I visited several. A very small one, for example, exists at Richmond on the Hawkesbury River in New South Wales where I have a relative buried. He crashed in a four-engined aircraft which he was ferrying during the Second World War. That rests on a quiet arm of the river overlooking the Hawkesbury. In Europe I visited a very large one in France at Villiers-Bretonneux, and nearby, adjacent to that large cemetery is the smaller Adelaide Memorial Cemetery. It was good to note that the local people respected and fondly remembered the Allied troops who had helped to liberate them, and those cemeteries, wherever they are situated, are kept in immaculate condition.

I propose to change the note of my comments because it has occurred to me that, more often than not, out of the violence and horror of war emerges the commemorative stuff of inspired poetry, and that appears to have been so over the millennia. Sometimes it is cynical, such as Cicero, who said:

> No-one would ever have exposed himself to death for his country without the hope of immortality.

However, I quote Horace who, in his ode, said:

> It is sweet and glorious to die for one's country. *(Dulce et decorum est pro patria mori.)*

Out of that Horace theme, I wrote a personal poem, 'In Memoriam', reflecting on Wilfred Owen, Rupert Brooke and the soldier poets. It reads:

'Dulce et decorum est'
And did you know young soldier, as you penned your words of beauty
In the battle's firelight glow, that in the line of duty
To the ling and country which you held so dear
You all too soon would die?
'Pro patria mori' bravely inscribed In every line I read
Breathes you into life
And I thank you for those few rich verses
Salvaged from your hell on earth
In Flanders fields.
Your sun will not go down
For we remember.

Mr OSWALD (Morphett): Today, the eleventh day of the eleventh month, is the day we remember Armistice Day, the day when the Great War concluded—the war to end all wars. It is with some pride that those of us who are now living many years after the event look back on the history of this country and remember the great dedication of the men and women who went before us, who made this country what it is, who set the standards that all of us look up to as we set out lights ahead of us.

I suppose to really understand the atmosphere in which the First World War, of 1914-18, started one would have to have lived in Australia in those days. Britain declared war on Germany on 4 August 1914, which automatically meant that Australia was at war too. Many Australians enthusiastically supported the British call to arms. Thousands promptly joined the Australian Imperial Forces to fight side by side with other members of the British empire. A small force went north and occupied German New Guinea at a time of little cost to the Australians, in September, and in November there was the famous battle with the German cruiser *Emden* when it was out-fought by *S Sydney* and forced to beach in the Cocos Island group.

On 25 April 1915, the ANZACs landed at Gallipoli. Up to that time everything had gone well and the euphoria in Australia was such that recruits were flocking in. In fact, recruiting was booming in Australia after the news of the fighting breaking out and young men and women were rallying to the cause-men to go overseas and women to provide support to their menfolk who had already moved out of the country. When the ANZACs were evacuated in December they joined thousands of other recruits in Egypt. After the ANZAC debacle, which has always been reflected on as one of the most glorious defeats in our history, which of course we all remember and are very proud, the Australian Light Horse Brigade spent the rest of the war with the British forces fighting in Turkey. The other men of the AIF formed another five infantry divisions and carried on the war on the western front. Therein lies many of the horrific stories for which Armistice Day is remembered.

The AIF experienced the full horrors of trench warfare. Indeed, in one attack at Fromelles on 19 July the 5th Division suffered 5 500 casualties in one day. Further south, as part of Britain's massive offensive in the Somme Valley, east of Amiens, three AIF divisions—the 1st, 2nd and 4th—against fierce resistance, pushed a narrow salient three kilometres deep into the German lines and Pozieres. No other part of earth is as soaked with so much blood of the Australians as what happened there on that occasion when the Australians sustained 23 000 casualties—killed, wounded and missing.

The total number of Australians who served overseas during those campaigns was less than 331 000, of which some 60 000 actually died. In the library this afternoon I was reading a section of the official history of Australia

during the war, volume one, by C.E.W. Bean. It contained a small quotation which I thought all members would find interesting. It is about how the name ANZAC came into being. It is only one paragraph and with the indulgence of the House I would like to read it:

> Birdwood's [the General of the Army] headquarters in Cairo were in the southern corridor of Shepheard's Hotel. Some of the clerks were detached from the divisions to work under the Army Corps; others were brought from England. The ground-floor corridors outside the clerks' rooms became bordered with cases containing stationery addressed in large black stencilled letters to the 'A. & N. Z. Army Corps'.

There are 15 letters comprising a lengthy name to have stencilled on a case. The description continues:

> The name was far too cumbrous for constant use, especially in telegrams, and a telegraphic address was needed. One day early in 1915 Major C.M. Wagstaff, then junior member of the 'operations' section of Birdwood's staff, walked into the general staff office and mentioned to the clerks that a convenient word was wanted as a code name for the corps. The clerks had noted the big initials on the cases outside their room—A&NZAC—and a rubber stamp for registering correspondence had also been cut with the same initials. When Wagstaff mentioned the need of a code word, one of the clerks suggested: 'How about ANZAC?' [condensing the five letters together]. Major Wagstaff proposed the word to the general, who approved of it, and 'ANZAC' thereupon became the code name for the Australian and New Zealand Army Corps. It was, however, some time before the code word came into general use, and at the landing many men in the division had not yet heard of it.

It is a matter of history but, following the landing there, the campaigns proceeded across Europe and the names of the campaigns are entrenched now on the battle honours and flags of the various units that came home. Members will recall the debate in this House some time ago when we talked about the 50th battalion and the return of the colours to it from the Tasmanian cathedral to St Peter's Cathedral in Adelaide.

I am grateful for the cooperation we have received through the Government, the Premier's office and the Army office, and eventually the colours were returned. I was proud to be present at a ceremony at Keswick barracks a couple of months ago when the colours were paraded. They have been taken over now by the Army in South Australia and are in the process of being prepared to be replaced at the cathedral. Battalion or any unit colours are a proud part of the traditional history of a unit. We can see from the colours where the battles have been fought, and the men and women of the units are very proud of those colours.

It is with great pleasure that I associate myself with the motion that has been moved in support of the celebration of Armistice Day. There is no question that we are proud of the sacrifice, courage and service of all men and women who served Australia not only in the Great War but in all the wars that have come upon the world since then.

Mr S.G. EVANS (Davenport): It will be my last opportunity, I suppose, to record some words on this subject.

An honourable member interjecting:

Mr S.G. EVANS: There is a fair chance of that. I support the motion. This is a time when we reflect upon the signing of the Armistice and the contribution of others in other wars. We should think not only of those Australians who served but also of the men and women of other countries who served and of all the civilians involved in the battles near their homes which had a great effect on them for the rest of their lives.

I wish to speak tonight because my father was one who served in the Light Horse, and then at a later stage in the ammunition transport section, I give him credit that, even though he had four sons who are still alive, he never spoke about the war. He spoke about relationships, funny incidents and about one serious incident that I will never forget, when an Aussie soldier cracked. He took the wrench. off an ammunition wagon, put his hand on the metal bridge and bashed himself across the wrist with the big metal spanner, saying, 'That should get me back to England.'

Looking at his wrist, he said, 'No, that is not enough,' and he hit it twice, because he felt he had reached the end of his tether with what was going on around him. It would have taken great courage and great mental strength for many of those men, on both sides, to put up with what was going on around them. In thinking about those who have passed on, we should think about those many persons who came back as destroyed people.

One person in this State, a Ukrainian, is in an institution for the criminally insane because of a double murder that he committed. This person, who worked for me, suffered immense shell shock and other things, and is now incarcerated here for the term of his natural life. When he was charged capital punishment applied, and the argument was that he was, an*d had* been, insane at certain stages of his life. It is war that brought about his condition; one would realise that there was no doubt about that if you knew the man and worked with him.

So, as we reflect, we should also reflect on what our attitudes have been as a society in teaching our children to understand what Armistice Day is all about. Whether people like it or not, during the 1960s and 1970s there was an anti-RSL attitude by some quite prominent people such as parliamentarians, leaders, newspapers and persons who wanted to be the thinkers of society. We all know that is true. We have taken a turn within the past eight to 10 years and have started to show a bit of recognition for what happened. I suppose what caused it during the mid-1960s and mid-1970s was the Vietnam issue, and that was unfortunate.

I went to a 21st birthday in an RSL clubroom which had been hired for the night. I was the MC, and I will give members an example to show how we as a society have failed. When it was 9 o'clock, the lights were turned out and the cross was shown with the light alongside of it. Just before the recording of the bugler was played, when the young people of 18 to 25 years of age, with a few parents, were asked to stand, they wanted to know what it was all about, and that is the truth. They did not know. There were only about five or six out of about 120 of that young group who knew, and they caused a bit of a stir. They said, 'What are we doing this for?' I had to explain it, and they came up afterwards and apologised. However, it was not their fault. It is because we had failed, and we are still failing to some degree, although I do give credit to the Education Department for showing recognition and explaining to the young people not the glory of war but that 20 per cent of those who went away to serve in the First World War never came back. There is one case where three brothers out of five

from a village in the Hills went in a four day period. That is terrible odds for a family to carry.

We also need to remember that while that was happening, whether it be the First World War, the Second World War or any other war in which we participated, but particularly the First World War and the Second World War, many men and women who wanted to serve were rejected because they had some minor physical or medical defect. They wanted to serve, and they should not be thought of as being cowards who were not prepared to serve, because they were willing to do so. However, the standards dictated that they were not able to. They and virtually all the women folk carried a workload in this country that we should all record and recognise. They worked in the munition factories; they worked on the farms; they drove antiquated tractors, as we would know them today; and they drove trucks. One young 17 year old lass was killed going to market because the men were away. Those burdens were also carried back home so that the signing of the Armistice was a matter not just of finishing the war but also of bringing families back together, sometimes after many years.

On the other side of the coin, the war created partners for life. My mother, now 96, met my father when he was taken back to Scotland for rehabilitation after an injury. My life was brought about because of war. Whether that be good or bad, as far as others are concerned, I am grateful for what my mother and father have done for me and for my brothers and sisters. There were thousands of similar relationships throughout the world, whether they were among Canadians, New Zealanders or whomever. Sometimes their partners were from enemy territory. Some of them were very successful and many came back to this land and helped to develop it in the years until the terrible depression of 1930, and then an idiot started the Second World War. So, my thoughts are wide, but I am grateful.

After the second war, a number of men came back and worked alongside me; yet I remember only one who bragged about what he did or did not do, or what he attempted to do, or how great his platoon was in the islands up north. There was only one who spoke about the war; the others did not want to talk about it. People who rubbish RSL members and say it is a booze-up club are unfair to those returned men and women who find comradeship and a feeling of togetherness, because they can talk about mates, friendships and experiences without bragging about war. We should be proud of them: I am. I am also proud of those who remained at home and carried out the work, keeping the country going, and keeping up the supplies for those serving in the war zones. I support the motion.

Mr QUIRKE (Playford): I thank all members who have taken part in this informed debate tonight. It has been a good debate. In my view, it is a debate of which this House can be proud. It is beyond the scope of my time to go through the remarks that have been made by members, given that the comments have covered a wide range of issues associated with the Great War and other conflicts. Indeed, the member for Mount Gambier mentioned Villiers-Bretonneux and the Adelaide cemetery. Those parts of France are very near Road National 17 and on the road from Calais to Paris, and they are places that people would be well advised to visit.

The official Villiers-Bretonneux Australian cemetery is a piece of Australian territory. So, too, are other parts of France and Belgium, which have been given to the Australian people in recognition of the blood in which France and Belgium were drenched during the First World War. More than 500 persons are interred in the Adelaide cemetery, of whom approximately 460 came from the city of Adelaide; hence its name. I have visited the cemetery three times in the past 15 years. Unfortunately, I noticed the first time that I visited it that no-one from Australia had signed the register for 10 years. However, those parts of France and Belgium will be parts of Australia for ever.

The debate today has been a rich one and an important one. It has recognised past members of this Chamber who took part in that conflict. In memory of the people who came back from the First World War and went into community service, this debate is, in part, a fitting dedication. I also think that a few myths of the First World War need to be laid to rest. The first myth in many respects is that it was a static war; it was a war which was more like the wars of the nineteenth century. Nothing could be further from the truth. The dawn of the twentieth century brought fire power and industrial might like the world had never seen before. In the First World War the amount of ammunition and modern equipment available to soldiers was like no conflict that this world had ever seen before. The true dawn of the twentieth century was in the 1914-18 war.

Two other myths need to be laid to rest. We are constantly reminded of how young the soldiers were who went off to that war from Australia, Britain and Canada. That also is not true. The average age was 28 years. The oldest man to be killed in the First World War on the Western Front was 68 years of age, and he was killed with his three sons on 1 July 1916 on the opening day of the battle of the Somme. The reality is that in the Second World War the average age was about 24, and in Vietnam it was 19. The First World War saw the flower of a generation shot and mown down in Western Europe and in other theatres of war. The final comment that I would like to make is that by the end of 1918 aircraft and tanks were the weapons that swept away trenches and static formations forever. I thank all members for taking part in this debate.

Motion carried.

KURRALTA PARK COMMUNITY KINDERGARTEN

Adjourned debate on motion of Mr Becker:

That this House instructs the Minister of Education, Employment and Training not to approve the recommendation by the Western Region Children's Services Office to close the Kurralta Park Community Kindergarten—

which the Hon. J.P. Trainer had moved to amend by leaving out all the words after 'House' and inserting the words:

calls upon the Minister of Education, the Children's Services Office and the West Torrens council to jointly cooperate in ensuring the continued viable operation of the Kurralta Park Community Kindergarten on its current site or on another site in the immediate vicinity.

(Continued from 21 October. Page 978).

Mr S.G. EVANS (Davenport): I support the motion but I have grave doubts about the amendment. The amendment and the motion, even though the issue is outside my area, interest me, because the Children's Services Office was suggesting that this kindergarten might close or amalgamate two kindergartens, one in my area and one in the area represented by the member for Fisher. I am pleased that there has been a change of heart and that the Hills kindergarten will remain open and Bellevue Heights has a stay of execution until the end of the first term next year.

As regards the Children's Services Office's desire to amalgamate, close or reduce the number of kindergartens in certain areas, I feel concerned because we are trying to stick to the old criteria about numbers. If the service is taken too far away from families, partners find it difficult to place their children in kindergartens. If one or both partners work, the closer a kindergarten is to their home the better. Therefore, the smaller and more numerous they are is probably the better option for the sake of the community.

At the request of the member for Hanson, and in fairness to the person who has written to him, I should like to read into *Hansard* a letter that he received from Mrs Nelly Jaksa who is involved in the Kurralta Park Community Kindergarten. The letter, dated 8 November, states:

Dear Mr Becker, Re: Kurralta Park Community Kindergarten. Thank you for sending me a copy from *Hansard* of the debate in Parliament held on 21 October 1992 regarding the western development plan to close Kurralta Park Community Kindergarten. The committee of management would like to applaud your impressive effort to bring before the South Australian Parliament the plight of the supporters of the Kurralta Park Community Kindergarten. We also note the involvement of the endorsed Liberal candidate for Hanson, the Rev. Stewart Legget, who had contacted the kindergarten earlier on to offer his support.

I have read with great interest the parliamentary debate from *Hansard, 21* October 1992, and wish to commend you on your thorough investigation of this issue (especially regarding the federal funded child-care centre proposed for Kurralta Park which did not eventuate). I feel that your strong views and effective presentation during the debate have been significant in preventing the closure of our valued kindergarten.

I also note with some bemusement the claim that Mr John Trainer had somehow contributed to the contents of my letter, dated 11 September 1992, addressed to the Minister of Education. All the views presented in the letter were personally voiced to me by the individual parent, friend, community member and supporter of the kindergarten. It was the committee of management who had requested me to compile those views and present them in a suitable format to the Minister of Education. Moreover, I would also like to clarify the fact that the petition was instigated by those of us who felt that our arguments presented during the western development plan meeting had failed to convince the western CSO to reconsider its draft proposal.

