HOUSE OF ASSEMBLY

Thursday 20 July 1995

The SPEAKER (Hon. G.M. Gunn) took the Chair at 10.30 a.m. and read prayers.

PROSTITUTION REGULATION BILL

Adjourned debate on second reading.
(Continued from 6 July. Page 2750.)

Mr CAUDELL (Mitchell): I speak in favour of this Bill. I have reviewed the speeches that have been made to date by a number of members opposed to the Bills that are before the House, and, in every case bar one, the need for change has been noted. The member for Hartley, the member for Hanson, the member for Florey, the member for Wright, the member for Newland, the member for Light and the member for Goyder all advised this House that there is a need for change. I agree with them that there is a need for change. There is also a need for equality at law, and we need only look as far as the statement of Mr Fitzgerald, who was the Royal Commissioner into police corruption in Queensland. That commission also looked at the issue of police corruption with respect to prostitution. The Royal Commissioner said:

> Leaving aside the influence of organised crime, a regulated system of prostitution could eliminate many of the problems associated with the industry. Any such system should have appropriate controls and a strong emphasis on education of prostitutes about private and public health considerations. Such a system would reduce prostitutes' present vulnerability to pressure for unsafe sexual practice and inability to seek help when they are being abused.

I refer also to a speech on why prostitution should be decriminalised which was made in March 1995 at a seminar in the Department of Politics at the University of Adelaide by Dr Barbara Sullivan from the Australian National University. Dr Sullivan said:

> Legal regimes which prohibit prostitution also tend to encourage organised crime and police corruption. . . and to undermine any capacity to deal with specific problems associated with the sex industry, such as violence against prostitutes and the transmission of sexually transmitted diseases. I am suggesting that, whatever moral status is attributed to prostitution, decriminalisation is the first step towards the creation of a calm and cooperative environment for addressing all of these issues.

Equality before the law will allow for equality for the sex worker and the sex user. It will also allow for equal opportunities. Currently, there cannot be a gathering of sex workers. It is illegal to be at a brothel, discussing other issues with a prostitute. It is illegal to sit down and have a cup of coffee with a prostitute. For those people there is no equality before the law.

Also, the Bill would end discriminatory practices against women involved in the sex industry. We have only to refer back to the Women in Politics conference, which a number of members of this House attended. Each and every one of those women put up her hand to vote to end the discrimination associated with prostitution. Each and every one of the women who attended that conference voted to end the discrimination of women prostitutes and for the decriminalisation of prostitution. I look forward with great interest to see how the women who attended the Women in Politics conference vote on Thursday.

A number of speakers dealt with the policing issue and, in particular, the Police Commissioner's attitude to prostitution. It was interesting that, in March of this year, a paper was produced by the Minister for Emergency Services and that there were good and bad inferences in it. Those inferences in the paper from the Police Commissioner have been used by speakers against change. When we look at the paper we must agree that it was out of date in that it contained specific references to Bills that were brought before another House on previous occasions. It did not refer to this Bill and it still failed to address the issue.

I went to the Minister for Emergency Services and asked, 'Will the police bring down a paper stating their opinion of the Bill in the name of the member for Unley? Will they bring down a paper on what they believe should be the law with regard to prostitution in South Australia?' I was advised that they would. Yesterday, I saw the Minister for Emergency Services, and I asked, 'Where is that paper?' The Minister said to me that there is a big gap between what the police want and what the member for Unley wants. I asked, 'What is that gap, Minister?' but the Minister still could not advise me.

My first challenge, prior to voting next Thursday, is that I want the Minister for Emergency Services to lay down a paper on prostitution, state the police position on prostitution, and examine the variances between the police and the member for Unley. It is very interesting that Operation Patriot spent $300 000 in the past financial year. It came up with the following results. The South Australian Office of Crime Statistics revealed that, in the calendar year 1994, 91 prosecution offences were reported or became known to the police. That is equivalent to about $3 000 per offence. If we had that extra $300 000, we could put an additional 10 police on the beat in South Australia at no cost to the community over and above the existing police budget. According to the Magistrates Court, in 1993, 108 offences arose from 103 cases. Ninety-two of those cases related to keeping and managing a brothel. Such cases are also related to receiving money in a brothel.

My second offer is to the police. If they came out with me any night they desire, I reckon we could end up with more than 100 offences in a week. The laws are available to allow the police to manage the law. However, the law is not being managed; it is being abused. When laws are abused, people have disrespect for the law. Therefore, the law has to be changed. I have made two offers: first, the Minister should produce a paper to show the variance between the police and the member for Unley's Bill; and, secondly, the police should come out with me to show why they cannot charge more than 100 people a year in respect of the $300 000 bill for Operation Patriot.

Commissioner Fitzgerald has highlighted in his reports issues of police corruption associated with prostitution. Doctor Barbara Sullivan, in her paper on why prostitution should be decriminalised, has pointed out that legal regimes which prohibit prostitution also tend to encourage organised crime and police corruption. Several issues have been raised by members in the House since 16 February in relation to religious issues, child prostitution, criminal involvement, soliciting, planning, HIV, assets and advertising—

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

Mr MEIER (Goyder): I oppose the Bill. Members will recall that some months ago I spoke to the Bill, which was

withdrawn from the Notice Paper last week. I indicated my opposition to that Bill for reasons which are perhaps not quite as applicable to this Bill. Having considered the Bill which has been introduced by the member for Unley, I recognise that he has tried to address some of the problems that currently exist in respect of prostitution in South Australia. However, I have some serious reservations, having read various parts of the Bill. In particular, under clause 4, which identifies the objects of the measure, subclause (c) provides:

> to protect the social and physical environment of the community by controlling the location of brothels;

Clause 4(e) provides:

> to encourage prostitutes who wish to do so to gain training or education in other occupations.

I will deal with those two points first. Members will be aware that the location of brothels is to be determined through the regulations. I do not believe that it is appropriate for us to agree to a Bill before we know what those regulations are going to specify. I would be very unhappy if brothels were to be located in areas that caused distress to people in those communities. We all think of our own situation. If a brothel were located next to me, or within a few houses of where I live, I would be most upset. This issue must be considered further before the location of brothels is determined. However, that is perhaps one of the least of my worries. I am very interested to see that one of the objects of the legislation is:

> to encourage prostitutes who wish to do so to gain training or education in other occupations.

It almost seems that the Bill is stating that prostitution is not the type of occupation that we would wish to encourage in South Australia—I would say, 'Hear, hear' to that—and that we are happy to provide training or education for those people so that they can get out of prostitution.

I was interested to listen to comments from other members, and I was interested to read various other comments. Prostitution in Victoria has been decriminalised for quite some time. A situation existed there where a young woman worked in a brothel because she had trouble paying for her drug habit. She decided that a job in one of the brothels would be a legal way to make money. As the member for Hanson identified, this young lass indicated that over half the girls in legal brothels were on drugs. In general, they were the most reliable workers because they needed the money, turned up regularly, accepted all sorts of clients and did whatever clients wanted; in fact, sometimes the clients wanted to sexually abuse the women. If that is the situation in Victoria, where they have decriminalised prostitution and still have enormous problems, I do not believe it is right for us to agree to changes to the law which will not solve many of the problems in prostitution. I do not deny that there are problems: there always have been for thousands of years. There will never be any easy way to control prostitution.

A policeman expressed grave concern to me about decriminalising prostitution in South Australia. The policeman said that, whilst in Victoria they have the legal prostitution scene, they still have illegal prostitution. He said that all it does is double up the work of the police, because they have to ensure that the laws covering both legal and illegal prostitution are properly adhered to. If that is a side effect of decriminalising prostitution, I would not want anything to do with a Bill that seeks to decriminalise it in South Australia.

I was also interested to read an article in relation to the Australian Capital Territory and Canberra brothels. The *South Australian Festival Focus* quoted a Miss Trish Orton, who is a Canberra resident and who has been involved in helping street kids and others. She described her rescue of a young women called 'Brooke', who was found high on drugs while working in one of the big legal brothels in Fyshwick, which is an industrial zone in the ACT. Brooke's background was very sad but not uncommon among girls recruited for prostitution. Miss Orton said that Brooke ran away from home as a teenager after sexual abuse and Satanism involvement by both her mother and stepfather.

If we have situations where people who have problems at home can turn to prostitution with the stamp of legality on it, we are going the wrong way. I acknowledge that we will always have problems with respect to young people who run away from home (some of whom may take up prostitution), but why should we seek to make it easier for these people? I take note of the statement on proposed prostitution law reform by the President of the Lutheran Church of Australia (South Australian District). The Lutheran Church in this State holds the view:

> The practice of prostitution is degrading to both prostitute and client and is contrary to the revealed will of God, human sexuality and wellbeing. Therefore, legislation should not encourage in any way the practice of prostitution.

That is a very real point. In fact, eight other points are detailed by the Lutheran Church drawing attention to many of the problems. Likewise, the Catholic Church has sent a detailed analysis of the Bill, in which it says:

> Prostitution is destructive of human life. It attacks the dignity of the human person and reduces the prostitute and his or her body to the status of a thing to be used impersonally for gratification by another.

Is that what we want to promote in this State? My answer to that is, 'Definitely no.' The Catholic Church goes into a fair amount of detail on the Bill. It points out that, whilst the Bill seeks to safeguard public health, there is no requirement for recording the details of clients of prostitutes and that this omission from the Bill has implications for the sections dealing with public health and sexually transmitted diseases. It goes on to say that without this information it is impossible to track sexually transmitted diseases among prostitutes and/or clients. Therefore, people who say that we need this Bill to maintain appropriate health standards in this State are missing the point. The clients would not be assisted in this way.

Mr BECKER: I rise on a point of order, Mr Speaker. There was a flashlight, and I understand that is contrary to Standing Orders. I ask that the film be confiscated and destroyed.

The SPEAKER: Order! The matter has been attended to. The member for Goyder.

Mr MEIER: Thank you, Mr Speaker. My time is almost up. I urge members not to vote for this Bill.

The SPEAKER: The member for Taylor.

Mr BECKER: Again, I rise on a point of order, Mr Speaker. I asked that the film be confiscated and destroyed. Will that be done?