In all fairness, the committee of management would also be expressing their appreciation to Mr Trainer for his active participation with the western CSO and West Torrens council in reaching a compromise in order to maintain the viability of Kurralta Park Community Kindergarten. A fortnight ago, the kindergarten director, Judy Neagle, received confirmation that the West Torrens council had purchased a property adjacent to the kindergarten. Currently, we believe that the West Torrens council and the western region CSO are discussing the cost involved in developing the two sites to ensure the continued existence of the kindergarten as a pre-school centre. Finally, I would like to add that the positive responses which we have been receiving from you, Rev. Legget, Mr Trainer and West Torrens Councillors Ken Richards and George Demetriou have made the task of fighting for what we strongly believe in—that is our kindergarten should continue to offer pre-school service—an extremely worthwhile community effort. Thank you once again.

I do not have any great faith in the amendment, but I support the motion.

Mr BECKER (Hanson): I thank the members for their contributions. The member for Walsh's response was incredible, to say the least. One would have to be forgiven for saying that it was almost to the point of paranoia, because never in 23 years in this House have I ever known a response to an issue that has been raised on a local political plane such as I have witnessed from the member for Walsh. I felt it was totally out of character and uncalled for, when I had been particularly requested by very many people associated with this kindergarten to do something to help them on this issue.

The best way I know is to bring the issue before the attention of the House and the Minister; that is my forum. As I am an elected representative to Parliament I believe it is my right to bring to this Chamber issues of concern to the community. I was quite surprised by the large number of people from my electorate—people I have known for many years—who have asked me whether I could assist them in any way, and I include also, of course, Stewart Legget, who is now the Party candidate for that seat. In all the years I have been here, never has anyone hesitated to raise an issue concerning my electorate or taken the opportunity to score a round in my electorate if they could, but the personal attack by the member for Walsh is in very poor taste—I think he did himself more harm than good.

The proposed amendment is unacceptable because, the way I see it, to coin a phrase, it is two bob each way. Calling on the Minister of Education, the Children's Services Office and the West Torrens council to jointly cooperate in ensuring the continued viable operation of the Kurralta Park Community Kindergarten may be all very well, but the amendment goes on to say 'on its current site or on another site in the immediate vicinity'. The issue is all about retaining the Kurralta Park Community Kindergarten on its present site. The West Torrens council has decided to acquire the adjoining property, and there is no doubt that, if the Government and the council can come to a satisfactory compromise, the premises can be enlarged and upgraded and the kindergarten retained exactly where it is. After all, that is what we want to achieve. For that reason, I cannot support the amendment as it stands.

The House divided on the amendment:

Ayes (21)—L.M.F. Arnold, M.J. Atkinson, J.C. Bannon, F.T. Blevins, G.J. Crafter, M.R. De Larne, D.M. Ferguson, R.J. Gregory, K.C. Hamilton, T.H. Hemmings, V.S. Heron, P. Holloway, D.J. Hopgood, C.F. Hutchison, J.H.C. Klunder, S.M. Lenehan, C.D.T. McKee, M.K. Mayes, J.A. Quirke, M.D. Rann, J.P. Trainer (teller).

Noes (19)—H. Allison, P.B. Arnold, S.J. Baker, H. Becker (teller), P.D. Blacker, M.K. Brindal, D.C. Brown, J.L. Cashmore, B.C. Eastick, S.G. Evans, G.M. Gunn, G.A. Ingerson, D.C. Kotz, W.A. Matthew, E.J. Meier, J.W. Olsen, J.K.G. Oswald, I.H. Venning, D.C. Wotton.

Majority of 2 for the Ayes.

Amendment thus carried; motion as amended carried.

PUBLIC SECTOR SALARIES

Adjourned debate on motion of Mr Becker:

That this House calls on the Government to peg all executive salaries and packages of Government department and statutory authority employees exceeding $150 000 per annum.

(Continued from 28 October. Page 1123.)

Mr QUIRKE (Playford): I move:

Leave out all words after 'House' and insert 'requests the Economic and Finance Committee to add to its terms of reference passed on 14 October 1992 by adding "review executive salaries and packages of Government department and statutory authority employees and consider the pegging of all packages exceeding $150 000 per annum"'.

I move this amendment so that the current review of salaries and executive structures involving the Economic and Finance Committee can consider this issue at this point. I want to make very clear to the House that I am not taking a position either way on this debate at this stage. In fact, I approach it with an open mind, and I look forward to hearing the deliberations of the committee and then bringing that report back here to the House. The proposal put up by the member for Hanson has merit. It certainly ought to be thoroughly investigated by the committee.

When that investigation has taken place, we will report back to the House. In the meantime, it is sufficient for me to say that the effect of the amendment is to do this: it places this item squarely before the committee while we are considering executive structures and salaries. That is the most appropriate and efficient way of dealing with the issue.

Mr S.J. BAKER (Mitcham): I accept the statement made by the member for Playford. When I moved the original motion, I wished it to be completely unfettered; I did not want the committee to consider the executive structures and salaries with any end point in mind. I did not want it to be fettered in any fashion, in the way that it considered the appropriateness of the previous negotiations on salaries that have certainly taken place within the statutory authorities, including the State Bank and SGIC.

I do accept that the Chairman of the Economic and Finance Committee is facilitating the consideration of the motion moved by the member for Hanson. However, it is unfortunate that we will have it as part of the motion if it is agreed to. Whilst I call 'No' to that proposition, I do so on the basis of believing it will reflect an impediment rather than an assistance to the Committee. I am assured by the words of the member for Playford that there is no agenda and that there is no preconception of what is to be achieved by the committee.

Mr BECKER (Hanson): I thank the members who spoke and for their consideration of the motion. I support the amendment.

Amendment carried; motion as amended carried.

INDUSTRIAL RELATIONS

Adjourned debate on motion of Mr Quirke:

That this House notes the industrial relations policies of the Liberal party at the Federal level and, in particular, the policies of the Kennett Government in Victoria and also notes the Opposition in South Australia has promised to support similar anti-worker, anti-union measures aimed at undermining decent standards of living for all South Australian wage and salary earners.

(Continued from 28 October. Page 1133.)

Mr VENNING (Custance): I rise to speak strongly against this motion. I object strongly to the words 'anti-worker, anti-union' in relation to my Party, of which I am very proud, and in relation to my State and Federal colleagues. I am absolutely amazed at the continuing tone of the speeches coming from this beleaguered Government: the continued divisive argument; the anti-boss, anti-business, anti-profit, anti-boss/worker relationship and agreements astounds me. This rhetoric and the corresponding Government action has been tried now for 10 years to the day. By anyone's standards, this Government has failed; in fact, in anyone's opinion, no matter how biased, the Government has failed. During Question Time today, the Premier was under pressure from my Leader. The Premier had great difficulty in proving that the 10 years in office of this Labor Government have been 10 years of flair and light. Today is the tenth anniversary: the day on which we celebrate the decade of disaster—and that is what it is all about. The Premier battled to list the achievements of this State in 10 years. They were so insignificant that I have forgotten all of them except the Grand Prix.

The Hon. T.H. HEMMINGS: I rise on a point of order, Mr Speaker. I realise that we are only one minute into the member for Custance's speech.

The SPEAKER: I am very pleased that the member for Napier is aware of that.

The Hon. T.H. HEMMINGS: This motion is about the industrial relations record of the Victorian Government and has nothing to do with the decade of the Labor Government.

The SPEAKER: I think that the member for Napier has very clearly made his point of order. As far as it goes, I support the point of order. However, as the honourable member himself commented, we are one minute into a 10 minute speech. Certain leeway is allowed. However, I will mention to the member for Custance the necessity for relevance in the debate.

Mr S.G. EVANS: On a point of order, Sir, I believe that you just said that you accepted the point of order of the member for Napier that this motion has no relevance whatever to South Australia. In that case, Sir, is the motion out of order?

The SPEAKER: I think that the member for Davenport's point of order is a little picky. As a matter of fact, I do not uphold the point of order. The Chair is well aware of the aspects of the point of order of which it took note, and will rule accordingly. The member for Custance.

Mr VENNING: I assure the honourable member that I will come straight to the point of this motion, but I want to build a case, particularly in relation to today's tenth anniversary of a Labor Government in this State and what it has to do with this motion. I am also giving

praise to the Grand Prix, in which this Government is involved. I went for the first time last weekend, and I was very impressed.

An honourable member interjecting:

Mr VENNING: A Liberal initiative, as my colleague assures me. But what are the other achievements of the Labor Government? I have forgotten what the Premier listed, but we know the achievements of the Tonkin Government: Roxby Downs, Port Bonython, the O-Bahn, and the list goes on. The policies and the ideas obviously do not work. What further proof is wanted? This divisive diatribe belongs in the past, and I believe that we must now have a balance. We need workers, and happy ones. We need bosses, and successful ones. I know that this is very common English, but I have to say it this way because I want everyone to understand. You just cannot have one without the other: it just does not work. You, Sir, would realise this if you listened to the continual carping from the other side.

In my personal experience before coming to this House, I believed in shared responsibility. I employ people in my enterprise, and there is nothing better than to have a happy work force. I involve the work force in decision making. If there were any dirty jobs around, I would make sure that I got my fair share. Nothing would please me more than to see more workers on South Australian farms, because there is plenty of work for them. You only need to drive through the countryside of South Australia and you see not only good farms, obviously falling into disrepair because of a lack of workers, but also empty houses and wasted potential. Every farmer in this State could do with more workers, but we do not have them and we all know why—we have all heard the rhetoric before—it is because it costs so much.

I want to cut out all the nonsense and get the people back to where the work is, and that is on South Australia's farms. It really narks me to hear this continual carping from members opposite. The Government is deluding itself entirely to think that it has it right, because quite obviously it has not. We have had 10 years; what more proof do we want? I know that, if members opposite were honest, they would agree with me, but many of them are sent here by the unions and they feel they have to hammer the same old line. I know that I can be accused of the opposite, being sent from a different side of politics. I and the people whom I represent cannot exist without happy, satisfied and safe workers. One day I should like to hear a speech from members opposite that gives some credence to the opposite argument: that we need happy and successful bosses who will take risks and employ more labour. That is the undertone of this speech.

We have to get a firm grip on ourselves to see actually where we are. How could we stoop to a position as low as this in South Australia? Given the resources we have in this country and where we used to be, it is alarming to see where we are now. This motion underlines many of our problems. Industrial relations is a key part of my Federal colleagues' Fightback package, and John Hewson has my full support and confidence in expounding the merits of Fightback, Jobsback and the GST. This Government has placed us in this position because of its bad administration, bad decisions, unrealistic expectations, waste, greed and inefficiency, and the list goes on. You, Sir, know that as well as I do.

The last words of the motion are as follows:

... aimed at undermining decent standards of living for all South Australian wage and salary earners.

Well, what do the workers of South Australia think right now? Are they enjoying this so-called high standard of living? What are their expectations? Are they confident of the future? What do they think of the employment chances of their children? This motion is pure contradiction, because they are going down the drain in a very big way. The older workers in South Australia who still have jobs are not exactly confident of a continuing good standard of living. The whole thing is falling away daily. There are fewer jobs, fewer chances of housing, fewer opportunities for employment for their children, a huge State debt—which is owed by everyone—low general morale and low business confidence. So, to say that the policies of this present Government are holding up our standard of living is ridiculous. To say that the policies of my Federal and State colleagues are 'aimed at undermining decent standards of living for all South Australian wage and salary earners' has no basis at all.

I hope I am here long enough in this House to see a change of attitude by members opposite. I will be the first to admit if things go the other way and if I hear of workers being maligned, used or abused. I will be the first to come to their aid. However, the situation in which we now find ourselves is totally ridiculous. I oppose this motion for all these reasons. It is the same old tired negative rhetoric. One would never think we were in a crisis. We need to change so much to give our people a better chance and a reasonable expectation of a bright future for them and their children. My comments today are on the record. I am confident that a rereading of them in 10 years will show that my confidence in a change of driection is well founded. I oppose the motion.

The Hon. T.H. HEMMINGS (Napier): It is a pity that the Opposition put one of its finest rural speakers on this industrial measure, because it just showed how out of touch the rural rump is not only with the affairs and the industrial relations policy of the Opposition but also as to where this motion is aimed—the Victorian Government. The member for Custance says that he wants happy workers. He wants, 'Hi ho, hi ho, and off to work we go.' That is what the member for Custance wants. What was achieved by the legislation that was introduced by Kennett in Victoria? Yesterday, 100 000 people blocked the traffic in the streets of Melbourne on a one day strike that cost over $400 million in lost wages and production, and the member for Custance says that that reflects happy workers. His Leader has endorsed to the letter the Kennett industrial legislation which is going through and stripping workers of all their rights, the workers whom the member for Custance says he will stand up and defend.

That is not the legislation that Jeff Kennett said he would introduce if he won government: it embraces those things that he said he would not do but is now going to do, as well as those things he did not even talk about. Because he was overwhelmed by the magnitude of his victory, he is now introducing those measures. It will not stop at what occurred yesterday, because on 30

November there will be a national stoppage, bigger than anything that has ever taken place in the history of this country, going right back to the Depression. The member for Custance and his foolish colleagues opposite endorse that and say that that is the recipe for good industrial relations.

Either they are stupid or they do not realise the fuse that has been lit in Victoria as far as industrial legislation is concerned, because it does not stop at industrial legislation. It includes WorkCare and all those other areas where Jeff Kennett is now about to undertake the biggest case of worker bashing that has ever been seen in this country. The Liberal Party, both in this State and Federally, by standing up and endorsing that, is party to the destruction of the industrial code in this country. Make no mistake: if they proceed as they have said they will proceed, that is what will happen. We will go back to all that division and rancour that existed over the years, and that is what the member for Custance and his colleagues say they want they want—happy workers and happy bosses.

As far as the member for Custance is concerned, the happy bosses are those who increase their profits, and the happy workers, also according to the honourable member, are those workers who, if they do not cop it, will get the sack. If they go on the dole queues, there will be nothing to give them or their families in any form of income support. That is the happy worker syndrome. If that is the happy worker syndrome, I am sure that the workers in Victoria would prefer Siberia in the worst Stalinist days. If the member for Custance, who is an honourable man, actually believes that rubbish, there is little hope for the people in Custance who go to the honourable member for support.

Members interjecting.

The Hon. T.H. HEMMINGS: I will not respond to that interjection. It is interesting that the *Advertiser has* already picked up the warning signs, and this morning it pontificated about the relevance of the Dean Brown industrial legislation, about which we are yet to hear, and what happened in Victoria yesterday. The *Advertiser* is giving the Leader of the Opposition two bob each way. It states that no way will the Liberals in this State follow the Jeff Kennett example, but the Leader of the Opposition has said publicly that what is good for Jeff Kennett is good for Dean Brown.

He said that on the Keith Conlon radio show, and I know that you heard it, Sir, and you were as surprised as I was when I heard it. What we are hearing now about what happened in Victoria yesterday and what will happen on 30 November nationally can be taken as a sign of endorsement by the Liberal Party in South Australia. I eagerly wait for one of the mature metropolitan members opposite to stand up and either back up what the member for Custance said or at least give me some alternative or some watered down version of what the Liberal Party in South Australia will do.

Debate adjourned.

CONSTRUCTION INDUSTRY LONG SERVICE LEAVE (MISCELLANEOUS) AMENDMENT BILL

Returned from the Legislative Council with amendments.

WATERWORKS (RESIDENTIAL RATING) AMENDMENT BILL

Returned from the Legislative Council without amendment.