The SPEAKER: The police officer has dealt with the matter. I shall be happy to talk to the honourable member at a later stage.

Ms WHITE (Taylor): I support the second reading of this Bill. Over recent weeks many arguments have been put forward both for and against the Bill and I do not intend to rehash them. I shall refer only to the one that I regard as the most relevant and important and highlight a couple of

concerns. An important factor to note is that under the current law in this State prostitution is not regulated. Presently, 75 per cent of prostitution is in the form of escort agency work, and that is not illegal in South Australia; it is not covered by our prostitution laws. We have heard that the police find the present law grossly inadequate. In addition, in its February 1995 report into prostitution, the Police Force advocates legislative change in this area. Advocating a need for change also is the Adelaide Archdiocese of the Catholic Church, the Uniting Church and various AIDS organisations, amongst others.

The view that regulation is the most appropriate course for Governments in dealing with prostitution is echoed by the Catholic Church in the Medical-Moral Committee Report circulated by Archbishop Faulkner. Its view is that regulation is necessary. In making a case for decriminalisation it states:

> The law would thus no longer victimise the prostitute as at present. It would also remove a double standard in the way law enforcement has dealt with the prostitute-user relationship, often penalising the prostitute and ignoring the user.

As a Christian and as someone who believes in the importance of equality before the law, for me, the last point is particularly relevant.

A number of my constituents who have contacted me regarding this issue have raised the link with organised crime as being particularly important to deal with. The Bill is modelled, as we know, more on the ACT rather than the Victorian example and revolves around the registration of brothels and escort agencies rather than the licensing situation in Victoria or the 1991 South Australian Gilfillan Bill on prostitution. Licensing of selected brothels in Victoria, like the total prohibition situation in South Australia, has inhibited control of criminal activity that surrounds prostitution as it has gone underground—at least according to the police who have to manage the problem. The view that they express is that regulation aimed at all prostitution will aid in that control by removing some of the opportunities for criminal activity and corruption. As someone who has lived in Queensland and been aware of the corruption and criminal activity that surrounds prostitution in that State, I cannot but agree with the conclusion of the Fitzgerald royal commission that regulation and control is preferable to prohibition in order to reduce exploitation of women and for the overall benefit of the community.

Another issue raised by some constituents in my electorate has been raised in this House before and that is the public nuisance factor. This is an issue of concern to me. In this Bill there is not, in my view, enough to guarantee against this problem. The Bill does, however, continue to view soliciting for sex in a public place as illegal and, in fact, increases the penalty for this by four times. Penalties relating to child involvement are also stiffer under the Brindal Bill.

My duty as a member of Parliament is to consider this legislation in the light of its effect on the whole community. For the reasons I have given today, I believe that prostitution should be regulated and controlled. I support the second reading of the Bill. However, whether I support the Bill in its final stages will depend on the way in which what I regard as the Bill's lack of measures concerning public nuisance factors, advertising and zoning regulations are addressed.

Mr ROSSI (Lee): I totally oppose the Bill in any form. I have had discussions with constituents in my electorate and, although they are a bit ambiguous about what prostitution is, they said that they believe that the Federal Government in giving child endowment to parents of bastard children is aiding prostitution.

An honourable member interjecting:

The SPEAKER: Order!

Mr ROSSI: A letter that I have received from a group states (and it mentions my name but I will replace that with 'the member for Lee'):

> My concern is with the number of children running around the electorate of Lee unsupervised and out of control. These children come largely from single parent families where there is only a mother in the house to provide supervision and no father to provide back-up support. In the old days, children born out of wedlock were called either illegitimate or a bastard child.
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> This had the effect of a woman of child bearing age thinking twice before putting herself into a position of possibly conceiving a child out of wedlock. This had the effect of ensuring that nearly all of the children born into the world had the best that a mother and a father living together could give. With a father in the house, the child learns the love, respect and discipline that only a man in the house can give. This is the environment that produces our healthiest children.
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> There is a big concern in the electorate of Lee at the number of unsupervised children, destructive children, children who go on vandalism ego trips, children who think nothing of defacing or destroying property that belongs to others. A lot of these children, I have learnt, have been growing up in homes where there is no father. There is no man in the house to neutralise a growing child's frustration and anger as they try to come to terms with their day-to-day problems.

So it goes on. Although I do not totally agree with this letter, I understand that there is a very fine line between prostitution for money and people living in a *de facto* relationship with many partners. Only a couple of weeks ago, I had an interview with a prostitute who told me that, no matter how safe prostitution is and no matter whether condoms are used for protection, at least four diseases can be transmitted with or without protection. It was also pointed out to me that, with legalised prostitution in Victoria, the crime rate has increased, as has the incidence of exchanging drugs, and it provides no reason for police to enter homes where prostitution takes place and control other illegal activities. I have had many letters from different constituents for and against prostitution, but the majority of people who have written to me are opposed to it. One letter states:

> To condone it is to encourage it. To encourage it is to proliferate it. And to proliferate it is to generate disease, drug dealing and all the other evils already present in the sex industry.

Another letter states:

> We know that prostitution has always encouraged the operations of 'pimps' who cruelly treat prostitutes and, as a result, prostitutes are unable to report any breaches of the law. It is virtually impossible for laws in this regard to be upheld. The South Australian Government does not need to cause further degradation in its community life by legalising prostitution, which has shown itself to be an uncontrollable problem in other States, including the ACT and the Northern Territory.

A further letter states:

> It indicates our special concern for individuals who, for a variety or reasons, are forced into prostituting themselves. They end up being used and abused by others who profit from their activity. The need for suitable options to enable persons to leave prostitution must be considered by good legislation. It attacks the dignity of the human being and reduces the prostitute and his or her body to the status of a thing to be used impersonally for gratification by another.

Another letter states:

> The Bill would be making something that is vile seem more respectable, and the Government would be officially condoning adultery, while at the same time eroding the sanctity of marriage, which is the only secure foundation for the upbringing of this State's children. We need only to look at the results in Sweden, where there have been legal brothels for years—women have suffered greater

victimisation than before. A Government commission in Sweden has now recommended that prostitution be made a criminal offence again.

I understand that in England some 100 years ago prostitution was encouraged to gratify male sailors. Of course, since that time it again has been made illegal in that country. Australians believe that we must learn by the experiences of others and we must acknowledge the hardships faced by women. Prostitution has been with us for centuries, but so has killing and stealing. We do not legalise those activities, nor should we legalise prostitution.

Ms HURLEY (Napier): I rise briefly to indicate my feelings on this issue. I believe that most women would be happy to see the practice of prostitution abolished, having regard to not only the practice itself but also the reported conditions under which many prostitutes work. The member for Mitchell alluded to this in relation to the Women in Politics Conference where there was overwhelming support to see the practice abolished. However, there has been a very long history of punitive treatment of prostitution, and overwhelmingly that punishment falls heavily on women involved in prostitution rather than on their clients. Most women would see the unfairness and injustice of this and would like to see that condition changed. There is no reason why the women who practise prostitution should be held in any more disregard or lack of esteem than on their clients; yet it is the women who have been pursued and prosecuted by police, who have had to endure sanctions by society, who have had a difficult time within their own profession in terms of health conditions and also running the risk of being beaten and punished and who often have been at the mercy of police.

So, while I do not encourage or condone what has happened in prostitution in any respect, I put on record that I believe that in some way prostitution should be decriminalised, so that women, who make up only half of the people indulging in this practice, are no longer unfairly punished in respect of it. Most of the letters I have received on this subject deal with the aspect of not wanting to be seen to encourage or spread the practice of prostitution or to allow it to spread even further to child prostitution. I believe that every member in this House absolutely would agree with that proposition: none of us would want to encourage the spread of prostitution, particularly to young children. I am quite sure that that is not the intent of these Bills, and I think that is absolutely clear.

Their intent is to decriminalise the situation. Subsequent to the introduction of that decriminalisation legislation, another Bill has been introduced that seeks to regulate the practice and I think that, because of their position on prostitution, most members in this House would want to see legislation that ensures that decriminalisation does not encourage the spread of prostitution or make the conditions under which prostitutes practise worse. We would all like to see a situation of control and regulation such that, if prostitution has to occur, the practice is made safer for all concerned. Like the member for Taylor, I am not entirely convinced that the regulations adequately cover the situation. I have had only one complaint in my electorate about the practice of prostitution occurring in a suburban house, and that was quite quickly dealt with—

Mr Atkinson: Under the current law.

Ms HURLEY: Under the current law—exactly. However, I am aware of other prostitution practices occurring in my electorate which in fact are not regulated under the current law, except occasionally by the fact that some of the women get arrested or are beaten up. I want to make absolutely sure that, if the practice of prostitution is decriminalised and I receive complaints concerning prostitutes or brothels operating in my electorate, there is plenty of opportunity to protest about it and to rectify the situation very effectively and quickly so that residents in suburban areas do not have to put up with the more distasteful aspects of the practice of prostitution.

That is very much a critical issue to me, given, first of all, that the decriminalisation of prostitution does not involve any spread of the practice. Basically, I am a little disappointed that the Bill did not come in a more complete form that would have enabled me to wholeheartedly support it. I am very keen to see something happen in this area and would hate to think that, because of a few minor points, this Bill fails and that, once again, after several attempts, people involved in prostitution in this State (whether willingly or unwillingly) see an opportunity for our legislators to improve this situation fail due to lack of careful thought and preparation.

For those people who have written to me from church groups and from the Christian perspective, I repeat that I firmly believe that decriminalising the practice of prostitution does not indicate that anyone in this Parliament expects that it will give a social stamp of correctness to the practice of prostitution—in fact, just the opposite. We want to create legislation to control and regulate prostitution to bring it more out into the open so that the more insidious practices of prostitution are stopped and people who are involved in that practice—as well as their clients—are protected in terms of health and so on. I hope that, at the end of this long process, we will see a change to the way women who have been working in this industry have been treated and vilified as criminals. I hope that will cease and we will get some good legislation out of this process.

Mrs GERAGHTY secured the adjournment of the debate.

NATIONAL PARKS AND WILDLIFE (FARMING OF PROTECTED ANIMALS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 6 July. Page 2751.)