PUBLIC FINANCE AND AUDIT (MISCELLANEOUS) AMENDMENT BILL

The Hon. FRANK BLEVINS (Treasurer) obtained leave and introduced a Bill for an Act to amend the Public Finance and Audit Act 1987 and to make related amendments to the Government Financing Authority Act 1982. Read a first time.

The Hon. FRANK BLEVINS: 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 Bill seeks to amend the Public Finance and Audit Act in a number of areas and also to make related amendments to the Government Financing Authority Act.

In broad terms, the various amendments could be described as having four main purposes.

First, the Bill addresses a number of largely-technical shortcomings in Part II of the Act (entitled 'Public Finance'), which have come to notice since the Act came into operation in 1987. The background to the various proposed amendments is as follows:

- Section 8 (5) requires that any surplus in a special deposit account at the end of a financial year be transferred to Consolidated Account unless the Treasurer otherwise directs. In the future, many of these accounts will be used to conduct the financial operations of government departments. As part of these arrangements, any surplus in the account at the end of a financial year is to be retained by the department. The remaining accounts are used for specific activities and generally speaking do not accumulate surpluses. Any balance standing to the credit of such an account at the end of the financial year is required to meet expenditure in the early part of the next financial year. It is proposed that the subsection be amended to provide authority for the Treasurer to direct at any time that a cash surplus built up in a special deposit account be paid into Consolidated Account. Treasury will monitor the accounts and discuss the matter with the department if it becomes apparent that unexpected surpluses are building up in an account.
- Section 8 (7) provides for the Treasurer to declare by notice in the *Gazette* a purpose of a government department to be one which is to be carried out through a special deposit account and to vary or revoke a previous declaration- The practice of gazetting each purpose and each change in the purpose of an account is cumbersome and inefficient and the Bill provides for its abandonment. The purpose of each account will continue to be approved by the Treasurer and the approved purpose for each account will continue to be published in the Treasurer's Statements each year.
- Section 9 covers the operation of imprest accounts. Section 9 (3) (a) provides that money standing to the credit of an imprest account may be used for one or more of the purposes of a government department. Section 9 (4) provides that money expended from an imprest account must

be recouped to the same account from money appropriated for the same purpose. The current wording restricts the use of imprest accounts to activities funded by appropriation from Consolidated Account. In practice, imprest accounts are also used to meet urgent expenses associated with other accounts with subsequent reimbursement from those accounts. It is proposed that the Act be amended to facilitate this procedure.

- Section 15 empowers the Treasurer to appropriate funds to cover wage and salary increases resulting from a decision of a relevant tribunal. Current practice is for increases in allowances such as travelling and meal allowances to be excluded from salary and wage certificates issued under this section. It is proposed that the section be amended to cover allowances payable to employees under an award where these are varied by a wage fixing authority. Allowances of an administrative nature which are not included in an award would not be covered under section 15.
- Section 16 (3) restricts the Treasurer's power to borrow by way of overdraft to a limit prescribed by an annual Appropriation Act. To provide for more frequent adjustments to the overdraft limit, it is proposed that this section be amended to allow the limit to be prescribed in Supply Acts as well as annual Appropriation Acts. Parliamentary approval would still be required for any change in the overdraft limit.
- Section 22 relates to the Treasurer's financial statements. Section 22 (a) (v) provides for a statement of special deposit accounts at the end of the financial year. In many cases, these accounts are used as clearing accounts for stores and similar operations and for accounting adjustments. Therefore, reporting the value of the debits and the value of the credits during a year conveys no useful information to the readers of the statement. It is proposed to amend the section to abolish the requirement to provide these figures. Where agencies conduct all or a large part of their operations through a special deposit account, the details are reported in their annual financial statements, which are published in both the agency's annual report and the Auditor-General's annual report.

Secondly, and also in respect of Part II, the Bill proposes revisions to Division IV, which presently sets down a legislative framework for proclaimed semi government authorities wishing to enter into credit arrangements and which also enables the Treasurer to provide guarantees to semi government authorities. The amendments are designed to:

- 'update' the current provisions so that they apply not only to borrowings or similar financial accommodation but also to the complete range of financial products that have emerged in the financial markets since the Division was enacted in 1982; and
- overcome a technical deficiency which currently prevents the Treasurer from providing 'standing' guarantees under this Division to semi government authorities.

Over the last decade, the financial market has evolved at a very rapid pace and there is now a wide range of instruments available to assist market participants in managing their financial affairs and exposures. The so-called 'synthetic' or 'derivative' products market (which incorporates such things as interest rate swaps, options and forward rate agreements) perhaps best reflects the current level of financial market sophistication.

In South Australia, only a relatively small number of semi government authorities either regularly or from time to time utilise these risk management tools—the relevant bodies being SAFA, SAFTL, ETSA, LGFA and the Australian Barley Board. While each of them does so in accordance with the terms of the relevant legislation (for example, the statue establishing the authority) and on the basis of legal advice, it is the financial market's concern that, in some instances, the relevant legislation does not explicitly grant the necessary powers to utilise these risk management tools. It is desirable therefore that the provisions of Part II Division IV be expanded to cater expressly for the new market developments. As well as establishing a formal basis for the Treasurer's ongoing approval and control of the South Australian public sector's financial activities, the amendments would also ensure that the financial market is left with no doubt whatsoever as to South Australian authorities' ability to undertake derivative product or other financial transactions, thus providing maximum comfort to market participants in their dealings with those authorities.

The importance of this latter point cannot be overstated. Since a UK court ruling that interest rate swaps undertaken by the Hammersmith and Fulham London Borough Council were not binding upon the council as the transactions were not authorised under the relevant (non-explicit) legislation, financial market participants have been actively considering the implications for Australian statutory authorities and have been pressing the various States to ensure that their legislation removes any uncertainties that exist with respect to those authorities' powers. As a consequence, a number of States have taken legislative action to allay market apprehensions and I believe this Bill will adequately address the concerns from South Australia's perspective.

The proposed amendments to Part II Division IV also revise the guarantee provisions to make it clear that the Treasurer may guarantee a specific obligation, a class of obligations or all obligations of a proclaimed semi government authority. The new provisions are designed to overcome difficulties identified by the Crown Solicitor in relation to the provision of a 'standing' guarantee to an authority under the existing provisions of this Division, namely that:

- such a standing guarantee would be intended to apply to all contracts (present and future) and there is some doubt whether a guarantee can currently be given under this Division for the benefit of persons not presently existing or ascertainable; and
- the Treasurer is not empowered to give a guarantee which is not referable to a specific contract or class of contracts with ascertainable parties.

These issues are of a technical nature but, again, it is very important to address the matters raised by the Crown Solicitor so as to avoid discomfort amongst market participants dealing with the State's semi government authorities. At present, SAFTL is the only semi government body to which it is intended a 'standing' guarantee in respect of all obligations would apply. Such an arrangement would obviate the need for some quite detailed administrative arrangements that have been put in place to ensure that all of SAFTL'S liabilities continue to be guaranteed under the current legislation.

Thirdly, this Bill provides for amendments to the Government Financing Authority Act (the Act which establishes SAFA) to:

- specify the parameters within which the Treasurer may give his approval under the Government Financing Authority Act;
- provide that a transaction entered into by SAFA shall not be invalidated by virtue of a deficiency of power or a procedural irregularity on SAFA's part; and
- make a consequential amendment to the guarantee provision of the Act.

These proposals dove-tail with the amendments to Part II Division IV discussed above.

Under the new provisions, the Treasurer would be able to give standing approvals to certain of SAFA's activities to overcome the difficulties that would arise in day-to-day dealings should counterparties begin to request evidence of the Treasurer's approval of each individual transaction SAFA enters into. This measure would not extend SAFA's powers; it would simply be a minor administrative improvement. SAFA would continue to comply with the tight control requirements in its Act, including section 13 which states generally that SAFA 'is in the exercise and performance of its powers and functions, subject to the control and direction of the Treasurer'.

The amendments to ensure the validity, and continued guarantee of, transactions entered into be SAFA, in the event of a deficiency of power or irregularity of procedure on SAFA's part, are consistent with the provisions of the Corporations Law, as they apply to companies, and correspond with changes proposed to Part II Division IV.

Fourthly, the Bill proposes a number of amendments to clarify the Auditor-General's powers and/or to make the audit process more effective. The amendments, which affect Part I (in particular, section 4, entitled 'Interpretation') and Part III (entitled 'Audit') of the principal Act, are designed to:

- clarify that certain companies incorporated under the Corporations Law may be prescribed under the Act as a 'public authority';
- ensure that the coverage of the Act extends to the Group Asset Management Division ('GAMD') of the State Bank of

- South Australia, which is responsible for the work-out of the impaired assets of the Bank, and that separate accounts are kept for GAMD;
- extend the definition of 'publicly funded body' to include persons or organisations that carry out functions of public benefit and that have received State grant or loan funds;
- clarify the Auditor-General's powers and reporting obligations with respect to the examination of the accounts of 'publicly funded bodies';
- clarify the Auditor-General's powers in relation to the audit of companies which carry out the functions of a public authority or in which the Crown or a public authority is a sole or majority shareholder;
- improve the procedures that apply where a person objects to answering questions put by the Auditor General or attempts to frustrate the Auditor-General in carrying out his duties; and
- correct a minor deficiency in the Act so as to enable the Auditor-General to continue his existing practice of including in his report to Parliament the financial statements of only those public authorities whose financial operations are considered to be material.

In legal terms, GAMD is part of the State Bank. The abovementioned amendments relating to GAIkM provides that, in respect of the maintaining of accounts and the audit of accounts by the Auditor-General, GAMD will be treated as a separate public authority. This follows the assumption by the Government of full control of GAMD, as discussed in the Budget Speech 1992-93 and in accordance with the Deed of Acknowledgement between the Treasurer and the State Bank dated August 1992. The amendment will assure the Auditor-General of his authority to audit the accounts of GAM.

Additionally, the Bill provides for an amendment to Part III to protect the Auditor-General from law suits for professional liability where he audits pursuant to statute. This amendment is consistent with a recommendation of the Public Accounts committee in its report on Accountability. The Committee has noted that, at present, there are potential risks to the Auditor-General that he may be sued as a result of a professional judgement made in the course of the audit of government commercial enterprises in which the public may invest, where those judgements are made available to the public by means other than the Auditor-General's Report to Parliament. This is relevant to such things as agencies' annual reports.

Clause 1: Short title is formal.

Clause 2: Commencement provides for the commencement of the Bill. The clauses dealing with power to enter into financial arrangements and guarantees have retrospective effect. The amendments relating to GAMI) have retrospective effect to I July 1992. The other provisions come into operation on assent.

Clause 3: Amendment of s. 4—Interpretation amends section 4 of the principal Act. Paragraph (a) is consequential on the amendment made by paragraph (b) which extends the meaning of 'public authority' to include a body or person (not necessarily "an authority") as is prescribed. Paragraph (c) makes an amendment to the definition of 'public authority' which is consequential on new subsections (3) and (4). The State Bank is not a public authority within the meaning of this definition because its Act provides for auditing by a person other than the Auditor-General. The amendment ensures that this fact will not affect the GAMD's status as a public authority. Paragraph (d) extends the definition of 'publicly funded body' to include a person. Paragraph (e) inserts new subsections (3) and (4).

Clause 4: Amendment of s. 8—Special deposit accounts amends section 8 of the principal Act. New subsection (5) requires any surplus in a special deposit account to be credited to the Consolidated Account at the direction of the Treasurer. New subsection (7) removes the requirement for notice to be published in the *Gazette* when the Treasurer approves a purpose of or relating to, a government department.

Clause 5: Amendment of s. 9—Imprest accounts removes the restriction in section 9 (4) that requires money to recoup an imprest account to be taken from money appropriated for the purposes of the government department concerned.

Clause 6: Amendment of s. 15—Appropriation by Treasurer for additional salaries, wages, etc. amends section 15 to allow for appropriation where there has been an increase in allowances payable to employees.

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Clause 7: Amendment of s.16—Power to borrow amends section 16 of the principal Act.

Clause 8: Amendment of heading makes an amendment consequential on clause 9 (a).

Clause 9: Amendment of s. 17-Interpretation replaces the definition of "credit arrangement" in section 17 with an expanded definition more suited to present day financial transactions.

Clause 10: Substitution of s. 18 replaces section 18 of the principal Act.

Clause 11: Amendment of s. 19--Guarantees and indemnities amends section 19 of the principal Act. Subsection (1) (a) is expanded into paragraphs *(a)* and *(b)* that set out the intention more accurately. New subsections (la), (lb) and (lc) broaden the scope of the power to provide guarantees.

Clause 12: Insertion of s. 20a inserts new section 20a which provides for the validity of transactions of semi-government authorities.

Clause 13: Amendment of s. 22-Treasurer's statements amends section 22 of the principal Act.

Clause 14: Insertion of s. 30a inserts a provision that protects the Auditor-General from liability.

Clause 15: Substitution of s. 32 replaces section 32 with a provision that requires the Auditor-General to examine the efficiency and economy with which a publicly funded body conducts its affairs and requires the Auditor-General to prepare a report for the Treasurer and Parliament.

Clause 16: Amendment of s. 33-Audit of other accounts amends section 33 to cater for the situation where a public authority holds shares in a company.

Clause 17: Amendment of s. 34-Powers of the Auditor-General to obtain information amends section 34 to enable the Auditor-General to apply to the Supreme Court for assistance in enforcing his or her powers under the section.

Clause 18: Amendment of s. 36-Auditor-General's annual report amends section 36 of the principal Act.

Clause 19: Amendment of s. 38-Reports and other documents to be tabled before Parliament makes a consequential amendment to section 38 of the principal Act.

Clause 20: Amendment of Government Financing Authority Act 1982 amends the Government Financing Authority Act 1982.

Mr S.J. BAKER secured the adjournment of the debate.

INDUSTRIAL RELATIONS (MISCELLANEOUS PROVISIONS) AMENDMENT BILL

In Committee.

(Continued from 10 November. Page 1332.)

Clause 2-'Commencement.'

Mr S.G. EVANS: I move:

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Line 15-Leave out 'This' and substitute 'Subject to subsection (2), this'.

After line 15-Insert new subclause as follows:

(2) Section 9 will come into operation on 1 July 1994.

My amendments seek to ensure that this provision will not come into operation until 1 July 1994. This industry includes restaurants and hotels, and I think the theatre also. All we are doing is making a provision in the Bill so that the Commissioner can prescribe in the award the amount of clothing a person has to wear on their body to serve in the industry.

I have moved my amendments, because of the investment in the industry. I am not saying that overnight there will be applications by the different trades or professions for a change in the award but if there were it could put many people out of work immediately and force some businesses into bankruptcy. I would be happy if the Minister said that the period to July 1994 is too long and he suggested another period, but there is a danger that businesses could be put out of operation

without having time to reorientate. As I said last night, I am happy to ban all such activity. At present at the Festival Centre we have two men on stage performing stark naked in a show in front of men, women and children; yet there is no sign up to say, 'Look out, you will see naked men'-who are conspicuous in being front on to the audience.

If Parliament is going to ban these topless and bottomless occupations or professions-whatever we want to call them-involving topless waitressing, bottomless waiters or bottomless performers at shows around town, let us give some consideration to how quickly that should happen. The industry has been operating for 17 years in South Australia. I understand that no new restaurants of this type have opened in the past seven years, although I understand that there are more than 1 000 licensed restaurants in this State-I do not know exactly how many, but it is a huge number. I have not had time to seek out all of those restaurants that maybe operating, and if others have started in more recent times I shall be quite happy to be corrected.

However, a society that claims to be liberated and that a woman has a right to decide what she does with her own body, as does a man, as long as they do not harm others, cannot be hypocritical in its operations, although I sense that this Parliament will be hypocritical on the issue of whether the provision to give the commission the power to decide the style of the clothing that a person should wear is to go into the Bill or not. I know in my own heart, from the talk in the corridors, that if there was some way that we could vote on this by means of a secret ballot section 9 would not remain in the legislation.

One cannot get a secret ballot, though, because even if Standing Orders provided for one and we took a vote on having a secret ballot, those who may want it could not vote for it because of Party pressures. So it is not possible to get to that point. But members in the Chamber and those who may be listening on the intercoms know that what I am saying is the truth. As I say, I would would be happy to ban all such activities. We could ban Maslins Beach, where people masturbate in front of women and kids and no-one seems concerned about it.

Do we ban people walking topless on the beach at Glenelg or Brighton, which they do, and the beach inspectors have trouble, and they do not stop at all? Do we ban people being in the theatre, performing partly unclad, and I put performing in inverted commas, or whatever? If we want to ban all of those things I am happy because then it is an even playing field. I would like to hear what the Hon. Don Dunstan, the great leader they all promote over yonder, would be saying to them, if he was in this House, and how far they would get with this. It would be very interesting. My alternative is to say to the House, 'All right, get rid of them if that is what you want to do.' I am quite happy with that.

I will attack later the other areas that we are not going to interfere with. One can refer to theatre productions and films on television-and I mentioned *Bachelor Party* which was on SBS last Saturday night-where people have nudity portrayed in front of them, and children can watch it on television if their parents are not at home, and there is not just nudity but the performance of every sort of sexual activity. I notice the Prime Minister, and I give him credit for it, has taken an interest in this area at last because it is getting near an election.

I ask the Minister to consider giving the opportunity to these businesses to reorientate by making sure the commission cannot move in on the clothing issue for a period of time, and I have suggested July 1994. I do not care if the Minister makes it July 1993, but any shorter than that would be impossible for the business houses. I think they need some sort of guarantees.

The Hon. T.H. HEMMINGS: I never thought I would hear in this place a member of the Parliament actually advocate the continuing degradation of women in the workplace. No matter how the member for Davenport dresses it up that is what the member for Davenport is asking for. The way I see it-

Mr Ingerson interjecting:

The CHAIRMAN: Order! If the Deputy Leader wants to enter the debate I will give him the call.

The Hon. T.H. HEMMINGS: I thought the member for Davenport was on his own over there, but it looks like the Deputy Leader has joined the ranks of the voyeurs; the dirty old men in our society. They want it extended for a further year.

Mr INGERSON: On a point of order, Mr Deputy Speaker: I believe the member for Napier reflected on my reputation and I ask him to withdraw.

The CHAIRMAN: Yes, I insist that the member for Napier withdraw.

The Hon. T.H. HEMMINGS: I do apologise to the Deputy Leader and to the member for Davenport. The way I understand it is that this particular part of the Bill just allows the unions to argue their case in the Industrial Court. Despite the plea that the member for Davenport is putting to this Committee to give businesses a chance to reorientate their business, the way I see it is that it also gives those who wish to continue topless waitressing the same rights. So, if the member for Davenport is worried about a business that wants to continue flaunting women's bodies to try to bring in a few more customers and the member for Davenport wants to champion those causes-

Mr S.G. EVANS: On a point of order, Mr Deputy Speaker: I ask the member to be fair. I said both sexes-bottomless and topless.

The CHAIRMAN: There is no point of order. I am going to be very strict on points of order, and I request members to stop raising frivolous points of order. Members have the opportunity to enter the Committee debate three times with 15 minutes each time and I will give members the call appropriately if they so request.

The Hon. T.H. HEMMINGS: This clause allows both sides. I find it intolerable that some people employ women to work topless in their restaurant or hotel. That is my own view. I find it degrading for women. This clause provides for the union, on one side, to argue the case before the Industrial Commission, but it also allows those who want to be part of this form of advertising for restaurants and hotels to do the selfsame thing. The argument put forward by the member for Davenport is totally irrelevant. Therefore, I oppose the amendment.

The Hon. R.J. GREGORY: The amendment is not acceptable to the Government. It seeks to delay the proclamation of this Bill, which gives the commission the right to determine, from argument put before it, the

clothing that people may or may not wear in the performance of their work. That is precisely what it is about. I am disappointed that the member for Davenport is confused about this issue, which confronts a considerable number of females who work in the service industry in this State.

The waitressing and bartending industry in this State employs an enormous number of females. It is casual, part-time employment that is particularly suited to female workers, especially those who are married, those who are studying and those who are young, because it is often the first job they can get. It is a very honourable occupation and South Australia has an excellent school for the training of people who want to work in that area. I have been involved in this issue for over 12 years and it has always disappointed me that some people think it is easier to attract male customers, particularly when the business has just started, by getting females to work in the hotel without wearing clothing on the upper part of their body.

I well remember the fiasco at the Princes Berkeley Hotel when a female customer took off her blouse and the proprietor asked her to leave the room because she was inappropriately dressed. She asked, 'What about the women working here?' The manager replied, 'Well, they work here. We are not going to have customers dressed like that.' That is one double standard. There is another one. When a restaurateur who employs partly-clad females was asked whether he would work with his trousers and underpants off, he said, 'No, I don't want to.' The rub of the problem is this-

Mr Ingerson interjecting:

The Hon. R.J. GREGORY: The member for Bragg will have his chance to rant and rave and prance about, as he did last night, trying to justify in a mealy-mouthed way his objections to this, yet trying to make out that he approves of it.

Mr Ingerson interjecting:

The CHAIRMAN: Order!

Mr Ingerson interjecting:

The CHAIRMAN: Order! If the Deputy Leader insists on shouting above me when I am speaking, I shall have to take action. This is the second time in 10 minutes that I have had to speak to the Deputy Leader. He may enter the debate at any time and I will give him the call. He will have the opportunity to comment on anything that the Minister is putting to the Committee. In the meantime, I ask him to conduct himself with decorum.

The Hon. R.J. GREGORY: Females have two choices. The employer says, 'If you want to work in this establishment, you have to work with your top clothing off. If you don't want to do that, you don't have a job.' An enormous number of people are willing to work in this service industry. When discussing with an Elizabeth employer the employment of females, I was told that he was not bothered about what the women want or do not want. For every one of them, there are 10 others who will take the job. That is the position with which females who want to work in the service industry are confronted, and their work is being restricted.

When this matter was raised at a general meeting of the United Trades and Labor Council, there was a bit of tittering for a minute or so. However, when they realised that their wives, daughters or mothers might be asked to do that, they suddenly did not like the idea. All those men then realised the double standard that applies. It has nothing to do with how people might or might not wear clothes on stages or with what females may or may not wear on a beach. This has nothing to do with what happens at Maslin Beach; this is about working with dignity and the dignity of labour.

The Government will not agree to delaying the implementation of the right of the commission to determine what clothing people should wear when they are at work. We are not going to put this off for 18 months. When this Act is proclaimed, that part will be proclaimed because an enormous number of women need that protection and the right of the trade union movement to argue the case before the commission. It has been suggested that the commission has already made a determination, but that is not so. What has happened is that two organisations which are party to an award have agreed to the matter.

The commission has always argued that it does not have the power to arbitrate and determine in this area. Well, we are giving it that power. It is up to employers in general or in particular to argue the matter in the court, just as it is up to the union to argue and let the umpire make the decision. I am confident that the correct decision will be made and that it will uphold the dignity of labour.

Mr S.G. EVANS: I have not said that I support what happens in these ventures; I have said that if we ban the lot I shall be happy. I do not disagree with the first three points that the Minister made about an operator refusing to take off his or her clothes or people requesting others to work in this area. The first point was along similar lines. I am saying that society has allowed this to happen; there is an investment; and I feel that we should give them some time to change.

If the member for Napier is correct-and I should like the Minister to tell me I can see that there is even more fairness in the clause than I have already observed. The member for Napier said that employees themselves, not through the union, can also argue that they wish to work in this way. If so, that puts a different complexion on the issue. However, I do not believe that they can appear as individuals. Therefore, that makes it difficult for the individual who may wish to participate in this area. They may join a union, but they may be in the minority in that union who have an interest in working in that area.

If the Government wanted to ban the advertising of such institutions, if they are to continue with agreement through the commission, that would not worry me, either. I have said that about other things, such as gambling. I believe that society perhaps thinks this is a moral issue, and it is to a degree. Some people say that it is demeaning, but in many cases those working in that area may not feel that it is demeaning. I just do not know. However, even in times when there was a great deal of employment and very little unemployment in the 1970s, people still worked in this area. The Federal Government had not brought in the fringe benefits tax, which virtually wiped out the hospitality industry for a good many years. There was plenty of work in the industry, and people were still operating in this area.

I am not arguing against the Minister in saying whether it should or should not continue. That is up to society in

the future, the commission and those who want to work in it or operate businesses in it. I am told that many of the operators-the adviser to the Minister may be able to help-are not males; the businesses are run by females. They are not run by men. The inference is always that men are running these shows and making use of these women as the employer when I believe that in quite a few cases (and I am talking about restaurants more than the hotels) the operators, owners and licensees are females.

The other point I want to make is that it is just as important to remember that there are women within this city who go to functions where men portray themselves, if not totally nude, then bottomless. They advertise ladies' nights and that sort of thing, and they may not always be waiters; sometimes they are performers. Another argument is that, now we have ruled in the agreement that hotels cannot employ topless or bottomless people, hotels have used the people as entertainers and brought them around the other side of the bar. That is even worse than the previous situation, because these people are then placed in an area where there is more harassment and interference with them and, if there is such a thing as degrading, it is more degrading.

I know that the Minister will not accept my proposition, but at least I am on the record as saying that I believe they should have been given some time to get out of the game, because that is what they must do. There are restaurants and hotels going broke in the city all the time. We all know that there are plenty of hotels for sale, but we should give them an opportunity to redirect themselves in the hope that they might survive. That is all I ask: I know it will be rejected. I will not call for a division. I have made my point, but I want people to think about the hypocrisy of all this. For years people from the Labor Party side, on my side of politics, some not involved with us and another political group called the Democrats have argued that a woman has a right to decide what she does with her own body, and so does a man.

I believe that we now have a situation where that is not the case. I know it is employment, but it is employment on the stage, and we can go to the theatre next door to this building-the performances are on now-and we can see men stark bollock naked and, because they are entertainers, that is all right. If they want to get to the point of virtually showing people a different way or the best way of having sex on the stage, it happens in our city, and that is all right. That is acceptable. They are employed, they are paid, and they are employees or contracted as employees, and this Government wants to make sure that anybody who is not a subcontractor (and that is what they are, in essence) should be considered as an employee.

However, we are not concerned about that, because if we move into that area we move into the delicate area of the arts, and we cannot interfere with the arts. We cannot do that, because the lobby is too strong. For years, people have been offended by what happens in the theatre, whether it be in live performances or on film, and they have walked out because they did not know what it would be like. So, I accept the criticism of my point from the member for Napier and the Minister, but I do know sincerely in my heart that, if we had a secret ballot tonight, this clause would not be in the Bill. I will not go around and say who has and who has not spoken on this; the Minister knows. I know the feeling on this side and some on the other side; the numbers are there.

Most people in the community will say that they are not interested, that they will not go near those joints. They think they are degrading, immoral and cheap, and they could not be bothered with them. The vast majority of people would make those comments, but if they were asked whether or not we should legislate against this they would say, 'How can you when all these other things go on around the town?'

I conclude by saying that I do not care if the advertising of this activity is banned; I would not care if we banned it altogether. I would support it as long as it involved every other field. If we picked only on people who are employed on the stage and banned it in the cinemas I would support it, but do not say that one group is bad news and that the other is wonderful entertainment, and sweep it under the carpet. That is all I need to say, because I know that in the long run, if a ban were imposed in the tourism field, our city would be the only city in the world of one million people or more that ruled it out.

That might not make it wrong for us to do this, but people in the tourism game know that that is part of our tourist trade. Members know that politicians or leaders who visit us from other countries sometimes want a night out and to go to a bawdy or titillating show that they may not deem it appropriate to see in their own country, city or village among their own friends. As I have said, I do not really care whether we ban the activity altogether, but at least I have fronted up and spoken the truth.

The Hon. J.P. TRAINER (Walsh): I have made clear my views on this matter in this forum on an earlier occasion, so there is not much that I can add to what I have already said. However, I am amazed at the twists and turns of members opposite as they try to defend this demeaning and exploitative practice of having-

Mr S.J. Baker interjecting:

The CHAIRMAN: Order!

The Hon. J.P. TRAINER: I understand, Mr Chairman, that under Standing Orders I should not respond to interjections, but I take very strong objection to what the member for Mitcham just said. In effect, he is calling me a liar, because I have stated previously in this House that I have never knowingly patronised the sorts of places that he talks about in his interjection.

Mr S.J. Baker: How do you know so much about them?

The CHAIRMAN: Order! Will the member for Walsh please sit down. I am going to get order in this place, even if I have to toss someone out. I have now called the member for Mitcham to order on two occasions within two minutes. I warn the member for Mitcham: if he transgresses once more I will have to take action. The member for Walsh.

The Hon. J.P. TRAINER: If all members opposite do not support the viewpoints that have been put forward by members speaking on behalf of their side of the House, let them say so. Let members opposite tell us. Would they genuinely accept the fact that this is the sort of work that should be done by their wives, sisters or

girlfriends-or, I suppose in the case of two or three Liberal members of Parliament, boyfriends as well-in topless or bottomless restaurants? Should people have their relatives employed in this sort of occupation, this demeaning and exploitative practice?

I will briefly touch upon some of the things that are wrong with it. One of them is that it leads to harassment in the work force in the immediate environment of where this practice is condoned as well as in the community in general. Experience in the industry has been that where topless waitressing is permitted in one part of an establishment the other waitresses tend to be looked upon as sex objects in the same way as those who knowingly parade themselves in that role, and that leads to harassment in the rest of that hotel, motel or restaurant.

A reputation builds up around that particular place and, even if under new management that practice is not continued, the reputation of the place still lingers on and can lead to that sort of harassment. I believe that it is a very distasteful practice, one that is demeaning to men and women who are working to professional standards in the hospitality industry. Thousands of people working in hospitality believe that their work means providing good food, drink and service without having to demean themselves by taking off their clothes in order to carry out that particular role. Encouraging this lowers the professional standards of the industry.

I also believe that it is unhygienic. If one goes to the humblest McDonald's restaurant, one will find that the young chef who is behind the counter preparing food has a hair net on. We normally encourage people in cake shops to pick up the food with tongs. We try to discourage practices such as sneezing where food is handled, and so on, yet some people apparently want to encourage several square inches of naked flesh close to the food and drink, not to mention the horrible thought of having armpits so close to consumables.

I have said previously that there is a civil liberties view that men and women who want to undress in public in certain circumstances should be allowed to do so-although I am not quite sure why they should want to. But that applies only to entertainers: we are talking not about entertainers but about people who are providing food and drink service in an industry. People who apply for those jobs should not have their application rejected or accepted on the basis of their physical attributes or their willingness to lower their own personal or moral standards. I support the clause as put before the Committee by the Government and oppose what has been said by members opposite.

The Hon. T.H. HEMMINGS: I should like to take issue on the statement by the member for Davenport that, if there were a secret ballot, this whole clause would be thrown out. By that statement, he just places a question mark over the head of every member of this Parliament. Only three members, plus the Minister, have made any contribution whatsoever in this Committee, yet the member for Davenport tells us that out there in the corridor and in the refreshment room this one aspect of the Bill has been discussed among members, regardless of their political allegiance, and that there has been a general consensus that, if it were put to a secret ballot, this clause-not the amendment, the complete clause-would be defeated.