Mrs PENFOLD (Flinders): As I was saying when this Bill was last before the House, an article in the *Advertiser* of 6 June 1995 indicated that the population of kangaroos in the wild can vary from 800 000 to 3 million, depending on seasonal conditions. Therefore, they are the ultimate animal to farm in our fragile erosion prone soils in drought prone regions such as Upper Eyre Peninsula. This week I have been contacted by local business people who have been operating in Adelaide for many years and who are now negotiating to take a trial shipment of wallabies from Kangaroo Island. These wallabies will be taken on a keep-and-kill permit from one of the local farmers. They will be taken as part of a culling program for wallabies. Previously, their carcasses were just left to rot. As I mentioned previously, there are possibly 30 000 of these wallabies being killed on Kangaroo Island now. This farmer hopes to undertake farming of the wallabies when the Bill is passed.

On the mainland few wallabies are left in the wild. However, with the passing of this Bill there will be an incentive to re-establish wallabies and kangaroos behind fences, thereby enabling an assessment to be made as to

whether they could be a viable alternative to cloven-hoofed animals in some of our farming regions. I believe that in future we will see many more of our native animals in farming areas once they are given a value. It makes sense to explore the possibilities that these native animals have, and to do this we need to change the Act to allow the appropriate studies to be undertaken. I support the Bill.

Ms HURLEY (Napier): It is probably more an accident of history and due to the way Australia was colonised that our native animals have not been farmed more extensively. In some ways that is fortunate, and because of that we are probably slightly more environmentally sensitive to the nature of the species and the effect of farming on the surrounding environment. However, I think that it is now appropriate that more work be done in this area.

Generally speaking, I believe that the Opposition would support such moves if they are taken with due caution and care. I signal that we may look at this further in the Committee stage of the Bill and that we will possibly move some amendments: but, generally speaking, we are in favour of the provisions of the Bill and would like to see a move forward, particularly in South Australia, so that we can lead the way with regard to the farming of native animals with appropriate environmental cautions and care to protect the native species as opposed to the domesticated and farm species.

Mr MEIER secured the adjournment of the debate.

LOCAL GOVERNMENT (CLOSURE OF ROADS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 1 June. Page 2464.)

Mr BASS (Florey): I point out to the House that I make this speech on behalf of the Minister for Housing, Urban Development and Local Government Relations. The Government is opposed to the Bill which was introduced by the member for Spence to amend section 359 of the Local Government Act. The Minister would remind members that section 359, which has been in operation since 1986, enables a council, by resolution, to exclude all vehicles or vehicles of a particular class from a particular street, road or public place or part of a particular street, road or public place. There is also power to revoke or vary a resolution made under this section. Councils' exercise of power under section 359 has generally entailed the closure of roads for traffic management purposes. As such, the Minister has raised the matter with the Minister for Transport, and they are both of the view that section 359 should be considered—

Mr Atkinson interjecting:

The DEPUTY SPEAKER: Order! The member for Spence will have the right to reply.

Mr BASS: —in the light of provisions relevant to road closures for road traffic management purposes contained in the Road Traffic Act. For example, section 17 of the Act approves the installation, maintenance, operation, alteration or removal of traffic control devices. In the case of a road closure, the approval applies only to the physical devices that affect the closure, while it is the council that legally closes the road.

It is apparent that not only the traffic control devices but also the road closures for traffic management purposes would relate more sensibly to the Road Traffic Act. Accordingly, both the Minister for Transport and the Minister for Housing, Urban Development and Local Government Relations consider that action should be instigated to review the provisions under section 359 of the Local Government Act with a view to the relocation of the appropriate provisions in the Road Traffic Act and possibly to integrate these provisions into section 33 of the Act and section 59 of the Summary Offences Act, which also empowers road closures.

Mr Atkinson: Why haven't you done it? This does it.

Mr BASS: This review will enable the concerns of the member for Spence, if he listens, to be examined, particularly in regard to the issue of public notice where long-term vehicle exclusion is contemplated and to the need for dispute resolution procedures where other councils are affected. The rationalisation of provisions for temporary road closures for road traffic management purposes would leave the provisions for permanent road closures under the Roads (Opening and Closing) Act, which requires the approval of the Minister for the Environment and Natural Resources for such closures.

With regard to specific issues, the Bill inserts new subsections (2a) and (2b) in section 359. These provisions would require advanced consultation by a council proposing to wholly or partially close a prescribed street, road or public place to all vehicles or a class of vehicles for a continuous period of six months or for periods that, in aggregate, exceed six months in any 12 month period. By definition in the Bill, 'prescribed street, road or public place' means a street, road or public place that runs into or along the boundary of the area of a council other than the council proposing the closure. It is explained in the Bill that this consultation process will involve members of the public, two and possibly more councils, and two Ministers, and thus it is noticeably restrictive. In addition, the definition of a prescribed street, road or public place is deficient in that it could apply to the closure of part of a road extending from near a council boundary to well into a council area.

A further problem arises with regard to clause 3 of the Bill which would give the substance of the Bill retroactive effect, and it is clearly intended that it would apply to that part of Barton Terrace, North Adelaide, which is closed to all traffic other than TransAdelaide buses. In view of the lapse in time since the closure was physically put into place by the Adelaide City Council in 1987, and the general unpopularity of retroactive legislation, the Government is opposed to this provision. The Local Government Association has referred the Bill to the LGA Parking Regulations Committee for advice prior to determining a response, but it is clear that clause 3 would be strongly opposed by any council which may have closed part of a boundary-type road to classes of vehicles pursuant to section 359.

The member for Spence has referred to plans by the Adelaide City Council to close War Memorial Drive. I am advised that, on 30 January 1995, the Adelaide City Council resolved that no further action be taken to close War Memorial Drive between Montefiore Road and Barton Terrace, but that appropriate signage be erected on Montefiore Road at its intersection with War Memorial Drive to indicate an alternative access to the ring route to the north-western suburbs.

On 21 June 1995, the Department of Transport and the Local Government Traffic Liaison Committee discussed the Bill and indicated that it was not supported for one or other of the above reasons. This committee, which advises the Minister for Transport, the LGA and the Department of Transport, oversees the development of a code of practice for

the use, design and installation of traffic control devices. The code of practice enables councils to install traffic control devices under general approvals granted by the Minister for Transport pursuant to section 12 of the Road Traffic Act. The committee considers that street or road closures should not necessarily require formal public consultation where there is an agreement between affected councils.

In summary, while the Bill addresses some of the problems associated with section 359 of the Local Government Act, it does not deal with the wider issue of road closures generally. It would not result in the rationalisation and streamlining of provisions in this area, and it would create a restrictive and administratively inefficient system. For these reasons, the Government opposes the Bill.

Mr ATKINSON (Spence): Today, the Liberal Party, each of its 36 members, has reached into the wallets of motorists and cyclists from the western suburbs and tried to pull out $114. The opposition to this Bill is no more than official Liberal Party policy to keep Barton Road closed and to keep it closed in perpetuity. The people who have closed Barton Road are Liberal Party donors and Liberal Party members. The Liberal Government's opposition to the reopening of Barton Road could not be clearer. What I have introduced to the House is a Bill that would deal not just with Barton Road but also with all similar road closures whereby small councils such as the town of Thebarton and the City of Adelaide attempt to deny access to their municipality to other much more populous councils.

Let us make no mistake about it. The Liberal Party is a Party of snobs. It is the Party that represents the millionaires in Hill Street and Barton Terrace West who are seeking to keep the people of Hindmarsh, Bowden, Ovingham, Brompton, Croydon and West Croydon out of North Adelaide. This opposition to the Bill is grotesque snobbery and it is done at the behest of large Liberal Party donors. The opposition to this Bill is a slap in the face for people who live in the western suburbs.

Mr Leggett interjecting:

Mr ATKINSON: The member for Hanson interjects and indicates that he will be opposing the reopening of Barton Road. This is going to a division and the names are going on the record. The member for Hanson, the member for Peake and the member for Lee—all their names will go down on the parliamentary record as opposing the reopening of Barton Road. I know that all those members have received representations from their constituents heavily in favour of reopening the road. In fact, I am so bold as to say that they have received not one representation in favour of keeping Barton Road, North Adelaide, closed—not one representation have they received. But today they will betray their constituents by voting for Liberal Party policy, and that policy is the permanent closure of Barton Road and the fining of $114 of all western suburbs motorists who use the road.

This move by the Liberal Party is also sectarian in its intention because it discriminates particularly against people who want to use the facilities of the Catholic church in western North Adelaide. It discriminates against people who use St Dominic's Priory School and it discriminates against people who use Calvary Hospital and the Mary Potter Hospice. Low weight babies born gravely ill at Calvary Hospital need to be rushed from that hospital to the Queen Elizabeth Hospital for superior treatment, and the Liberal Party seeks to block them at Barton Road and send them around the long way, putting their lives in jeopardy.

This opposition to the Bill by the Liberal Party was originated by the Minister for Health, the member for Adelaide, who, for his own financial interest, arranged to have this road closed. He put his name down on a petition to close this road back in 1987.

The Hon. W.A. MATTHEW: On a point of order, Mr Speaker—

The SPEAKER: Order! Before the Minister raises his point of order, I remind the member for Spence that the attribution of improper motives to any colleague on either side of the House is quite gross. I ask the honourable member to withdraw the inference that the Minister was involved for financial—

Mr ATKINSON: Sir, the member for Adelaide placed his name on a petition and lobbied for the closure of Barton Road. That is a matter of public record.

The SPEAKER: Order! The honourable member will resume his seat. I am not asking for an explanation. I simply judge that the allegations were quite improper and, therefore, they must be withdrawn.

Mr ATKINSON: Sir, what allegation was that?

The SPEAKER: The allegation that the Minister was financially involved, or involved for his own financial benefit—

Mr ATKINSON: Sir, I am not sure whether you are aware that the Minister lives near the closure of Barton Road and he signed a petition—

Members interjecting:

The SPEAKER: Order! The allegation is improper, irrespective of what the honourable member may say. I ask him to withdraw it.