I checked with a few members on this side of the Committee and they assured me that they had had no conversations with either members on this or the other side of politics with regard to this clause. Last night, when the member for Davenport's amendment was circulated, the only reaction was complete outrage that this practice was even being considered to be extended through to 1 July 1994.

I suggest to the member for Davenport and to any other members opposite to stand up and say exactly where they stand-not to be gutless and use a ballot box. Let us have a full debate (although the Minister might not like this, because we might stay until 1.30 a.m.). If this issue is so important to members opposite and some members who have purported to be on this side of the Committee, why have they huddled together in little comers and titillated on about the fact that women should have the right to be employed bare breasted in hotels or restaurants? Up until now, the debate on the other side of the House has been about condemning outworkers' rights and supporting the Housing Industry Association.

I never heard one comment last night from members opposite in relation to topless waitresses. The fact is that they were supporting the right for women to be made to work topless in hotels. Let us put it to a full scale debate about what members opposite think. Instead of accepting the word that the member for Davenport has given this Committee that we want a secret ballot to throw out the clause from the Minister's Bill, let us all say exactly where we stand. I have already told the Committee that I as a member of this Committee support the clause, and I reject the member for Davenport's amendment. Let us hear from those people who would like to see this practice continued and thrown out of the Bill.

The Hon. R.J. GREGORY: The member for Davenport has it wrong. He does not understand what this is about and has put forward a whole heap of reasons that are not valid. The matter of how people work will be determined in the Industrial Commission, and the honourable member ought to read that clause. It will be done on application by the employer or by the employee organisation, and a decision will be made. What we are about is allowing people to work with dignity. We are not talking about all the extraneous things the member for Davenport has gone into in dressing up his speech and the excuses he is trying to put across. What we are about is dignity of labour.

Mr S.G. EVANS: Does the Minister believe that an individual or a group of individuals and not a union should be able to make an application? It may not be provided by law now, but does he believe that they should be able to make an application if they want to work either bottomless or topless, whether they be men or women? Does the Minister believe that they ought to have the right to make the application themselves?

The Hon. R.J. GREGORY: We are talking about a situation that has arisen in this town and in other cities of Australia, where people are being discriminated against on the basis of what clothing they will not wear. We aim to provide them with protection against having to work like that and against being overlooked. I cite the case of an 18-year-old girl straight out of high school, who has done a waitressing course at TAFE at Regency Park and who has been unemployed for a while, who is very

attractive and who is seeking work, and who is told, 'If you want the job here, dearie, you're going to have to take your clothes off.' What choice does she have when a bloke says to her, 'If you don't take it, there are hundreds out there who will'? She has no choice.

That goes right back to where women used to be preyed upon by the lord of the manor. We no longer want that in our country. We are going to stop it, and this will help to stamp out that exploitation which I find most objectionable but which apparently, because of the silence opposite, the Liberal Party in this State approves of.

The Hon. S.M. LENEHAN: I should like to enter this debate as one of four women members of this Parliament-four out of 47. 1 want to put on the public record how proud I feel to be a member of the Labor Party and how proud I am of the contributions that have been made by my colleagues on this side of the Parliament. I find it absolutely abhorrent, having sat in my office and listened to the contributions that have been made by some members opposite, and, in fact, I could not believe-

Mr Ingerson: There was only one.

The Hon. S.M. LENEHAN: Contributions were made last night in this Parliament in relation to this clause, and I am talking of the full contributions that have been made.

The CHAIRMAN: Order! I will not allow interjections.

The Hon. S.M. LENEHAN: I sincerely believed that the Liberal Party would have supported the Government and the Minister of Labour Relations in terms of this clause of the Bill. The Minister has canvassed the point I wanted to make. But I think that for the many women-particularly the young women in our community-who are currently being exploited it is important to have a woman's voice on the public record. However, I want to say that what the Minister has said is absolutely correct. That anyone could suggest that people are having a free choice when we are talking about young women in a time of high unemployment, who have gone through a training period and who go for a job with high hopes, win that job and then are told that the working conditions have changed is ridiculous. To suggest seriously that this is about freedom of choice is making a mockery of whole issue of freedom of choice. I find it offensive as a woman that we are being subjected to people talking about freedom of choice when there is no freedom of choice if one is young, unemployed and being exploited. That is not what this Government stands for in relation to freedom of choice.

I also want to make the point that quite appropriately this clause is about working in the restaurant or hotel industry. It is not about entertainment; it is not about art; and it is not about those areas which are considered public entertainment. People who apply for jobs in those areas know exactly what it is they are applying for and I think to try to drag these red herrings across the path is just an insult to the intelligence of decent, ordinary South Australians. I wish to put on the public record my support for this Bill and this particular clause. Again, I want to say that I feel very proud to be a member of a Party whose members have contributed in the way that they have to this debate tonight.

Amendments negatived; clause passed.

Clause 3-'Interpretation.'

Mr INGERSON: Last evening I spent some time discussing this additional definition of 'employee'. I would like to ask the Minister if he would explain to the Committee the background of this clause and, in particular, why he sees the necessity for the young people-the kids in the 10 to 15 year age bracket who are currently being employed by Messenger Press, Billboard, the individual groups, Progress Press and supermarkets-who deliver pamphlets and publications on weekends, to be brought into this legislation through this clause.

It seems to me that by far the majority (I understand it is of the order of 80 per cent) are in fact kids. In fact, we are not talking about people who are 18 years old and over or 21 or over; we are talking about kids between the age of 10 and 15 years. We are talking about kids who on the weekend ride their bike around and who are looking for pocket money. I understand they get between $10 and $15 a week. If they go into putting pamphlets into these newspapers, I understand they get a few more dollars a week. I understand the payment is based on the number of pamphlets they put in-it is the numbers game; so much per thousand. It is a job that has been going on for probably 40 to 50 years.

As I mentioned last night, as a young person I did it. I know many other young people do it to get a bit of pocket money to go to the pictures at the weekend or buy a few lollies and enjoy themselves. If I understand this clause, it provides for all those kids to be potentially brought under the jurisdiction of the award system. Again I ask the Minister to explain the logic behind this clause where there has been widespread abuse of it and where there have been complaints about it. What is behind the whole principle?

The Hon. R.J. GREGORY: It is an unusual sort of question when I am told exactly what happens and am then asked to explain it. The ignorance of the member for Bragg in some industrial relations matters never ceases to amaze me. He has demonstrated it again tonight. This is not about catching kids who deliver Messenger newspapers. It is obvious that the member for Bragg does not get around that much in other parts of the city because all the walkers I have seen delivering what is known as 'junk mail' appear to me to be over 20 years of age. Many of them are aged-

Mr Ingerson: Pensioners and superannuants.

The Hon. R.J. GREGORY: As I said, many of them are aged. I do not make the assumption that the member for Bragg does that they are pensioners and superannuants. It just appears to me that many of them are well over the age of 20. In discussing with these people what they are paid, you find out that they are paid an amount of money for the first thousand, a reduced amount for the next thousand and, if they work for a particularly generous employer, it is the same for the rest no matter how many they deliver.

People have come to me with complaints about the poor wage they are paid. People have complained to me about the way they are treated. This clause enables the provisions of the legislation to apply to these people in exactly the same way that they apply to outworkers. The reason it is not in the outworkers' clause is very simple: they are not outworkers. They do not work at home; they

work in the street. They walk, so there has to be a new definition of 'employee'. In his second reading speech last night on this matter, the member for Bragg referred to award conditions, superannuation, occupational health and safety, WorkCover and every other thing you can think of, and I give him full marks for mentioning all the benefits that this Party has been able to achieve for people in the trade union movement.

If this is included in the Bill-and it will be when it leaves this place-it will enable people to make application to the commission for the payment of money on the rate they are paid. The business of outworkers is not about all the other fancy things of which the member for Bragg talks. It is about an appropriate rate so that people are not exploited. It is not about anything else. To read into it as the member for Bragg has done is alarmist and an exaggeration.

What we ought to do tonight is think about the conditions of the people who are required to deliver these things in a very specified time, and do it at that time, and see the condition in which these things are delivered to the person's home. I have been to the home of a person in the electorate I am privileged to represent who does this sort of thing. When you walk through the front door, the whole of the porch is taken up with stacks of leaflets that the family fold and he and his wife distribute the following day. I do not approve or disapprove of them engaging in that work. What we are doing is giving the opportunity to people, if they are aggrieved at the amount of money being paid in this area, to make the appropriate application so they can receive a fair and reasonable payment which will be determined by the commission.

It will not be some exorbitant rate, as postulated by the member for Bragg: it will be determined by the commission, which has demonstrated in this State an excellent record in assisting parties to settle disputes. If you look at industrial disputes in this State, you will find that they are that low that they are very difficult to measure-that shows how successful the commission has been. That is what this is about. It is about fairness, equity and justice. It is not about exploitation.

Mr INGERSON: Clause *3(a)(cb)* refers to 'any person engaged for personal reward'. It is my understanding that 'any person' means somebody from birth right through to death. In other words, the definition covers people of any age. First, I ask the Minister to confirm that it does cover young kids between 10 and 15 years of age, as I said. Secondly, will the Minister advise the Committee how a young person can make application before the tribunal or the commission without being a member of a union?

The Hon. R.J. GREGORY: If the member for Bragg had a son or daughter who wanted assistance in the Industrial Commission, the cheapest thing for them to do would be to join the appropriate trade union where all the skill and excellence-

Mr Ingerson interjecting:

The CHAIRMAN: Order! The honourable Minister.

The Hon. R.J. GREGORY: Isn't he a rude person. It is about getting the appropriate people to represent them in the commission. That is what it is about. If they do not want to go there they do not have to, but they have the right to do it. I make this very clear to the member for Bragg. He needs to understand that employees are all people, but not all people who are employed in the State have awards.

Mr INGERSON: I would like to expand on the comments just made by the Minister. I asked the question knowing that the answer was that the only way a young person between the ages of 10 and 15 years could make application to get fairness before the commission, as the Minister has said, was by joining a union. It is not about fairness and openness; it is about joining a union if you want to take up these conditions. If the Minister were fair dinkum about the problem this one constituent of his had when he came to see him, he ought to have opened this up so that any person, whether they are a member of a union or a private individual, could go along and make this application. Nowhere do I see any attempt to give that freedom and right to a private individual so that they have an opportunity to take up their argument before the commission.

I see this, and I know the community will see this, as an attempt not to get fairness but to unionise this group of young kids who are out there earning a little bit of pocket money for themselves and who in all probability, as I did when I was young, are trying to help by earning a few extra bucks for their family. I did this so that my brothers and sisters could have a few extra dollars as well, not because I was giving it to them but because it was a few extra dollars my parents did not have to give to me so I could do a few things over the weekend. Will the Minister say whether there have been a large number of complaints to the Department of Labour about this issue, or is this minor amendment purely and simply the whim of the Government?

The Hon. R.J. GREGORY: First, I will deal with the paranoia of the member for Bragg regarding trade unions. The member for Bragg is portraying an attitude of employers that existed before 1830 in the United Kingdom and he is also showing a demonstrable lack of understanding of how the industrial relations system works in Australia. He is displaying that exceptionally well tonight. The honourable member knows this is about walkers: it is not about young children. It is on the basis of application being made.

As to the reason for this, there have been great difficulties in people being represented before the commission in this matter. For the benefit of the member for Bragg-he asked a question and I would like his attention-I point out that, when attempts have been made to discuss with the people who employ the walkers the payment per thousand, the heavies have come around and said, 'Do you want to keep doing this? If you do, forget about it.'

The last time a union attempted to take this matter to the commission, QCs from Melbourne turned up and suddenly the union found it had no members. That is the freedom of choice that the member for Bragg is referring to-the heavy pressure that has been applied to people whom he describes as pensioners and superannuants who want to earn a few bob. What he is talking about is people subject to enormous pressures. He is wrapping all this up in respect of young children, but that has nothing to do with it at all. If young kids do not join an union, there will be no application forms and there will be nothing to worry about.

Mr Ingerson interjecting:

The Hon. R.J. GREGORY: Again the member for Bragg demonstrates his ignorance and lack of knowledge in this area. This is about fairness, equity and justice. It will be determined in the commission, and people will then not be subjected to the enormous pressures that they have been subjected to in the past by the heavies.

Mr S.J. BAKER: I am pleased that the Minister has responded as he has, because he reveals the agenda. The Minister plainly said that it is all about getting people joined up to the appropriate so-called representative organisations. I said last night that that was what the Bill was all about: it is about throwing the dog a bone and being sure that the unions' place in the sun is maintained and enhanced, because unions are losing membership in droves.

People see the union movement as archaic and not meeting the needs of Australia as it moves to the turn of the century. People see that the union movement is acting as a major impediment to the future prosperity of this country, and the Minister admitted that this was just another means of shoring up flagging membership, another means, in his own way, of exploiting people.

As I have mentioned previously, I have in my electorate a large number of people, mainly pensioners, who earn a few extra dollars. I have spoken to them about their work patterns and remuneration, and I have not received one complaint about the amount of work that they have contracted to complete or the amount of money they are earning by this method-not one. I have taken the time to examine this matter, because at times I am concerned that people, through economic necessity, are forced to accept conditions that most other people would not accept.

I also said last night that, when I first started work, selling papers on a street comer, the level of remuneration that I received was far less in real terms than that received today. I was quite happy with that. It took me a year to save up to buy a tennis racquet, but I accepted that. It took a number of hours out of my week, but I accepted that. I did not believe I was being exploited or abused, yet my level of remuneration was far less than that being received today.

Mrs Hutchison: Living costs were less.

Mr S.J. BAKER: I suggest that the member for Stuart go and talk to some of the people who are delivering pamphlets and find out how much an hour they actually do get.

Mrs Hutchison: Do you want to give them less?

Mr S.J. BAKER: That is not the point of the argument, is it? The point of the argument is that there is a level of remuneration, at least amongst the people with whom I have come in contact, which is quite acceptable-more than acceptable to the people who receive the benefit. Some of those people are very slow; some of them might take two hours to do what a more able-bodied person might do in one hour and, as a result, they might receive half the hourly rate of a person who is more speedy. They do not want representation; they do not want anybody standing over them saying, 'You are too slow. You cannot deliver on time and, if I am forced to pay an hourly rate, you are out of a job.' It might not come to that; we do not know. But given how the other parts of the industrial system developed over a long period of time, I would guess that a person employed in this activity would at some stage be able to go to the commission, with the assistance of the union, and say, 'Look, I am only getting $4, $5, $6 or $8 an hour,' and that would have no relevance to the level of productivity.

We are not talking about a normal industry: we are talking about one end of the spectrum, the younger end of the spectrum, where kids save up to buy something that they want, whether it be a bicycle or books, or to have a good time in Findley Street. That is what they are saving up for. At the other end of the spectrum, we might be talking about people who want to put steak on their plate more than once a week, or people who might want to save up for a little holiday. As soon as the union interferes with that process, they are the people who will miss out. They are the people who will not get that extra amount of enjoyment. It is a serious matter. I do not believe that the Industrial Commission should regulate this industry. I do not believe that we have come to the stage where we have to tell people, through the mouths of the union movement, how they are allowed to conduct themselves. It is a matter of principle.

It is no longer appropriate that the union movement-the special club that operates in this country-should survive. It is about time the union movement lived on its merits, and it is going to have to live on its merits. It is capable of living on its merits if it does not keep putting up all these brick walls. The Minister might say that I am a union basher, and I have heard that comment made a number of times. I am not sure whether it is derogatory or congratulatory: it depends on which side of the fence one lies. What I will say is that, if we do not get cooperative effort in this country, including from the union movement, we are simply going to continue the way we have gone over the past 20 years. That means that we do not have the stupidity of the legislation that we see here tonight. We do not have people ultimately being affected to the point where they will not be able to earn a few extra dollars to provide some joy in their lives, to enable them to meet their own aspirations, just because the union movement wants to hold back the tide.

It is a matter of great principle to me that those people should continue to enjoy the fruits of their labour, their endeavour, irrespective of whether they can do it at three times the speed or one third the speed of a normal person. We cannot regulate an industry to the point at which we can say what is fair and what is unfair. It cannot be that rights can be preserved only through union representation.

I realise that my comments are falling on deaf ears. I understand where the Minister is coming from, but I would like to find out what the people of South Australia feel. I would like the Minister to poll the distributors in my area and in his area to find out from them whether they would like to lose their jobs and whether, through regulations imposed by the Industrial Commission at the request of the Minister's union mates, they would like their employment put on an award basis, or some other basis, which makes it uneconomic for pamphlets to be distributed, or for a very high price to be paid. Either the job will not be done or other people will do it.

We all know that the electronic changes that are taking place will obviate the need for a number of these delivery mechanisms, so the Minister is 20 years behind the times. I vigorously oppose the proposition in this clause. I think

it is reactive and unproductive. It represents everything that I dislike about the union movement and this Government.

Clause passed.

The Hon. R.J. GREGORY (Minister of Labour Relations and Occupational Health and Safety): I move:

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

Motion carried.

Clause 4-'Outworkers.'

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

Page 3, line 20-After 'telephone' insert ', facsimile machine or other similar means of telecommunication'.

Amendment carried.

Mr INGERSON: What evidence does the Minister have about any breaches of contract that might have occurred? I understand that in the majority of instances that is the way that this type of work is carried out. When I say 'contract', I mean an agreement between two people who decide that they will process the work using a typewriter or a computer, or they may do some clerical work at home for a company. They may add up a few columns or do some sophisticated accounting. Have there been any examples in advertising and promotional activity involving facsimiles and telephones in which there has been widespread abuse of the contract? I understand that an arrangement between two people is in essence a contract. Why are they now in essence being brought before the commission and consequently the industrial jurisdiction? Does it mean that all these individuals in all these classes of clerical work, advertising and journalistic areas have to join a union if they want to argue any breach of the contract that has been reported to the Minister?

The Hon. R.J. GREGORY: I draw to the attention of the member for Bragg the excellent speech made by the member for Coles last night. I remind him that the member for Coles referred to the launch of a report from the Working Women's Centre into outwork and, in particular, work performed by clerical workers in their homes for other people and businesses. If he had been listening, he would have heard the member for Coles refer to her experience of discussing with those females the work that they did and how she was of the view that this clause should be supported.

My advice is that between 1989 and 1992 the number of people working at home in this area has increased from 4 000 to 7 800, an increase in that short period of 3 800, which is an increase of nearly 100 per cent. The report by the Working Women's Centre was explicit in this area. It demonstrated again that people doing this work ought to have recourse to the commission if they felt aggrieved about how they were being paid. I recall talking to one of these women who ran such a service from her home. I noticed that she was very anxious about being at that gathering, and she had a pager. I inquired about her anxiety. She was worried that if the *pager* went off she would have to go home immediately and start typing letters that would be dictated to her by a number of the people for whom she worked, to whom she referred as her clients. She was doing typing and secretarial work for those clients, work that would normally be done by a typist working in an office. This is what is known as outworking.

The member for Bragg may recall the last time this was debated was in respect of clothing. There is a facility here to enable people to go to the appropriate trade union and for that union to make an application on their behalf. If they do not want to go to the union, that will not happen. People now find that they are expected to have more and more equipment at home and all they are really doing is the work of a clerical officer as if they were working in the office. The contracts and contractual arrangements about which the member for Bragg was talking do not seem to exist; they seem to be more imagination on his part. I would draw his attention to that report; it was quite extensive and was the basis for this legislation. I say to the member for Bragg and other members of this House that they should read the contribution of the member for Coles, because she went to that launch and talked to a number of those women, and I thought she made a very valuable contribution in this House last night.

Mr INGERSON: I note that, in a document that was put out extensively to the media last evening from the UTLC (and I assume it is an active document) in the area of the phone promotion and clerical workers, there were significant numbers; 6.4 per cent of all outworkers were women. I also want to point out that nearly 3 per cent were men. Whilst there was an obvious concern by the Government to argue that this is purely and simply a clause that may be of concern to women, there is also a significant number of men involved in this area.

Mrs Hutchison: Double the number are women, though.

Mr INGERSON: Yes, there is no argument about that, but it is important to note that this clause does not just cover women but that it also covers men who may happen to be carrying out the same sorts of jobs. I would have thought that in public relations and journalism there would be as many men as women, while in the clerical areas I accept that there are more women than men doing that work. The question I would ask the Minister gets back to the number of complaints that have come into his office about this matter. I accept that an excellent report was done by this research officer, and there is no question that that is the case, but again, let us put into context the numbers we are talking about, because if this UTLC report is right we are talking about approximately 20 000 people in South Australia.

If we have 100 complaints, it seems to be a little out of proportion that, to get this fairness again (which the Minister is strongly arguing), a person will have to outlay a union membership fee before they can even have an application of their breach of contract looked at. So, a cost is involved in this exercise. I know that the Minister smilingly understands what I am talking about. Again, we have the situation that one cannot get before the commission unless one happens to be a member of a union. I believe that is wrong.

I used the term 'roped in' last night and I know that that caused some concern, but my feeling is that in effect that is what this is doing. It is virtually saying to an individual that we are now giving them an opportunity to appear before the commission (and the Government believes that that is a fair and reasonable thing and will

argue that), but there is one proviso in all of this: the person might have to pay out $100. That $100 is not their choice. They have to join a union to get that fairness. I do not think that is fair and reasonable and I ask the Minister whether he is considering any way that an individual who may have a breach of contract and who may come to him with a legitimate breach of contract will be able to come before the commission other than through the membership of a union.

The Hon. R.J. GREGORY: I find the pathological fear that the member for Bragg has for unions amusing. I understand that that is perhaps one of the real reasons he is in politics. He had no inhibitions in joining the Chemists' Guild when he was. a chemist. He would have been in that right up to his cars. But at the same time he says that if people want to join a union they have got something wrong with them and then he says that people who want to get the benefits of the trade union movement ought not to join it. I do not know what he is on about. The clause here is quite clear about the rights and expansion of the cover of people who may be aggrieved. If they join the appropriate union then applications will be made on their behalf. That is there, and it gives those people those rights. If they choose not to join a union it is obvious that they do not want to do that.

The member for Bragg goes around trumpeting about how good industrial relations would be under the Opposition's system. He should say that if the Opposition was in Government it would not have any of this; it would regard it as nonsense. The member for Mitcham was quite accurate in what he said tonight in the debate on the previous matter about his hatred for unions and of anything in this area. Members opposite want to turn back the clock to the 1890s, the 1870s, the 1850s and the 1830s. That is what they are about. They do not want to see people fairly rewarded, and where people are being ripped off by exploiters they do not want to see those exploiters tripped up.

Mr INGERSON: I want to put on the record once and for all what I believe and how it ought to work. First, every person in this State ought to have the right as an individual to access all the commissions and courts set up under this Act. That is a fundamental right of our community, and this Government is ensuring that that fundamental right of every citizen in this State is prevented. It is prevented by one simple provision in the legislation which provides that only two people can be represented before the commission; that is, if you are an employer or an employee who is a member of an association.

There is a fundamental flaw in this Act in terms of freedom and the rights of individuals. An individual cannot get industrial fairness in this State because people cannot take their case before any industrial commission or industrial court in this State. If they want to take individual action, they are required to go before the civil or common law courts. They cannot as an individual get fairness in an industrial matter.

If this Act contained a provision that enabled individuals to apply and have their case heard before the commission, there would be more opportunity for the Opposition to support it and the Government would earn respect from this side. That is what we believe in: the right of the individual to choose whether or not to join a union, whether or not to go before a court or whether or not to enter into a commercial enterprise agreement-as an individual not with some tied position hung onto their shoulder.

The Minister mentioned my background. I was president of the pharmacy Guild, which was a commercial union. I chose to join that union because I believed that it could bring about some benefits for pharmacies and that I as a member could bring about some benefits for the union. There was no compulsion for me to join, and when I left the union I chose to do so. That is how it ought to be.

All these outworkers whom the Minister stands up and grandstands about and who need to have the protection and rights of the court ought to get them, but they ought to get them as individuals. They ought to be able to walk through that door and make an application saying, 'Commissioner, I'm being done in the eye by this terrible employer and I want you to have a look at it.' But they cannot do that. Because the Minister has forced them to do this, they must walk through another door, pay at least $100 for membership and then not go in themselves but be represented by the union in the way that the union wants to represent them.

I have no objection at all if a range of people want to join a union and use that process-I would encourage that-but I also believe that an individual must have the right to choose. I thought that the Labor party of all parties would argue that the right of the individual was sacrosanct. All the speeches that I have heard in this House deal with the problems of the poor old worker. The attitude is always, 'The worker has problems', and, 'The boss is the problem.' Why can the boss and the worker not have the same rights and go before this Industrial Court and Industrial Commission which the industrial legislation sets up for them?

These outworkers would like to have the privilege of putting their case, whatever case it happens to be, before the court or commission. Will the Government consider giving outworkers, this small non-unionised group, the ultimate right of being able to come before this commission and argue their case if they have been abused or if there are some faulty parts in the contract between the employee and employer?

Clause passed.

Clause 5-'Tenure of office.'

Mr INGERSON: Will the Minister explain how the Government can support the age discrimination Bill that can amend this clause by substituting '70' for '65'?

The Hon. R.J. GREGORY: It is quite simple at this stage. We are changing the retiring age in this Act so that it is exactly the same as for the judges of the Supreme Court and for those in the industrial Court. That is bringing about uniformity. The Government at the appropriate time will consider whether the Age Discrimination Act should apply to judges and the magistrates.

Clause passed.

Clause 6 passed.

Clause 7-'Jurisdiction of the court.'

Mr INGERSON: I note in the schedule that there will be some record of the registered agents. Mention was made of the setting up of some register or record of those

who wanted to be registered agents. Will any background or qualifications need to be put before the registering officer, whoever it is, so that they can get on that register?

The Hon. R.J. GREGORY: This matter will be worked out by the President. That will then be enacted in the *Government Gazette,* and it will be part of the rules of the court. It will be quite specific, listing out the required experience, the qualifications, the setting up of trust accounts, the auditing of those trust accounts, the fees that can be changed, and a number of other matters that will be required to be there so that these people are of the appropriate character. The honourable member will note that further on there is an amendment that bars legal practitioners who have been struck off the roll of practitioners in the Supreme Court from participating and being a registered agent.

Clause passed.

Clauses 8 to 11 passed.

New clause lla-'Repeal of section 29a.'

Mr INGERSON: I move:

Page 7, after line 5- Insert the following new clause:

I la. Section 29a of the principal Act is repealed-

The Opposition believes that this clause, which repeals section 29a of the principal Act, ought to be removed from the Act. We believe that all compulsory unionism should be removed from every section of the Act. This section, which is a preference clause section, is done as a principle.

We believe that every time the Industrial Relations Act is amended our position in terms of preference to unionists, as I said at fair length the last time I got to my feet, is that it should be a principle that is upheld in this Act. Whilst I as an individual might object to preference becoming part of awards, that is a decision made when two parties have put their argument and the Industrial Commission brings down a ruling. That is a different issue. I do not believe that preference should be in the Act. As I said earlier, I and the Liberal Party believe very strongly that the individual in the community should have the right to exercise all the conditions of the Act as it currently stands. I expressed my position fairly clearly in relation to a previous clause and do not want to repeat it.

The Hon. R.J. GREGORY: The Government does not support the amendment. I will not go through a lengthy detailed argument, as the subject has been well travelled here. I do not see any reason for this. Members opposite have a principal reason for putting this up, and I suppose that the principal reason for knocking it back is that it is just plain stupid on their part.

New clause negatived.

Clause 12-'Unfair dismissal.'

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

Page 7, lines ll to 13 (inclusive)-Leave out all words in these lines and substitute 'an applicant's level of remuneration (excluding overtime payments) immediately before the date of dismissal (when expressed as an annual amount) was at a rate in excess of-'.

Members may recall that some time ago this Act was amended to provide that people earning in excess of the stated amount were unable to use the Industrial Court to seek re-employment. It was because people in executive positions were using this part of the Act to gain access to extra facilities to up the ante as far as their severance pay was concerned, which sometimes went into excess of three figures.

Subsequently, we found that the provision we have here contravened one of the International Labor Organisation Conventions on the rights of a dismissed employee. After discussions with officers of the national body, the Department of Industrial Relations, we found that we can comply with the International Labor Organisation if these people can apply for reinstatement only and not for compensation.

We are giving those people the right to apply for reinstatement but not the right to negotiate and up the ante of their severance package which, as I said, could be in excess of three figures. We feel that those contracts, which are contracts of employment of quite an extensive nature and which take in superannuation, payment for motor cars, education of children and all sorts of things, are properly settled in the Supreme Court, where these sorts of contracts are traditionally settled.

Mr INGERSON: The Minister clearly just stated that this clause amending the amount of $67 000 was for reinstatement. I understand that some 1 600 section 31 cases have been before the courts each year. Fundamentally, the reason for that is that it has become a compensation exercise now and not reinstatement, as was the original intention of Act. What sort of level of increase does the Minister expect and does he believe that the existing staff can cope with that increase?

The Hon. R.J. GREGORY: I am of the view that the commission is able to handle and cope with the pressures placed on it at the moment.

Amendment carried; clause as amended passed.

Clause 13-'Substitution of s. 34.'

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

Page 9, line 10-Leave out 'The' and substitute 'Subject to any express provision as to costs elsewhere in this Act, the'.

Amendment carried; clause as amended passed.

Clauses 14-'Representation of parties.'

Mr INGERSON: Last evening the member for Heysen and I referred to the review of unfair contracts. The housing industry, in particular, is very concerned about the potential involvement of the commission in relation to contracts which are contracts at common law, not industrial contracts. They are contracts between individual subcontractors, who usually are bricklayers, carpenters, plumbers, tilers, plasterers, ceiling fixers and so on. Most are individuals who have set up their own business to subcontract as part of building a house. They are very concerned that this particular set of changes will interfere with those common law contracts.

They accept that there are occasions when there has been a heavy hand on either side, but usually on the employer's side. They accept that, but they argue that those cases ought to be handled in the traditional common law sense. The people concerned are not employees: they are individuals who have set up their own business, subcontracting their work to a whole range of owners-they are not employees-and they do not believe that they should be covered under the Act.

Again, this is a fundamental belief of the Liberal Party: if one sets one's self up as a subcontractor one does not then put one's hand up and expect to get all the provisions that an employee would get under an award. We cannot have it both ways. Yet, this Government wants to ensure that it gets it both ways. It is interesting, again, of course, that anyone who wants to argue their position in this particular area of unfair contracts has to

join a union. One cannot bring one's case of a common law unfair contract before the Industrial Court until one joins a union. We have the union movement with its snout in the trough in another area in another industry. It is guaranteed that it will get its money out of the system by forcing individuals to join a union.

Last evening we spent a great deal of time arguing the reasons why we believe this is an unreasonable clause within the Bill. I put it to the Minister that this is an unfair method of bringing forward the subcontractors. Again I ask: how many instances has the department had registered with it that would warrant this very severe change and what I say is an illogical change to a practice that has occurred in the housing industry in our community for many, many years?