Mr ATKINSON: Because you insist that I withdraw it, I will comply. In the words of the Premier, 'I am willing to withdraw'—

The SPEAKER: Order! Unconditionally.

Mr ATKINSON: No, I have used the terms of the Premier when he withdrew yesterday, that is, I am willing to withdraw—

The SPEAKER: Order! The honourable member's time has expired. I thank him for concurring with the wishes of the Chair.

The House divided on the second reading:

AYES (11)

Atkinson, M. J. (teller)	Blevins, F. T.
Clarke, R. D.	De Laine, M. R.
Foley, K. O.	Geraghty, R. K.
Hurley, A. K.	Quirke, J. A.
Rann, M. D.	Stevens, L.
White, P. L.	

NOES (27)

Allison, H.	Andrew, K. A.
Armitage, M. H.	Ashenden, E. S.
Baker, D. S.	Baker, S. J.
Bass, R. P. (teller)	Becker, H.
Brindal, M. K.	Brokenshire, R. L.
Buckby, M. R.	Caudell, C. J.
Evans, I. F.	Greig, J. M.
Hall, J. L.	Ingerson, G. A.
Kerin, R. G.	Kotz, D. C.
Leggett, S. R.	Lewis, I. P.
Matthew, W. A.	Meier, E. J.
Oswald, J. K. G.	Penfold, E. M.
Scalzi, G.	Such, R. B.
Venning, I. H.	

Majority of 16 for the Noes.
Second reading thus negatived.

SELECT COMMITTEE ON ORGANS FOR TRANSPLANTATION

Adjourned debate on motion of Hon. M.H. Armitage:

That the interim report of the committee be noted.

(Continued from 8 June. Page 2624.)

The Hon. FRANK BLEVINS (Giles): I wish to speak to the motion briefly. I begin by congratulating the Minister for Health for his initiative in this area and for demonstrating his deep concern and the deep concern of all people involved in the health industry and most people in the community. It is a graphic coincidence that, on the front page of today's *Advertiser*, there is a story about a young woman who unfortunately died as the result of an asthma attack. Although that is tragic, her parents were very pleased that her liver, heart and kidneys had been donated and that, while it is tragic that she died, four other people have been able to live. It is quite a coincidence that that story is on the front page of the *Advertiser* on the day that we are debating this motion.

The select committee was extremely successful. Everyone on the committee had a deep interest in the topic and they all conducted themselves very well. The evidence was tremendously varied. I must admit that I was a little disappointed in some of it particularly in relation to where the report states that, if we had an opting out system rather than an opting in system, it is likely that the medical profession would not cooperate with the new procedures.

I found it very disappointing and disturbing that the medical profession would not, as they stated anyway, comply with the procedures and that if this legislation was brought in they would, in effect, see it fail. That did not bring any credit to those members of the medical profession who expressed that point of view. I am disappointed that we do not have an opt out system, which would have ensured that more people would live and fewer useful organs would be burned or buried. I can see only benefit from such a system. For the life of me I cannot see any disadvantage whatsoever to a dead person if they are not buried or burned with their organs intact. If there was some disadvantage—however slight—then I could understand the argument. However, I cannot see just where the disadvantage is. In its wisdom, the committee chose to go along the track of improving the present system, and I support that: I support any improvement in the present system.

I believe that what the committee has proposed, and what the Minister and the Health Commission are only too pleased to pick up, ought to improve the position. I say 'ought to' because we do not really know. It ought to; we expect it to; we hope that it does. If it does not, then South Australia, indeed Australia, has to have a look at an opt out system so that people no longer die unnecessarily when organs that would keep them alive are being burned and buried every day.

There was one discordant note to which I wish to refer. I heard a news item from a group of whom I had never heard before called the Transplant Coordinators Association, or some such title. That organisation was, in effect, condemning the select committee report and saying that it would not work, it was no good, etc. I have not heard of these people, and I do not know who they are. However, if they follow the debate, I want to say to them that they have a hide to be condemning something that is designed to increase the number of organs available for donation. I really think they have a cheek.

I do not even think that the proposal by the select committee will in any way diminish their role, but it struck me from the attitude of the person who was speaking for them that at least they thought it would diminish their role, and they did not like it. We all have roles in life from time to time that are superseded either by other ways of doing things or by other people. It is called progress, and it is a pity that these people did not recognise that fact.

In conclusion, I congratulate the Minister and everybody who was on the select committee. I particularly congratulate the staff of the select committee—they were absolutely exceptional. We are very fortunate to have assisting this select committee a person from the Health Commission. The amount of work done by that person for the select committee and the interest she displayed in the topic was outstanding. I wish the proposal well. I wish the Minister well in his efforts to increase the number of organs for transplantation, and I hope that in some small way I have been able to assist.

Ms GREIG (Reynell): I wish to join with the Minister and other members of the committee in commending the select committee's report to the House. In doing so, I would also like to express my condolences to the family of Sarah Laslett, and I thank Sarah and her family for the precious gifts left to members of the community in need of transplants. Sarah's final gift was to give life to four other Australians and give hope to thousands of others by deciding on the course of action that was taken. As a committee, we have spent a considerable amount of time visiting our transplant units and interviewing numerous people involved as specialists in the field, recipients, donor families and others with an interest in this area.

I will be the first to admit that this exercise has not been an easy one, and at times it became quite emotional. We had a number of moral and social issues to address, and at the same time we have had to acknowledge and respect the cultural and religious diversity within the community. We accept the fact that the current organ donor rate in South Australia, whilst above the Australian average, is capable of improvement. We looked at various methods of increasing the number of organs donated: incentives such as financial reimbursement—for example, reimbursement for funeral expenses, a donation to a charity of the donor family's choice or even a cash donation. One very clear feeling that came out of this discussion was that donating organs could not have a price attached. How do you value the gift of life? And this is what organ donation is: it is all about the most precious gift you can give, a second chance at life, at sight or even at a better quality of life.

Organ transplantation depends on the availability of viable organs, and these can come only from two sources: the living and those who have recently died. In Australia, we need to know the wish of the dying patient prior to that person's death and/or the wish of relatives prior to transplantation proceeding. The issues surrounding organ procurement are often difficult, complex and in some circumstances contentious. Listening to the evidence, we were witness to some grave difficulties experienced interstate. We heard from grieving families who had lost a child whilst awaiting a suitable transplant donor, and we had also heard of the success and the delight of those who have managed to get a second chance at life.

Transplantation began in animals in the early part of this century, but it was not until 1956 that an identical twin kidney transplant was successfully performed. The first cadaver transplant followed in 1962, using the new immuno-suppressive drug azathioprine. The first successful Australian kidney transplant occurred in 1965—the same year that the first successful liver transplant was performed in the USA. Heart transplantation followed in 1968. Techniques used in the 1960s continued to be applied through the decade, and it was not until the early 1980s that success rates began to improve. Today, heart, liver, cornea, skin, pancreas, lung, kidney, small bowel and bone transplants are all regularly performed. The most frequently performed transplant operation is kidney transplantation, with approximately 25 000 being done world wide per year, of which 400 are in Australia.

Organ shortage remains a major problem in organ transplantation throughout most of the western world. During our committee deliberations, we were informed of the dramatic fall in organ procurement rates in 1994 in some European countries and of the efforts made by numerous people to try to solve a problem that many in the field say is solvable. We learnt that Austria and Belgium, together with Spain, rank in the top five of all European countries for the number of kidneys procured. A few possible reasons which might explain these differences are: presumed consent versus asking for permission, registration of objectors, public attitude, and awareness among the medical profession. We looked closely at the opting in versus the opting out system and the softer or more acceptable versions of this. We discussed the donor patient's rights over those of relatives, and we have paid close attention to the role of the transplant coordinator, and the duty of care and compassion associated with this position.

Death and dying are issues we as a western culture have had trouble accepting. We really do not know how to cope with the loss of someone close; the shock, the grief and the decisions that have to be made at the time of death are too much for us to manage all at once and, sadly for some, the thought of having something taken from someone you have loved is an issue we refuse to address. However, some people are an exception to the rule. They do cope fairly well and they can permit organ procurement and, therefore, a second chance at life for someone in need. I commend the report and its findings to the House. I would also like to acknowledge the many hours of coordination and organisation given to this committee by the Secretary, Mr Phillip Frensham, our researcher and adviser, Ms Jennifer Allister, for again many hours and a thorough commitment to the report, the staff of *Hansard*, and my fellow colleagues with whom I have enjoyed working.

Mr LEWIS (Ridley): I am delighted with the interim report that has been brought in by the Minister, as Chairman of the committee, and I am optimistic that we will see the final report in the near future. I am interested in the way in which the statistics are compared: the number of people per million who have donated organs or the number of transplants that have occurred rather than a statement of the number of people who have given authority for their organs to be transplanted in the event of their traumatic and untimely death from whatever cause. I would be interested to see those sorts of statistics in the committee's final report. I urge the Minister and the members of the committee (the members for Reynell, Unley, Giles and Spence) to address that aspect. Rather than express people's participation in the program as a number per million, it should be expressed in terms of the number of people who have already said they are willing to be organ donors.

It is difficult to believe that in South Australia only 15.7 people per million offer their organs for donation. I am quite sure that more than 15 people in this Parliament have indicated their willingness to donate their organs. Equally, that statistic would mean that in South Australia only 24 or 25 people at the most have offered to donate their organs. A better statistic to draw to the attention of the public for comparison purposes would be the number of people who have already indicated their willingness to participate as a prospective donor.

The other aspect of the committee's work which I note has not as yet been addressed—if it has been, it has not been included either in the interim report or in the remarks that have been made thus far—is that aspect to which I drew attention at the time of the debate and which other members saw fit to support as an amendment—it really was an addition to the terms of reference—and that was that the committee should look at the cultural and religious implications of existing practices and the implications of any suggested changes that might occur to ensure that we do not cause offence to anyone whether it be a prospective donor or a needy recipient.

Regardless of how we may view the sensitivities and beliefs of others, in a multicultural society such as ours, in my judgment, especially as members of Parliament, we are duty bound to respect those views and beliefs, particularly in respect of something as intimate and personal as the donation of organs or the benefit that is derived from receiving those organs. At the time I put that proposition to the House I said that I did not want to see any person or group publicly singled out for what might become an unfortunate comparison of their views with what appear to be the mainstream views of society. I know that the committee is capable of applying that measure of sensitivity in making its inquiries. I recommend strongly to the committee that, if it has not yet had the opportunity of taking evidence on those matters, it proselytise that point so that it does not cause offence and that it seek submissions from groups of people who may have sensitivities relevant to those matters.

I will be interested to see what the committee recommends in the final report under paragraph (d) of the reference, namely, any legislative implications. The committee has a wide ranging role and a wide ranging reference from the House to examine all these matters. I trust that it will take the trouble to discover any and everything that it may be necessary for us eventually to bring to account in determining the framework of the law. I do not have any doubt at all that this House will rapidly pass any legislation recommended by the committee if it gives that sensitive consideration to the subject matter and is able to demonstrate to us in the final report that it has done so, because that will enable us as members of this place to reassure any members of the general public who have these sensitivities that the committee has done its work well and that we are well advised to adopt its recommendations.

Motion carried.

ELECTORAL (POLITICAL CONTRIBUTIONS AND ELECTORAL EXPENDITURE) BILL

Adjourned debate on second reading.

(Continued from 8 June. Page 2625.)

The Hon. S.J. BAKER (Deputy Premier): The Government would like to congratulate the Leader of the Opposition on introducing this Bill, which basically is consistent with the undertakings that were previously made in this Parliament. Obviously, we will make a number of amendments to the Bill, because I do not feel that the Leader of the Opposition would wish our legislation to be out of kilter with the Federal legislation and create further anomalies than those which already exist. I am sure that the Leader of the Opposition would wish the Bill to be amended to make it consistent with the Federal legislation so that we do not have to have different compliance records kept for different jurisdictions. That matter has been previously alluded to in questions in this House regarding political donations. So, it is accepted that the system should be reasonably consistent. We do not intend to walk away from that; in fact, we gave an undertaking to that effect at the time. The interesting thing is that this Bill does not exist to improve the system but for political reasons. The political reasons go something like, 'Let's put a hook—

Mr Foley interjecting:

The Hon. S.J. BAKER: That is right, Catch Tim. I was referring to the political reasons involved: 'Let's put a hook into the Liberal Party', is the catch cry of the Leader of the Opposition. What he fails to reveal in all the interviews he has had on this topic and the material that he has provided is that the Liberal Party has complied in every respect with both State and Federal electoral requirements.

Mr Clarke interjecting:

The Hon. S.J. BAKER: Do not talk to me about spirit. The Deputy Leader should know a whole lot better than that. We have complied absolutely with the letter of the law. In fact, the Federal Electoral Commission congratulated us on the quality of our records and the quality of our response. So, we are absolutely blameless—we have met our responsibility to the letter of the law. That should give great comfort to everyone concerned. That is unlike the Labor Party, which failed to put in its returns and reveal all its contributions.

Mr Clarke interjecting:

The Hon. S.J. BAKER: That was previously. I understand that the latest return gets up to the mark, but some of the previous returns did not quite reach the standard. It may well be that slack accounting is the best construction you can put on the Labor Party's lack of diligence. The Leader of the Opposition does want to make the system more accountable, and so does the Liberal Government. We think that this is an appropriate opportunity to get some more democratic processes in place in areas where they do not exist today.

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

A quorum having been formed:

The Hon. S.J. BAKER: I congratulate the Leader of the Opposition for wanting to come before this Parliament and repair some of the obvious anomalies and inequities that have existed in the past. I know that he will join with the Liberal Government to ensure that there is some significant repair work in relation to the union movement and its connection with the ALP. So I welcome the initiative taken by the Leader of the Opposition, and I am sure that all members of the union movement also will welcome it because we would—

Mr Clarke interjecting:

The Hon. S.J. BAKER: If the Deputy Leader can contain himself, I will outline to the House exactly what sort of amendments will be moved in this Bill. Of course, over the break—

The Hon. Frank Blevins interjecting:

The Hon. S.J. BAKER: If the member for Giles will keep quiet and if representatives of the *Advertiser* listen to the argument, they will hear exactly what changes we anticipate, and I am sure we will have the full support of the Leader of the Opposition. I am sure he will be able to go to Trades Hall tomorrow and say,'We are fixing up these anachronisms' and everyone will cheer. There is a huge anomaly whereby, if a person wants to become a member of the Liberal Party or the Democrats, they fill out a form and pay a fee. That also prevails in the Labor Party except that there is an affiliation fee which is paid irrespective of whether or not that is what you want—you do not have a choice. I would imagine that if you—

Members interjecting:

The SPEAKER: Order!

The Hon. S.J. BAKER: You can understand their becoming distressed, Sir. I have a feeling that members opposite will not support the amendments. We are talking about democracy here; we are talking about the right of a person to choose to whom they donate. I am not talking about the union organisation itself or a company providing a political donation. Let us get it right. I am not talking about BHP, the National Bank or any other organisation having the right to say, 'We would like to donate a certain amount of money.' Unlike the Labor Party, the Liberal Party does not attach strings. We say that it does not buy political power, but of course that is different from the way in which the Labor Party operates.

Let us be quite clear: we are talking about the distinction whereby the UTLC or the union movement buys power within the ALP. First, that is a denial of democratic right because a person does not have the right to say 'Yes' or 'No' to that affiliation. Secondly, it is a corruption of the system because it is a device to buy power in the system, unlike donations that are given to the Liberal Party. It is a corruption of the system, and that is how the union movement has such a large say in the selection of parliamentary candidates. This pay-back system that relates to the ALP is the reason why we have not had reform in industrial relations in this country and why this country has gone backwards over the past 30 years.

The affiliation fee buys power—it buys power within the Labor Party and it buys power within the union movement. That is what we are talking about. We are not talking about a donation by a union to, for example, the member for Spence, who did very well out of the SDA at the last election.

Mr Atkinson: And the one before.

The Hon. S.J. BAKER: And the one before. There may have to be better declaration of that but, in any event, we are not talking about that particular donation. That is the union's right; the executive will make up its mind. I am not going to ask every member of the union to decide whether that was appropriate, just as I will not ask companies to check with their shareholders to see whether their donations were fully approved.

Members interjecting:

The Hon. S.J. BAKER: No, because as we are well aware—

Members interjecting:

The Hon. S.J. BAKER: I would say that they made a very poor investment if that were the conclusion. We are talking about the traditional relationship—the umbilical cord that attaches the union movement to the ALP—and it is in the

affiliation fee process that a member does not have the right to say, 'I refuse to donate to a Party which I do not support, which I do not like and which I wish to be defeated'. We are talking about the affiliation fee, which does not apply in the other Parties. So, with the full support of members opposite, we will be saying in relation to affiliation fees—and affiliation fees only—that people have the right to choose whether or not they affiliate with the ALP, the Liberal Party, the Democrats or no-one.

An honourable member interjecting:

The Hon. S.J. BAKER: The honourable member says that they can do that now, but that is not quite true.

Mr ATKINSON: Mr Speaker, I rise on a point of order. As I understand it, we are on the second reading of the Bill, yet the Minister is referring to amendments which the Opposition does not have and which can be canvassed only at the Committee stage. Mr Speaker, I ask you to rule on the relevance of the Deputy Premier's contribution. It is a point that you have ruled on in respect of my contributions in the past.

The SPEAKER: I am sure that that ruling was a very good and fair one in relation to the member for Spence. I point out to the Deputy Premier that he can canvass the broad parameters of his amendments but he cannot deal directly with the amendments because they are not currently before the Chair. The Deputy Premier's time has expired.

Mr QUIRKE secured the adjournment of the debate.

VOLUNTARY EUTHANASIA BILL

Adjourned debate on second reading.

(Continued from 8 June. Page 2630.)

Mr KERIN (Frome): This Bill, which has been before us for some time, has been the topic of much correspondence to all members. My opposition to the Bill has become stronger as I have further researched the issue, and some of the more detailed studies have convinced me of the dangers to many South Australians as a result of the legalisation of this practice. It is certainly a difficult and little understood issue. I certainly do not question the sincerity of the motives of the member for Playford or the supporters of the Bill, but I differ greatly in my assessment of the repercussions if the Bill is passed. Before outlining the dangers, I make several points. Several correspondents to me have attacked the arguments so capably put by the member for Hanson on the grounds that they stem from his religious beliefs and not his responsibility to his electors. This response angers me. Whilst political correctness deters attack on racial or sexuality grounds, religious grounds seem fair game for attack and ridicule.

As a Catholic, I am very aware of the views of the Christian churches and the moral and ethical dilemmas that creates in respect of the issue of euthanasia. However, to say that that disqualifies me, the member for Hanson, or others from putting that point of view is unacceptable and a nonsense. This issue is about the sick and the elderly in our society. There is no one group, including ourselves, which does as much for the care of the sick and elderly in society as do the churches. They provide us with many institutions in which the quality of care and the caring is unsurpassed and without which our system of care in this State would absolutely collapse. If that involvement does not entitle the churches to put a point of view strongly, this is not a democracy. The practice of euthanasia has enormous moral and ethical problems, but the danger it holds for the sick and elderly go beyond this. It is a very real danger which should be acknowledged by all, regardless of their religious beliefs.

I would also like to touch on the issue of the polls as published on the issue of euthanasia. I have been challenged in respect of how I can vote against euthanasia when the polls show that public support is in excess of 70 per cent. I make two points. First, euthanasia is a very complex issue. It is not like asking people whether they favour daylight saving or whether they will barrack for Port Adelaide or the Crows. If a poll were held on how many people understand the euthanasia issue, the answer would be less than 10 per cent. Therefore, how much credence can be placed on the result of a poll when the vast majority have no real understanding of the issues on which they are questioned?

Secondly, the argument about following public opinion on this issue should relate back to a member's electorate. The vast majority of people who sit down and put pen to paper have a real interest and reasonable understanding of the issue they raise with you. Like all members, I have received stacks of letters. In my electorate of Frome I have received 64 letters against the Bill and only three in favour of it. That represents 72 signatures against the Bill and only four for it. In addition, amongst the thousands of petition signatures I have presented opposing this Bill, in the region of 700 have been from my electorate. I have received no petition in favour of the Bill. Therefore, the challenge to vote with the polls and the wishes of my electorate has left me very comfortable with my decision to oppose the Bill.