The Hon. R.J. GREGORY: It is the policy of this Government to ensure that the Federal Act is as uniform as practicable with the State Act. This is a movement from the Federal Act with respect to this matter into the State Act. It is only mirroring that for very good reasons, to ensure that our State Act and the Federal Act are the same as far as practicable. It is our belief that the establishment of joint premises for the Industrial Relations Commission of the Federal body and that of the State, on 1 1/2 floors in the Riverside Centre, is a step forward to improved industrial relations in this State. It is very important that we have Acts that are very similar so the commissioners who have joint powers in the State and Federal area can sit on matters that traverse the State and Federal areas. That is why we are doing it.

The member for Bragg goes on about non-unionists not having access to this provision. They do not have access in the Federal area because the Federal award is structured on the basis that the constitution established a system to prevent industrial disputes. Perhaps we need a history lesson on the industrial relations system. The only way we can do that is to encourage the registration of associations of employers and employees so that people can talk about it. They are the bodies who represent people there. The same thing will happen here.

Mr INGERSON: I have looked quickly at this clause but do not see any reference to contracts between two corporate bodies. I would suspect there would be many instances in the subcontracting area where one person forms a family company or unit trust and would then enter into a contract with a builder who has formed a unit trust or a nominee company. Can the Minister advise the Committee whether that sort of contractual arrangement is in fact picked up by these unfair contract clauses?

The Hon. R.J. GREGORY: My advice is that there is not the jurisdiction to settle disputes between corporations.

Mr INGERSON: So that means that, if individuals want to make sure their contracts are outside this clause or outside the opportunity to have this clause brought before them, they should enter into contracts in which only corporations or unit trusts are involved.

The Hon. D.C. WOTTON: The Minister would know that the housing industry is vehemently opposed to the amendments that the Federal Government has recently passed with respect to its Federal industrial relations legislation. The Minister should know that the housing industry is vehemently opposed to clause 14 in this legislation as it relates to the review of unfair contracts. The industry is vehemently opposed because it will provide unions with the opportunity to destroy the highly efficient subcontract system-there is no doubt about that. The industry is opposed because it will have a devastating effect on house prices.

I am advised that we can anticipate an increase of at least 15 per cent to possibly 25 per cent. It will decrease the number of houses built. It will throw people out of work in housing related industries. It is basically unfair as it penalises and discourages success by dragging efficient contractors down to the lowest common denominator, The Industrial Relations Commission is not the forum to deal with contractual issues.

The industry feels very strongly that these are judicial matters that should not be dealt with in a commission which arbitrates, mediates and conciliates. Mr Chairman, I cannot express strongly enough the view of the industry with regard to this matter. I can only urge the Committee to oppose this clause because it will have devastating ramifications on the housing industry in this State, and that is the last thing we can afford in South Australia now or in the future.

The Committee divided on the clause:

Ayes (22)-L.M.F. Arnold, M.J. Atkinson, J.C. Bannon, F.T. Blevins, G.J. Crafter, M.R. Dc Laine, R.J. Gregory (teller), T.R. Groom, K.C. Hamilton, T.H. Hemmings, V.S. Heron, P. Holloway, D.J. Hopgood, C.F. Hutchison, J.H.C. Klunder, S.M. Lenehan, C.D.T. McKee, M.K. Mayes, N.T. Peterson, J.A. Quirke, M.D. Rann, J.P. Trainer.

Noes (22)-H. Allison, M.H. Armitage, P.B. Arnold, D.S. Baker, S.J. Baker, H. Becker, P.D. Blacker, M.K. Brindal, D.C. Brown, J.L. Cashmore, B.C. Eastick, S.G. Evans, G.M. Gunn, G.A. Ingerson (teller), D.C. Kotz, W.A. Matthew, E.J. Meier, J.W. Olsen, J.K.G. Oswald, R.B. Such, I.H. Venning, D.C. Wotton.

The CHAIRMAN: There are 22 Ayes and 22 Noes. There being an equality of votes, I cast my vote for the Ayes.

Clause thus passed.

Clauses 15 to 29 passed.

Clause 30-'Insertion of new Division.'

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

Page 19-

Line 17-Leave out 'a party to' and substitute 'a person or association bound by'.

Line 18-Leave out 'another party' and substitute 'a party to the agreement'.

Amendments carried.

Mr INGERSON: I oppose the clause. We are interested in enterprise bargaining but we are not interested in enterprise bargaining with one hand tied behind one's back. The individual ought to be able to sit down with the employer and make an arrangement. They should be able to do that with union and employer associations holding their hand if they so wish but, if they do not want the union or the individual employer association holding their hand, they ought to be able to proceed independently. That is our fundamental concern in respect of this clause. There has been a significant move by the Government, both Federal and State, to reduce the number of terms of agreement that have to be made in setting up these certified industrial agreements. I

acknowledge that there has been a significant move by the Government and the labour movement in addressing enterprise bargaining.

I acknowledge that it is an important move in terms of industrial relations in Australia. The Government does not seem to recognise that only one more step needs to take place to enable an individual and an employer to sit down and reach an agreement with fundamental principles set. For a long time we have said that there ought to be minimum standards in terms of agreements, for example, the commission ought to set a minimum wage for industry and the people who work in it. There ought to be minimum standards in respect of holidays, sick leave and parental leave.

Those fundamental standards should be available to everybody in any industrial contract that they enter into outside of awards. The biggest difference between our side and the Government is that we do not believe that people need to have their hand held all the time. More importantly, we do not believe that they should compulsorily have their hand held. As I said earlier this evening, every employee in this State has a fundamental right to take their case before the Industrial Commission, and every employee has a fundamental right to be covered under this legislation. This clause again places members of the community, particularly employees, in a position where they have to join a union before they can enter into a certified industrial agreement. We are fundamentally opposed to that and therefore ask the Minister to fix it.

The Hon. R.J. GREGORY: The member for Bragg does not actually say what the Liberal Opposition is about. Members opposite want to give workers only the bare bones of legislated annual leave and sick leave, which are currently provided for in this legislation, and the parental leave that will apply after this Bill passes. Apart from that and some mythical minimum wage, the Opposition believes that nothing else should be provided for by legislation.

Mr Ingerson interjecting:

The Hon. R.J. GREGORY: I do not need the member for Bragg's help because I am fairly conversant with how this works. What the member for Bragg fails to understand is that the Industrial Commission and the Industrial Court are designed to assist registered associations of employers or employees. The honourable member talked about the sanctity of the worker sitting down with the boss and working out a deal. I have read precis of what Mr Kennett is attempting to do or has done in Victoria. I have listened with great interest to John Howard, the Federal Opposition spokesman for industrial relations, and I have seen the twisting and turning that the Federal body has done on industrial relations, and just how it will go about giving people the minimum wage. I suppose that the member for Bragg wholeheartedly endorses a minimum wage of $3 and $3.50 for young people.

At the moment a number of classifications set out the wages structure for the metal industry. The minimum wage under that award is the lowest classification. The way people qualify to be classified is set out within the award. The member for Bragg is saying that the wages safety net for a toolmaker under the metal industry award should be the same as the lowest paid labourer. What he is talking about is colossal wage reductions. I will go through this again. The member for Bragg knows that workers in this State who are members of the appropriate association can reach industrial agreements that can be registered in the court. The honourable member wants to be able to endorse these private deals between a so-called employer and young 16, 17 or 18-year-olds who are seeking work for the first time, even though they are way below the current award standard. He wants it to be even less than the current minimum rate. Members opposite want to be like their counterparts in New Zealand who allow people to work for $1, $2 or $3 an hour, which is below the minimum award rate.

What he is not prepared to say is that any of these private deals can be done, provided they do not breach the minimum rate in the appropriate award for that class of work. It is of no matter how they want to dress it up or how they want to rearrange their workplace, for they can reach those agreements. The member for Bragg knows it, but he is not prepared to admit it in this place. He knows as well as I do that private contractual arrangements should be made elsewhere. In this area of industrial relations, it is for appropriately registered organisations only, not fly-by-nighters. If they want to get into contracts, they can go before the civil jurisdiction of the Supreme Court or the District Court. That is the appropriate place for them.

Mr INGERSON: This clause is probably the most important measure in the Bill, and I have received a lot of representation about it. One submission brings together all the concerns that have been expressed and highlights a couple of legal problems about which the Committee ought to be aware. The submission was prepared by the Employers Federation and, because it is important, I will read from it as follows:

> Having considered both the existing section 106 and section 108a-Industrial Agreements-and the new section 134 provisions of the Federal Industrial Relations Act, it is our considered view that the proposed new Division II is unnecessary in the South Australian jurisdiction. That is, there is an element of flexibility introduced by the proposed Division Il, however, some subtle change to the existing Act could achieve the same result. The Federal position is not supported by employers-

this is a common view shared by the Employers Federation, the chamber and the Housing Industry Association-

> and due to a number of particular factors in present section 134, it is our view that the Federal section and any State section based on its provisions will not be widely utilised due to the nature of the South Australian work force.

In addition, the provisions do not represent genuine enterprise bargaining as outlined by the Employers Federation policy on industrial reform The submission continues:

> It should also be noted that a recent High Court decision in the case of the State Public Services Federation and the State of Victoria-Industrial Agreement-has placed a stay on the use of section 134A of the Federal Industrial Relations Act and brings into question the whole basis of this provision.
>
> Given our views regarding the provisions as contained in section 134, and generally reflected in new Division IT, and the fact that its existence is solely based on consistency with the Federal Act, it is our view that the South Australian parliament should not proceed until at least the question of the constitutional ability of the Federal Government to insert the new section 134A has been completely dealt with.
>
> Whilst at least one of the objections to section 134 of the Federal Industrial Relations Act has been addressed in the proposed draft Division II (being the ability to extend the agreement without consent), we set out for the record our

grounds of rejection to the Federal provision and by implication the proposed South Australian provision. The requirement for the agreement to be made between a registered association of employees as one of the parties is, in the context of the South Australian work force, completely unrealistic. In the private sector, the degree of union membership is of the order of 30 per cent and, accordingly, this provision by definition will be unavailable to the great majority of South Australian workplaces.

The inclusion in the proposed section 113d(e) of the requirement for all unions to be parties, including each registered association of employees that is able to represent the industrial interests of the employees covered by the agreement, is also totally unrealistic and will ensure that the new provisions are not applied to the great majority of enterprises. The restriction of the ability of the parties to reach agreement to the exclusion of other parties represents one of the greatest barriers to workplace reform. The proposed references to the limitation of trade unions being parties based on the 'coherent national framework of employee associations' is not a relevant nor practical solution and this concept is inappropriate both in terms of the new provision and the existing section 108a.

The Federal provision in section 134E(5) is a preferred concept and it should be clearly understood that this limitation applies to all circumstances where unions have no members, not just 'greenfield' sites as proposed in the current Bill.

It goes on to advocate that, in essence, this section should not be approved as part of the Bill until the Federal Court decision is either ratified or agreed to. Whilst we as a Party will be opposing this provision, I ask the Government to look at it and to hold it over in terms of assent or introduction until the Federal case is decided.

The Hon. R.J. GREGORY: The member for Bragg is asking me to hold over a matter until a jurisdictional application in the Federal Court has been determined as to whether the Public Service Association can cop out of the State jurisdiction and the Federal one. That is what he is on about. The correspondence (I think it is from the Employers Federation) is slightly misleading. It is about the application made by the Public Service Association in Victoria to have an agreement registered in the Federal area when it is not a respondent in that area. It is commonly known as forum shopping-hopping from one forum to the other.

It is a little difficult to do, and I can understand the unions in Victoria wanting to hop out of the Federal system because it has been gutted. The provisions that they have taken for granted for protection of their members have been removed. There is no need to delay the proclamation of this measure, because agreements are already being registered Federally and the court case is in respect of what is commonly known as forum shopping. It has not stopped the application of that section of the Federal Act. They are currently being registered. It is only that one because of the forum shopping matter.

Clause as amended passed.

Clause 31 passed.

Clause 32-'Nature of part-time work.'

Mr INGERSON: This clause is designed to facilitate the provision of superannuation contribution information to employees having regard to the different basis of superannuation payments. However, the situation as applying to defined benefit schemes is still not addressed in this proposal. The request from the employer associations is that this clause should not proceed in this respect, as the provision of information regarding superannuation contributions is now extensively dealt with under the Superannuation Guarantee Charge Administration Act of the Federal Parliament.

This legislation clearly defines the responsibilities and reporting requirements in a manner consistent with the basis of superannuation payments. Accordingly, any provision in the State Act could only complicate reporting requirements and introduce unnecessary duplication or additional requirements upon employers without achieving any benefit for either the employees or employers under South Australian awards. I understand that this is virtually a duplication, and I ask the Minister to clarify that point.

The Hon. R.J. GREGORY: My advice is that, the last time this Act was debated in this Parliament, the Democrats in the Upper House, with the assistance of the Liberal Party, amended the Act to provide for a facility like this. It was subsequently shown to be unworkable. This provision is the preferred position of the employer associations; it clarifies the matter and does not place undue hardship upon them. It was never proclaimed because of the difficulty in having it operated. After a lot of consultation with the employers, it has been amended so it can be workable, and I think, as the member for Bragg indicates, there is an obligation on the part of the employer to provide this information, because employees have the right to know just what payments are being made on their behalf.

Mr INGERSON: Do we not have to do that federally in any case? As I understand it, all superannuation is federally based.

The Hon. R.J. GREGORY: I would not have a clue what is happening federally. If the honourable member looks at the Bill, he will see the words 'unless otherwise provided by an award or industrial agreement'. That is what it is there for-if they are required to tell them. I do not know what the Commonwealth Act will do, but this is necessary here, and the employer associations wanted this as their preferred position.

Clause passed.

Clause 33 passed.

Clause 34--'Return to former position.'

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

Page 21, lines 29 and 30-Leave out subparagraph (iii) and substitute:

(iii) is not a person whose name has been struck off the roll of legal practitioners or who, although a legal practitioner, is not entitled to practise the profession of law because of disciplinary action taken against him or her, or is not otherwise disqualified from registration by virtue of a provision of the regulations;.

Page 22, line 5--Leave out 'the Minister' and substitute 'the court'.

Amendments carried; clause as amended passed.

Remaining clauses (35 to 39), schedule and title passed.

The Hon. R.J. GREGORY (Minister of Labour Relations and Occupational Health and Safety): I move:

That this Bill be now read a third time.

Mr INGERSON (Deputy Leader of the Opposition): I should like to put on the record that, in opposing this Bill at the third reading stage, the Opposition recognises that, while there are a number of clauses which we vehemently oppose, there are also many clauses,

particularly those in relation to parental leave, that we support strongly, and we are happy to see those changes made. We believe that these award conditions should not have to be put into the Act; they are award conditions, and the Act is now getting muddled up and, instead of being a set of principles, it now includes a whole range of award conditions. We believe there are two areas: first, the jurisdiction of the court and the commission, and the decisions made, should be clearly separate and distinct from the second area-the Act itself. In our belief, the Act should purely and simply set out principles and set guidelines in terms of the jurisdiction of the commission. With those few comments, the Opposition opposes the third reading.

The House divided on the third reading:

Ayes (22)-L.M.F. Arnold, M.J. Atkinson, J.C. Bannon, F.T. Blevins, G.J. Crafter, M.R. De Laine, D.M. Ferguson, R.J. Gregory (teller), T.R. Groom, I.C. Hamilton, T.H. Hemmings, V.S. Heron, P. Holloway, D.J. Hopgood, C.F. Hutchison, J.H.C. Klunder, S.M. Lenehan, C.D.T. McKee, M.I. Mayes, J.A. Quirke, M.D. Rann, J.P. Trainer.

Noes (22)-H. Allison, M.H. Armitage, P.B. Arnold, D.S. Baker, S.J. Baker, H. Becker, P.D. Blacker, M.I. Brindal, D.C. Brown, J.L. Cashmore, B.C. Eastick, S.G. Evans, G.M. Gunn, G.A. Ingerson (teller), D.C. Kotz, W.A. Matthew, E.J. Meier, J.W. Olsen, J.I.G. Oswald, R.B. Such, I.H. Venning, D.C. Wotton.