Support for this Bill has been promoted with some sad stories of people's painful deaths. This is difficult for all involved, and I can certainly understand and sympathise with their feelings. However, surely this highlights other needs in our present system. The Consent to Medical Treatment and Palliative Care Bill has largely addressed these problems, but they need to be fully addressed in respect of the treatment of pain. All members would have received letters from doctors who share this concern but who also point out the rapid improvements in respect of pain management. We all identify with the cruelty of long, painful illness, but I contend that better management of pain and the aim of better quality and quantity of life is the answer we should strive for. Personally, I feel that the legalisation of euthanasia as an alternative is a bit of a cop out and an easy alternative.

We in this State and country claim to be the guardians of human rights. Surely the right to life is the most fundamental of those rights, and any effort to shorten life is not only questionable but contrary to that right and our responsibility to guard it. I also question whether we, as the custodians of the laws in this State, have the mandate to make a decision which would result in the taking of an innocent life. To me, it is highly ironic that it was the Northern Territory Government that was the trailblazer by legalising euthanasia. The irony is that a Parliament which has such limited resources has taken this step when some of the world's best resourced Parliaments have given the issue much greater attention and identified the dangers of legalisation. Notable amongst these are committees of the Canadian Senate, the British House of Lords and the New York State Task Force on Life and the Law.

In my research on this topic I was perhaps most impressed with the May 1994 report of the New York State Task Force on Life and the Law. This task force consisted of 24 people, each eminent in their profession, and representing a very wide

cross-section of the community. It was also very well staffed and had the services of highly qualified consultants. I suggest that this is a far cry from the process in the Northern Territory where the decision was left to people whose qualifications were purely political; and here, where the decision is to be made on the vote of the House, the only assistance has come from lobbying efforts and any research a member may have had the time to do. Given the lack of resources put into this debate, I refer to several passages from the May 1994 report of the New York State Task Force on Life and the Law. Its executive summary states:

> After lengthy deliberations, the task force unanimously concluded that the dangers of such a dramatic change in public policy would far outweigh any possible benefits. . . The risks would be most severe for those who are elderly, poor, socially disadvantaged, or without access to good medical care. . . As a society, we can do far more to benefit these patients by improving pain relief and palliative care than by changing the law to make it easier to commit suicide or to obtain a lethal injection.

The task force's recommendations further state:

> The members of the task force hold different views about the ethical acceptability of assisted suicide and euthanasia. Despite these differences, the task force members unanimously recommend that existing law should not be changed to permit these practices.

In relation to the social risk of legalisation it continues:

> The task force members unanimously concluded that legalising assisted suicide and euthanasia would pose profound risks to many patients. . . No matter how carefully any guidelines are framed, assisted suicide and euthanasia will be practised through the prism of social inequality and bias. . . The practices will pose the greatest risks to those who are poor, elderly, members of a minority group, or without access to good medical care.

It continues:

> In debating public policies, our society often focuses on dramatic individual cases. With assisted suicide and euthanasia, this approach obscures the impact of what it would mean for the State to sanction assisted suicide or direct killing under the auspices of the medical community.

Whilst acknowledging that New York State is far away, I would argue that the findings of this task force are extremely relevant to our situation in South Australia and, in the absence of as detailed a study in Australia, members should read and take note of the findings of this task force. As members of the South Australian Parliament, we have a responsibility to the people of this State. Sadly, we already see many elderly and dying made to feel that they are a burden on society and their families. To have legalised euthanasia I believe would put incredibly unfair pressure on these people to consider their options at a time when they may feel depressed and a burden. I ask the House: Is it not our duty to protect the sick, elderly and disadvantaged? I have heavily researched this issue, and I ask all members to carefully consider the dangers of this Bill and urge them to oppose the legalisation of euthanasia.

Mrs HALL (Coles): In the long history of this place there have been many debates of substance. Strong opinions have fashioned laws that have shaped our State and community. However, with the benefit of hindsight we can say that those legislators who came before us, no matter how well intentioned, were not always right. Similarly, I expect that those who will stand here in some future time will have no illusions about our infallibility. Writing in the *Australian* several weeks ago, Brian Pollard said:

> Euthanasia is the intentional and direct taking of life for compassionate motives. It is voluntary when a person has requested it, non-voluntary when there has been no such request and assisted suicide when one person provides another with the means of self-killing.

This Bill is about life and death and will, at some time or other, affect all of us. It is a Bill that has aroused the emotions of both proponent and opponent alike. That is only natural, because as surely as we are born we must die. The manner in which we end our lives is of interest to all of us.

While this Bill has been introduced by the member for Playford on the most compassionate of grounds, our hearts cannot rule or heads. It seems to me that this Bill is not about the right to die. Under existing law there are already provisions to safeguard the right of patients to reject unwanted, burdensome and futile treatments. In the case of the terminally ill, this would allow such patients to die peacefully. This Bill is too controversial to produce a consensus on this question.

Many of its proponents will argue on civil liberty grounds that we should have the right to die, but to grant that right would surely pose a restriction on the liberty of attending doctors who have sworn an oath to preserve life. I suggest that only a few of the supporters of this Bill would be willing to perform themselves a life-ending act on a consenting loved one, yet they are asking someone else to do just that.

This Bill attempts to install safeguards against the inevitable abuse that will occur should it pass. But there are safeguards in the Netherlands, too, where it was estimated that in 1990, 1 000 people were killed without their consent. In those circumstances, the older people get, the more they fear someone else making a life or death decision for them when they take ill. But that could not happen here, could it? It has happened already. According to a 1994 survey, South Australian doctors admitted that they had killed patients both with and without consent.

In opposing this Bill I do not wish to ignore the genuine suffering of the terminally ill who may have lost hope, feel as if they have nothing more to offer and regard themselves as a burden on their families. These people need special care from their loved ones and the best possible medical treatment to enable them to die peacefully and with as little pain as possible. I believe that our palliative care, which is the best in Australia, has reached a stage where physical pain can be effectively controlled. The mental anguish may be more difficult to counter, but should any of us be so quick to end a life? Could we ever be 100 per cent certain that someone who had previously consented to euthanasia had not changed their mind? Or could we ever be 100 per cent certain that they would not recover? These are questions that can be answered only by a higher power.

I have had personal experience with the dying. I watched my mother and father die after debilitating illnesses. There are many terminally ill people who might wish death to knock on the door to ease their suffering but would not wish to make an appointment, or worse still, have someone else make it for them, with death. To assist someone to die is not the same thing as to deliberately and intentionally bring about their death.

I have listened to many people talk of their experiences concerning the death of their loved ones: stories of great courage in the face of pain; the fight against death despite that pain; and, in the end, in the patient's own time, the acceptance of death. No-one wants another person to suffer. However, we do have the means to alleviate physical and mental suffering and should apply ourselves assiduously to that task even when the means used to relieve pain may

indirectly shorten life. For the survivors who witnessed it all, it is a sad and often very traumatic—but in the long run, sometimes an inspiring—experience. I doubt that would be the experience for those who witness the deliberate administration of death to a loved one.

All the evidence stacks up against this Bill. The Australian Medical Association opposes it, as do many of the churches and other groups. Many individuals in my electorate have shared with me their reasons for opposing euthanasia. Those reasons are as varied as their backgrounds, and of those who made contact with my office 98 per cent were overwhelmingly opposed to it. We are breaking little new ground in considering this measure to allow euthanasia. Similar reform has been considered and rejected in Great Britain. The New York State Task Force on Life and the Law (which was referred to by my colleague) reported the following:

> Respect for individual choice and self-determination has served as a touchstone for public policies about medical decisions over the past two decades. Designed to promote these values, legal reform has wrought many gains, including clear recognition of a right to refuse life-sustaining measures. Social and clinical practices have changed more slowly, often leaving patients and those close to them without a sense of control over the course of treatment.
>
> As a result, the public's fear of painful death, prolonged by medical advances, has not abated. This growing public concern about the control at life's end and the emphasis on individual self-determination have brought us to a new crossroad in the realm of medical practice and ethics. For the first time in the United States assisted suicide and euthanasia are issues of serious and widespread public consideration. . .

They concluded with this quote:

> The members of the task force hold different views about the ethical acceptability of assisted suicide and euthanasia. Despite these differences, the task force members unanimously recommend that existing law should not be changed to permit these practices. . .

That comes from a team appointed by a very liberal governor in the most liberal state of the Union. Recently the Canadians found that 'assisted suicide and euthanasia should not be legalised'. I do not know Brian Pollard: I do not know his politics or his stance on any other issue. He is, according to the *Australian*, a retired anaesthetist and palliative care specialist. He wrote:

> The justifications advanced for euthanasia are the need to control suffering, respect for the right to make free and competent choices and a responsible use of increasingly costly and scarce health resources. Only grudgingly, if at all, do the supporters of euthanasia acknowledge any difficulties in its implementation and, even then, they imply that these can be controlled by regulation. Every objective analysis, of which I am aware, of the broad range of issues involved has concluded that the inherent risks of abuse are such that, whatever one's personal views on euthanasia, its legalisation would be dangerous public policy. . .

It has been said that our society is judged by how we take care of our young and aged. Governments of every persuasion have sought to improve conditions for our most vulnerable. The Consent to Medical Treatment and Palliative Care Act passed recently by this Parliament, combined with dramatic advances in pain control and access to new drugs, will certainly ensure that the end comes more peacefully for most.

We know that a number of doctors practice euthanasia to some degree or other. Recent public statements confirm this. Community attitudes through opinion polls display increasing support for euthanasia. This support is based on compassion for those who are terminally ill and for those caring for them. Clearly action against doctors who practice euthanasia would sometimes be difficult and not supported by public opinion. But emotional caring cannot be compartmentalised within the finite bounds of legislation.

What can its limits be? When and how can a successful judgment be made as to whether a doctor has crossed those limits? Will it encourage some doctors into action which would offend the community's definition of 'public morality'? Remember, when we run the law around this question of finite boundaries, we open up a lawyers' paradise of litigation. This is a Bill that would have unknown consequences should it became law. It attempts to grant dubious liberty and infringes on the definite liberty of others. I cannot support the Bill.

Mr ANDREW (Chaffey): I strongly oppose this Bill. I oppose it on the basis of a number of philosophies and principles, which I will come to shortly. However, from the outset, I indicate that my opposition to the Bill is entirely consistent with the vast majority of the representations that have been made to me by my constituents in the electorate of Chaffey. As members would be well aware, this issue has evoked a great deal of compassion and concern, and I have to say that it has generated more letters, telephone calls and petitions to my office than any other issue. More than 90 per cent of my electors are against the principle of euthanasia. I acknowledge that I have also received a range of other particularly strong representations, and they have been on a Statewide basis. A concerted campaign has been run by various groups, for example, the Voluntary Euthanasia Society Incorporated. Notwithstanding that statewide representation, I must say that the amount of individual opposition to the Bill has been far greater.

The Bill encompasses many issues and, in the time available today, I shall deal with four areas which have influenced my view and the view of those who have made representations to me. They fall into four categories: ethical and religious views on the sanctity of life; legal issues and the concept of intent; medical issues and palliative care; and social implications as to whether voluntary euthanasia can and does lead to involuntary euthanasia.

One of the fundamental values of our civilisation is the respect for life of the individual. I support the Christian perspective that we have no right to take a person's life, that is, to intentionally kill someone. I acknowledge and support the opposition of this State's church leaders and their communities to practices which will destroy the fabric of trust and solidarity essentially for life as encompassed in that principle. As I said, I have received letters and calls from a wide cross-section of my electorate calling for me to oppose voluntary euthanasia, in a nutshell that view being that euthanasia is in direct conflict with the commandment: 'Thou shalt not kill.' The Christian church has developed a teaching that a unique dignity belongs to every person, and that comes from the God the Creator, and I note the Australian Catholic Bishops' pastoral statement. We as legislators must not take over and encourage a culture of intentional killing of another for other than compassionate motives.

Ian Gawler, the Director of the Gawler Foundation, Australia's most widely known support group for cancer patients, is a public opponent of the legalisation of euthanasia. My information is that he believes that, if euthanasia had been available 25 years ago, he might well have chosen that option as a relief from the cancer he was suffering. Instead, through his long struggle for survival, he believes that he has emerged with a much deeper respect for life.

I turn now to the legal issues and the concept of intent. Our legal system deals with the notion of intent and, when offences result from one's actions, the law seeks to determine

what was that person's intent when carrying out that action. The palliative care legislation is careful to make the distinction between treatment for the purpose of causing death and treatment with the intention of relieving pain and distress, providing dignity in dying. I supported that legislation on that basis. The legislation before us today changes a basic principle of our legal system for the supposed purpose of improving the rights of individuals. I believe that we need to preserve prohibition of intentional killing. Rather than giving an individual increased choices, I believe that this Bill has the potential to limit those options.

We have an ageing population and serious issues will need to be addressed regarding the availability of health services and the style and care of that support. If we allow voluntary euthanasia to be a legal option, resource allocation issues and the judgments of professionals will invariably induce or add to some of our ageing population feeling unwanted or uncared for, potentially causing them to opt for an unnatural death as a solution. The responsibility of Governments must be to protect the vulnerable, and that must outweigh its responsibility in individual circumstances of suffering. The dangers to society inherent in legislation to allow assisted suicide must always take precedence over giving autonomy to individuals to decide that someone else should end their life.

The third issue covers medical questions and palliative care. The two main questions are: what are people's greatest fears in dying and what is the medical profession's role? I am aware that supporters of this Bill differentiate between its objectives and those of the Consent to Medical Treatment and Palliative Care Act. However, while public opinion surveys imply that public opinion in favour of euthanasia has increased, a closer examination of the real issues that concern people reveal that it is the fear of pain that causes the greatest anxiety, as does the fear of loneliness and of being a burden to carers. That is what moulds people's views. This view was supported a few years ago by submissions by the South Australian branch of the AMA and the Catholic Women's League, to name two groups, to this Chamber's Select Committee on the Law and Practice Relating to Death and Dying.

A great many doctors—in fact, I would venture to say the vast majority of doctors, and that is documented—believe that euthanasia is at odds with their code of ethics and the Hippocratic oath. In late May, the AMA's national conference endorsed the World Medical Association's stance that 'the act of deliberately ending the life of a patient, even at the patient's own request or at the request of close relatives, is unethical'. The vote was 80 for and one against, which was a clear indication of broad opposition to euthanasia by the medical profession. In practice, the health care/medical profession would bear the responsibility of being expected to carry out legalised euthanasia.

While I acknowledge that clause 11 provides for conscientious objection to euthanasia, why should that have to be at the forefront of what should be seen as a major shift in how we view human life? As Archbishop Hollingworth said about the Northern Territory legislation, 'it places unfair and objectionable obligations on health workers and raises difficult moral and procedural questions'. We are talking about the care of the dying, and that is what palliative care offers. As far as I am concerned, there must be greater community awareness of the palliative care philosophy and how it works.

I turn now to the social implications, that is, how voluntary euthanasia can lead to involuntary euthanasia. Many commentators have referred to the Remmelink report, a review of Dutch legislation, the Netherlands being the only country to give legal protection to doctors carrying out euthanasia. There is disturbing evidence of a lack of consent given for the involvement of doctors in bringing death forward, such that a large percentage of deaths in the Netherlands are associated with euthanasia.

I am convinced that safeguards in the Dutch legislation have not been effective in addressing the abuses of this legislation. That reinforces my view that, once procedures are in place to legalise euthanasia, there will be unintended outcomes, just as, when abortion was trivialised 25 years ago, there were the same repercussions. I urge all members to oppose the Bill.

The SPEAKER: The honourable member's time has expired. I call the member for Flinders.

Mrs PENFOLD (Flinders): A considerable amount of material has been given to me by the opponents and proponents of euthanasia and I have read all of it with interest. Many people have spoken to me personally. Nevertheless, I will vote against the Bill. Arguments in favour of the Bill have tended to play on sympathy and compassion, along with the assurance that the laws framed by this legislation would never be misused. That has been done, I believe, with the best of intentions.

The English writer and wit Ben Johnson is credited with saying that the road to hell is paved with good intentions. Good intentions are simply not enough to prevent so-called voluntary euthanasia from becoming a road to hell, no matter how the laws are drafted.

In the Netherlands, where euthanasia has been quasi legal for some time, a high proportion of people have had their lives terminated without their consent. Those who support and those who oppose voluntary euthanasia agree with that statement. The Netherlands' safeguards have been unable to prevent this, yet I understand that the safeguards in the Quirke Bill, which this House is now considering, are less than are required in the Netherlands.

My daughter Katrina, who is 20 years of age, was horrified when I told her that I would be voting against the Bill as I had previously indicated sympathy for such provisions. However, she undertook an assignment on the subject for her university course and I handed over some of my information for her confidential perusal. On the completion of her assignment I asked how she would vote and she admitted that she would not vote for the Bill.

If everyone had the information available to them that I have, I believe that it is unlikely that a majority would vote for euthanasia. I read Katrina's paper with interest and she had obviously read and researched the subject very widely, including the practice in Japan. Euthanasia was legalised in Japan in 1962, but only when 'death is imminent and the patient is in unbearable pain and requests it'. Writing in her paper on euthanasia, Katrina cited the case of a Japanese doctor who was reportedly charged with murder in 1992 when he terminated the life of a patient not upon the patient's request but upon a request from the family. Katrina observed:

> Even if the lethal injection was given in the best interest of the patient it justifies people's fears that by legalising euthanasia it will allow for more people to be killed without their permission and not in their own best interests.

I have become aware of a great fear among the elderly, that is those over 60, that this Bill will be passed because they are in the age bracket to which euthanasia would most likely be applied. A constituent wrote:

> If passed, many elderly and very ill people will feel obliged to sign their lives away and 'get out of the way' for the sake of their relatives.

Another constituent put it this way:

> The elderly people I work with are frightened that if this Bill is passed 'doctors may give them a pill'. Why put our doctors, elderly and sick through this unnecessary worry?

The passing of this Bill would put unwarranted and unnecessary pressure on people in that age bracket to choose euthanasia, especially if they felt they were a burden or were unwanted. All people, regardless of their age or condition, have the right to live without unnecessary pressure and fear. Let us not add to the paving on the road to hell.

Most people are unaware of what is possible under existing legislation and medical ethics—and certainly under the Medical Treatment and Palliative Care Act—to help dying patients. Dr John Emery of the South Australian Branch of the Australian Medical Association stated:

> It is our experience that patients do not want a painful death and this is what they fear. Many patients also have the misunderstanding that their doctors will not under any circumstances administer a dose of analgesia that may be lethal. This is not so. Under current legislation and ethical guidelines, doctors can, do and should use sufficient analgesia to relieve pain if requested by a patient (or their legal attorney). If this dose happens to cause death this does not pose legal or ethical problems, as long as the primary intent was pain relief and not to cause death.

It is worth noting that the Consent to Medical Treatment and Palliative Care Act absolves doctors and nurses from prosecution when treatments administered with the intention to relieve pain or alleviate suffering (but not death) do in fact cause death. Individuals vary greatly in their tolerance not only to pain but to drugs. Therefore, what is a lethal dose for one person is merely a pain reliever dose for another. Administering analgesia to relieve pain is therefore in a different category from deliberately ending a life by that means.

High quality palliative care is available in South Australia now and continuing medical and public education will enhance and reinforce that appropriate care. Katrina, whom I quoted earlier, has said:

> Many fear a 'slippery slope' which allows euthanasia to become a widely accepted practice in circumstances other than those originally set. For example, a Dutch woman was assisted to die by her psychiatrist because she was depressed, an act now acceptable in Holland.

The Quirke Bill states that the request for euthanasia must be made in the presence of a medical practitioner and another adult witness who attest that the person appeared of sound mind, appeared to understand the nature and implications of their euthanasia request, and were not apparently under duress.