The SPEAKER: There being 22 Ayes and 22 Noes, I cast my vote for the Ayes.

Third reading thus carried.

GOVERNMENT MANAGEMENT AND EMPLOYMENT (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 29 October. Page 1168.)

Mr INGERSON (Deputy Leader of the Opposition): The Opposition supports the amendments to the Government Management Act, because suddenly it appears that the Government is prepared to recognise some very innovative management decisions and some very interesting employment measures. There is a range of comments that I would like to make on this. They are all very positive, and we congratulate the Government in recognising that it needs to drag itself into the twentieth century in terms of the range of opportunities it can provide to people within the public sector. First, the Bill notes that a new term 'appointment' has been introduced that will replace the existing category known as 'negotiated conditions'. The new category will retain all the benefits of being about to negotiate special employment conditions in selected cases. It is a very important and progressive change. It is a pity we could not get the same sort of progressive changes into the Industrial Relations Act, which we have just debated.

One of the very important changes here is the recognition that casual employment should be a category of employment within the public sector. Some union eople may be turning in their graves in relation to this very progressive method of employing people, being actually able to employ someone on a casual basis up to 15 hours a week. I note that some leeway has been given there, because in most of the awards it is up to 20 hours a week, but I do not suppose we can jump too quickly too soon. But it is important that casual employment be introduced, because as many members would be aware a very large number of women are now coming into the work force and to be able to employ them on a casual basis of less than 15 hours a week is important.

As a flow-on from that, it is nice to see that the Government has also recognised that part-time employment should be a permanent arrangement under the GME Act. I know the rest of the world has had part-time employment for the past 50 years, and it is good to see that the Government has recognised that we should have part-time employment with all the traditional benefits that go with that, recognising that part-time employment is proportional in a benefit sense to full-time employment.

Placement of employees who have been declared excessive to requirements in the public sector is also a change in this Act. It is a very important change, in addition to these new provisions, which has been included to enable excess public sector employees to be transferred to another set of duties elsewhere in the Public Service or the wider public sector. So, there is a recognition of flexibility, the need to be able to transfer to statutory authorities people who are excess to requirements in any department. That is a very progressive move from this Government and one that is welcomed by the Opposition.

It is also intended in this Act to recognise that the Governor should have some residual power under the Act. It is unfortunate that the Government had to have this power tested. It was found that it was invalid, and this clause now corrects that. The Bill will also enable the Government to strengthen the private sector experience available on the Government Management Board, and that is a very important and significant change. There is recognition that the two sectors, public and private, ought to be working together more in the future, and the Government, through this clause, will be able to bring more private sector professionalism on to the board to provide expertise.

There is a change also to the board in that one extra person is now to come onto the board, and another amendment was made to make sure that at least two women and/or at least two men were going to be on the board. I understand that before it went to Cabinet it was only one man or one woman, so there was obviously a very quick change in Cabinet. I understand those who actually put the Act to the Cabinet were not told until they came and briefed me, and I pointed out to them that there was a difference between their briefing note and what was in the amended Act. They were a little bit embarrassed about it, but I suppose those things do happen in a Labor Government where the Cabinet forgets to tell the commissioner who happens to manage this particular board.

There is a significant streamlining of the appeal process which will reduce some unnecessary overhead costs by providing instead such right of appeal only for

certain classification levels designated by proclamation. There is still a general emphasis on the merit principle, a very important principle, in order that the composition of selection panels will ensure increased compliance with the merit principle. In relation to those levels that will be open to appeal, the Bill also incorporates provisions to prevent frivolous or vexatious promotion appeals.

Further, in order to provide increased flexibility and fairness in disciplinary matters, the Bill will give Chief Executive Officers discretionary power temporarily to reassign an employee to different work during the conduct of disciplinary proceedings. The Chief Executive Officer's decision temporarily to reassign an employee or to take temporary action will not be subject to appeal by the employee. That is an area about which the PSA, in particular, is concerned, in that the Chief Executive Officer has now been given a little management skill and a bit of ability to decide that a certain person needs to be reassigned. It is a very positive move, but I note that the PSA is concerned about it because it removes the union from that area and gives the Chief Executive Officer the ability to manage a department. We encourage and support this quite strongly.

The Bill prevents accrual leave credits unless the suspension is revoked or the disciplinary authority considers it appropriate to allow that particular accrual. It will also enable the Government to address several recommendations contained in the sixty-second report of the Public Accounts Committee. It is nice to see that the Government is actually taking note of some of the parliamentary committees. Although the former Public Accounts Committee has now been replaced by the very broad Economic and Finance Committee, it is important to note that Governments do sometimes take note of these standing committees of Parliament. This is particularly so in relation to long service leave provisions.

The only concern that I have is that this is retrospective and that it may open up a Pandora's box, but I think it is important that, if long service leave provisions should have been available to an individual, they should be recognised. At present, under the Act it is not legally possible for an. employee to decline a nomination for reassignment or for a Chief Executive Officer to withdraw a nomination once it has been approved. This provision will enable that to occur. The Bill aims to increase Public Service efficiency and productivity-a couple of interesting words-by incorporating a provision to address employees who are incompetent at their work if the incompetence is not wilful or related to mental or physical disability. Under the Bill, such employees can be transferred-

Members interjecting:

Mr INGERSON: I had a very good briefing. Under the Bill, such employees can be transferred to other work elsewhere in the Public Service or, if no such work is available, can be retired from the Public Service. This is a very important change in that, if a person is incompetent and proven to be so, the Public Service, like the general community, ought to be able to do something about that level of incompetence. It is a very progressive move by the Government and one that needs to be encouraged.

In order further to increase flexibility in the deployment of staff, the reassignment provisions of the Act have also been modified. The Bill will provide CEOs with increased power to reassign employees to different work at corresponding classification levels. The Bill will also introduce a provision to cater for the situation where an employee, for personal reasons, requests reassignment to a position with lower level responsibility and classification.

Finally, the Bill will incorporate provisions to formalise the present practice of allowing employees to hold more than one public office at the same time. There is a further restriction in that those who enter into a contract, because they go outside the existing GME conditions or permanency, in particular, lose this right to hold more than one position. That seems a fairly fair and reasonable provision. The Opposition supports the Bill.

The Hon. T.H. HEMMINGS (Napier): I rise to support the Bill, but in doing so I would like to place on record my congratulations to the Deputy Leader. It is nice to see him for once supporting a piece of sound Government legislation, although, I suspect that he is rather shell-shocked from the hammering he was given by the logic that this side of the House put forward in relation to the previous piece of legislation.

I also remind the Deputy Leader that sarcasm does not fit well in his usual performance in this House. I would prefer that half-hearted, half-lame, whingeing manner with which he usually approaches legislation. But, I do consider that to be a part of his learning curve and, who knows, he may be educated yet.

I will speak only on the incompetence section of the Bill. As the Deputy Leader says, it is a very good step, and I suggest that the Liberal Party take this particular section, study it and use that clause as a model to get rid of all those incompetent people whom it has in its own Party room. Having said those few words, I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

Clause 7-'Basis of appointment to the Public Service.'

Mr INGERSON: Section 50 of this Act refers to appointment to the Public Service. The proposed amendment to this section, in particular section (4a) (b), allows a person to be appointed to the Public Service for a fixed term without any requirement to apply the merit principle for a period of up to two years. Further, the Commissioner of Public Employment has the right to extend this period as he sees fit. There is nothing in the proposed amendments to stop a person being appointed to the Public Service without being selected on merit for an indefinite period. Does not this ability to appoint and reappoint without using the merit principle contradict other stipulations of the GME Act that strictly forbid nepotism and patronage? Is not the Government, by recommending these amendments, creating a situation where appointments to the Public Service could be open to abuse? Surely all vacant positions should be advertised and filled on merit regardless of the nature or duration of the employment.

The Hon. R.J. GREGORY: The member for Bragg is very well briefed in this, but I feel he has just demonstrated a departure from the glorification of

management principles that he was applauding and lauding a little while ago. He is now saying that the Government should not have the right in certain circumstances to employ people on a temporary basis without going into lengthy contractual employment procedures. There are times, particularly in country areas, when it is very difficult to transfer people to fill positions that have been created by absences due to people doing other work or taking sick leave or extended leave. This provides the opportunity to get people in for a period without having to go to an agency. We are able to offer employment of a temporary nature to people for periods best suited to the Government in the appropriate place without going into a procedure of long-term contracts and without having to pay sick leave, annual leave and all that. They are able to be employed on a temporary basis which is a proper and convenient way to do it.

Clause passed.

Clause 8-'Filling of positions through selection processes.'

Mr INGERSON: Will the Minister assure the Committee that the Public Service remains independent and non-political? I question the Government's decision to remove promotional appeal provisions from the Act. Does the Government's proposal under section 51 mean that the right of appeal would be removed, thereby allowing for the very real possibility of appointment to positions being open to political influence? It is the Opposition's view that the present system is both equitable and fair, and provides the appropriate checks and balances against possible abuse of appointment provisions under the Act. Does this clause change all that as I have indicated?

The Hon. R.J. GREGORY: The member for Bragg was briefed on this matter. However, to make an assertion about political patronage is an insult.

Mr Ingerson: I am just asking you.

The Hon. R.J. GREGORY: It is an assertion that he made. The provisions in this part of the amending Bill are to improve the participation of public servants in the selection process. One of the reasons that appeal provisions were first included within the Public Service was to overcome nepotism and people appointing favourites rather than the appropriate person to that position. When we are able to reach agreement with the Public Service Association and the other associations that cover members under this Act, and are able to reach an appropriate facility for selection, the appeal will not apply. We intend-and the procedure applies presently-that any person seeking a position higher than their present position will appear before a selection panel. That panel consists of one or two people from the area where they will work, and it will consist of a nominee of the CEO and possibly another person. They will then do the selection.

It is my view and that of the Government that, if there is any inappropriate appointment, it would not be very difficult for those people who either work in that area or are members of the Public Service Association (and it is our intention that a number of people within every Government department will be trained to participate in selection panels) to see their association and for their association to go direct to the Commissioner of Public Employment and complain. The member for Bragg would appreciate that, with such a process, if the association was complaining to the Commissioner of Public Employment and he took no notice of it, it would not be long before the matter would be reported in the press and somebody in this place would be asking questions.

What we are about is creating a situation where, when jobs are vacant, they are filled on merit; that people who work in the area and who are members of the appropriate association can participate in the selection process; and that they have training so they know how to do their job properly. Then, if there are any shonky actions on the part of the CEO there is an appropriate way for that to be brought to brook very quickly. What this will do is improve the efficiency of the Public Service and overcome delays that go on from time to time when there are appeals which, in my opinion, are inappropriate, because they are appealing a decision that is made by a group of people with whom they will work and with peers in that area of work.

Clause passed.

Clause 9-'Reassignment.'

Mr INGERSON: Can an employee be reassigned to a higher position for a period of up to three years without the position being formally advertised and filled on merit?

The Hon. R.J. GREGORY: It is possible but highly unlikely. All the higher positions I know of are advertised and if more than one person applies a selection is made on merit. But it is possible if the job is only temporary that that would happen.

Clause passed.

Clauses 10 to 16 passed.

Clause 17-'Suspension or transfer where disciplinary inquiry or serious offence charged.'

Mr INGERSON: This clause relates to section 69 of the GME Act. Since the Act was introduced in 1985, management has had the right to suspend without pay if an employee is charged with an offence under the Act. There is no doubt that if a person is found guilty of a breach of the Act or of a criminal offence he or she should be formally disciplined. This discipline could include dismissal from the Public Service or, for a lesser offence, it could mean suspension without pay for a period of time.

The difference is simple. When being formally found guilty in a legal forum suspension without pay is a legitimate option, but what justification does the Government have to be able to suspend without pay those employees who have only been charged with committing an offence? Why does the Government not transfer these people to other positions pending the outcome of investigations? What right does the Government have to punish an individual-indeed his or her family-before the legal system has determined the guilt or innocence of that person? Surely in our society a person is innocent until proven guilty. Those comments were made to me by the PSA. It is obviously concerned that there may be some difficulty in terms of a person being suspended without pay before they are found guilty. Will the Minister comment on this provision?

The Hon. R.J. GREGORY: I believe in certain circumstances-and judging by the number of questions asked in this House from time to time by members opposite they also believe that there are very good

reasons for doing this, There is already provision in the current Act for this to happen.

What we are doing is amending and streamlining this Act. If there is a need to transfer people from time to time we can by to do that. There are occasions when people have committed certain offences where it is appropriate for them to be suspended without pay; and there are other occasions where it is not appropriate and they are not suspended without pay. When that happens queries are raised as to why they are not suspended without pay. That decision is made by the Commissioner for Public Employment, who gathers all the facts and then makes a decision. It is not something that is done lightly: it is a discretionary power and I believe that at times it is the appropriate decision to make. It is a power that we need and all we are doing is amending the Bill so that the power that is already available to do this is clearer and more effective.

Clause passed.

Clauses 18 to 23 passed.

Clause 24-'The Promotion and Grievance Appeals Tribunal and the Disciplinary Appeals Tribunal.'

Mr INGERSON: Referring again to the concerns of the Public Service Association in respect to this clause, the association states:

The proposed amendment put forward by the Government to allow the Chairperson of the Grievance Appeals Tribunal to be a permanent public servant under the GME Act, rather than being an independently appointed position, once again does provide for the possibility that political pressure may influence the decision of the tribunal rather than enabling it to make an impartial decision based on the merits of individual cases referred to it for decision-making. The people of South Australia would certainly not benefit if appointments to Public Service positions were made on political grounds rather than on the ability of candidates to perform successfully the duties for which they apply.

That reference was given to me by the PSA and I raise this matter on its behalf.

The Hon. R.J. GREGORY: Does the question asked by the member for Bragg indicate how the Opposition would behave if it were in Government? If it is, I find it appalling and, indeed, I find it appalling to suggest that the Labor Party in Government would use political pressure in any way in the promotion area of appointment. The Act stops that happening anyway. The provision states:

(1) Subject to this section, the Chief Executive Officer of an administrative unit is subject to a direction by the responsible Minister.

(2) No ministerial direction shall be given to a Chief Executive Officer-

(a) relating to the appointment, assignment or re-assignment of a

particular person;

(b) relating to the classification of a particular position; or

(c) requiring the Chief Executive Officer to hold or refrain from

holding an inquiry in relation to ...

It then goes on, but that section is already there. As to the appointment-

Mr Ingerson: Is that referring to the tribunal?

The Hon. R.J. GREGORY: The honourable member is talking about appointments under political patronage. That is what you are on about.

Mr Ingerson interjecting:

The Hon. R.J. GREGORY: My word it is. I will now refer to the tribunal. The honourable member was talking about political patronage, and we are not into that. We cannot do that anyway, because there is a good provision in there. The honourable member is saying that, if his Party were in power, it would act in that way.

In respect of the appeals tribunal, we have to find someone within the Public Service to take over that position. Under the present requirements a person has to resign from the Public Service; they lose tenure. We find with a number of people to whom the job is offered, or if we advertise it and they apply for it, that as soon as they know that have to resign from the Public Service they do not want to be in it. I make it clear to the member for Bragg that no person occupying this position on the appeals tribunal, if they were a member of the Public Service, would be subject to direction by this Government. I cannot speak for the Liberal Government, but I know that we would behave with propriety and I hope a Liberal Government would also do that.

Clause passed.

Clause 25 and title passed.

Bill read a third time and passed.

ADJOURNMENT

At 11.35 p.m. the House adjourned until Thursday 12 November at 10.30 a.m.