There are so many unspoken prejudices against people, particularly in the lower socio-economic groups, that all those three points could be attested to and yet the person may have agreed to euthanasia because they felt that that was what was expected of them rather than what they really wanted. That is supported by this conclusion of the New York Task Force on Life and Law in 1994:

> The risks (of euthanasia and assisted suicide) would extend to all individuals who are ill. They would be most severe for those whose autonomy and wellbeing are already compromised by poverty, lack of access to good medical care, or membership in a stigmatised social group.

Someone in those categories can be easily intimidated by others whom they perceive as having more knowledge than themselves and certainly more authority. It can be easily accepted that agreeing to euthanasia is what they should do, whether or not they want to. The non-voluntary intentional killing of weak and disabled patients is a small step from the introduction of euthanasia.

I believe that the case against euthanasia has been put exceptionally well by Dr Robert Pollnitz, Chairman of the Lutheran Church's Commission on Social and Bioethical Questions, as follows:

> While the notion of personal freedom to choose a time to die may be superficially appealing, the United Nations declares that the right to life is inalienable, a right of which I cannot be deprived and of which I cannot deprive myself. The reason why the State cannot permit me to give up my right to life by giving legal recognition to euthanasia is that it would threaten the right to life of other less fortunate, weak and vulnerable members of the community. As always, our personal rights have to be balanced against our responsibilities to other members of our society.

There is also the matter of a person being declared terminally ill with not long to live but who recovers. A constituent wrote to me about the following instance, as follows:

> My sister at the age of 36, with a tumour in her spinal cord, was given a few weeks to live. The doctors thought there was no hope as it was inoperable. Miraculously she has lived to see her five children grow up. If euthanasia had been legalised then she may not have been lucky enough to celebrate her 60th birthday this year.

I have several letters with similar stories to that. Suicide is committed at a higher rate in Australia than anywhere else in the world. The rate of suicide among young adult males (that is, aged about 18 to 35) in rural areas is of particular concern. Being a member who represents rural communities makes me very aware of that. Voluntary euthanasia blurs into assisted suicide too readily. We have more positive and productive ways to help those contemplating suicide than simply assisting them to do the job.

I have a constituent who, as a quadriplegic, has attended university, become a university lecturer, was ordained, has travelled overseas as a guest speaker at international conferences and has achieved international renown as a painter. Some of those who support voluntary euthanasia do so for the incurably ill and terminally incapacitated. That may sound noble, until you begin to relate it to the people you know, such as the quadriplegic mentioned. Again, good intentions turn into hell. The issue of euthanasia—voluntary or otherwise—has been a private concern to me over the past 18 months because of personal experiences. Therefore, I speak from the point of view of someone who has faced the type of decisions that would be required.

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

Ms GREIG (Reynell): The Bill before the House is causing great concern within the community and, like many other members, I have also been inundated with telephone calls and letters from people who were fearful of what the Bill would lead to. Some people questioned sections of the Bill, others did not clearly understand the Bill or they confused the issue with that of palliative care. From my own electorate, I have had four letters supporting voluntary euthanasia, many against and, of course, there has been a number of letters from the pro-choice groups as well as those against the issue. Voluntary euthanasia is not an easy issue

to tackle, and for me it has created a lot of sleepless nights while I questioned my own Christian beliefs. Was I right in believing that life is a precious gift or was it my obligation to believe what I was reading in the media—that a majority of South Australians supported voluntary euthanasia? Are we obliged to be at the forefront alongside the Northern Territory and enshrine in our law the right for one citizen to kill another?

I cannot condone the passage of this Bill. Voluntary euthanasia is a violation of the most fundamental of all human rights, the right to life. I fear that the passage of this Bill shows no consideration for the real nature of the issues and the lasting damage that will be done to society by legalising euthanasia. Whilst I have strong views on this issue, I would also like to indicate to this House that I feel strongly and with much compassion for those individuals and families who have seen their next of kin or a close friend die in protracted circumstances. In this situation, you can understand why people faced with this dilemma would advocate for a legal remedy for society at large. Making laws should not be conducted on this basis, and it is of the utmost importance that we consider seriously the legal, moral, medical, religious and cultural issues involved in a topic such as this.

The *Weekend Australian* of 3 and 4 June addressed the issue of voluntary euthanasia in an article entitled 'The right to life is now compromised'. I will not quote the article in its entirety, as I am sure many would have read it, but I would like to highlight some significant areas. Doctors are overwhelmingly opposed to legalised euthanasia, and so are the churches. Who, in fact, wants it? There has been no great outcry for it from patients, but it seems that a few individuals, a few next of kin and a few carers for terminally ill patients, particularly through the support network for patients with AIDS related illnesses, want it. Individuals with experience of loved ones dying in agony are genuine in supporting calls for legalised euthanasia, but it does not follow that the solution can be found in the law.

Rather than attempt to meet with a statute every medical advance that raises doubts about a doctor's legal obligations, the response should be to interpret existing law on a case-by-case basis. There are grey areas, but they will not be clarified by passing laws to make the grey areas black and white. There should be no doubt that legalising euthanasia means there will be many non-voluntary deaths as well as voluntary deaths. Politicians who vote for these measures are, in effect, signing the death warrant for many people who will be killed against their will. Nobody should be in any doubt of this.

I am well aware that the member for Playford has put this Bill before us with every good intention, and I commend the manner in which he has dealt with the issue and the opportunity he has provided to me, to all of us, to open our eyes and look very closely at the issue of voluntary euthanasia. But, in supporting this Bill, are we falsely believing that a law can solve what is indeed a distressing situation? On the surface, it may appear that this is a convenient and compassionate way of treating a terminally ill patient whose distressing and lingering condition will only worsen. Again, I would like to quote from a media article mentioned earlier, as follows:

> There may seem to be little difference between using drugs to make patients unconscious of their pain and using drugs to kill them.

This is the whole point. Incorporating this so-called small difference into law will sanction killing, and the circumstances under which the sanctions operate cannot be guaranteed. The right of a patient to choose the manner of his or her death, when all the alternatives appear to have been exhausted, has been presented as the major justification for euthanasia. The article finishes with many questions pertinent to this Bill. Can safe legal procedures be established to present a patient with all the options? What are the risks of a patient being coerced by medical personnel or family members—including family members motivated by the prospect of an inheritance—into accepting euthanasia? Or a patient left in ignorance of the alternatives in terms of palliative care? Should the sick be exposed to the risk of having their life taken without true consent?

I mentioned earlier many letters I have received from the community. One letter in particular gave me a lot to think about, and that was from Maureen Clark of the Catholic Women's League of South Australia Incorporated. On behalf of her organisation, Maureen expressed concern about what she calls assisted suicide or murder. In this same letter, she also stated:

> We see no point in using disproportionate means of prolonging life where death is imminent. The Natural Death Act covers adequately most of the situations used as arguments for euthanasia—so-called passive euthanasia is actually natural death. We firmly believe that, if natural death is allowed to proceed on its course, there would be no need for euthanasia.

The letter went on to talk about the notion of death with dignity and advocated the need for increased palliative care and continuing education for caregivers. The letter highlighted one of the greatest fears of the sick, frail and aged and the terminally ill, and that was that they would die in great pain. For most people, this fear is not justified. Australia leads the world in pain control. I would also like to point out that in my own research I found that it was not the older community or the sick who had pain as their greatest fear, but their family members who feared this for the patient. The Australian Medical Association has also clearly expressed its opposition to the proposed voluntary euthanasia legislation, and again highlights high quality palliative care and continuing medical education in this field.

The letter also states that, under current legislation and ethical guidelines, doctors can, do and should use sufficient analgesia to relieve pain if requested by a patient or their legal attorney. If this dose happens to cause death, this does not pose legal or ethical problems, as long as the primary intent was pain relief and not to cause death. From the letter, I would also like to quote the AMA code of ethics, relating to the dying patient, as follows:

> Always bear in mind the obligation of preserving life, but allow death to occur with dignity and comfort, where death is deemed to be inevitable and where curative treatment appears to be futile.

In conclusion, I would like to quote Professor Garry Phillips, of the Department of Anaesthesia and Intensive Care, who I believe has clearly summed up the situation, as follows:

> With regard to the currently proposed legislation, I would suggest that it is not necessary because:
> · current law in South Australia allows withdrawal of life support under the appropriate conditions.
> · the community is not demanding legalised euthanasia.
> · the medical profession is not requesting legislation to protect doctors in their current management of terminally ill patients.
> · it establishes that doctors have two roles, to heal or comfort versus to kill.
> · it will lead to abuses.
> · it will compromise this State's development of palliative care services.

The possibility of even one patient being euthanased as a result of wrong diagnosis, an administrative mistake or any other wrongful reason is too abhorrent even to consider. As a member of a society that still values life as a precious gift, I cannot support this Bill.

Mr De LAINE secured the adjournment of the debate.

[Sitting suspended from 12.59 to 2 p.m.]

INDUSTRIAL AND EMPLOYEE RELATIONS (MISCELLANEOUS PROVISIONS) AMENDMENT BILL

The Hon. S.J. BAKER (Deputy Premier): I move:

That the sitting of the House be continued during the conference with the Legislative Council on the Bill.

Motion carried.

QUESTION TIME

AYTON REPORT

The Hon. M.D. RANN (Leader of the Opposition): Did the Acting Premier meet or speak with journalist Chris Nicholls prior to receiving a copy of the illegally disclosed Ayton submission to the National Crime Authority, and did he at any stage discuss the Ayton report with Mr Nicholls? The Deputy Premier told Parliament on 16 February last year that he had received the Ayton submission from a substantive source, yet yesterday he told the House that he did not actually know the nature of the source of that material.

The Hon. S.J. BAKER: It seems as though members opposite are raking over old coals in the hope that they can create a bit of heat. I told the House exactly what the situation was—

Members interjecting:

The SPEAKER: Order!

The Hon. S.J. BAKER: If they listen to the answer, perhaps they won't ask any more questions on this issue, and they may actually get it right. The answer to the first part of the question is 'No'. I will not respond—

The Hon. M.D. Rann: So you never met with him?

The SPEAKER: Order!

The Hon. S.J. BAKER: The Leader of the Opposition is as thick as a brick—

Members interjecting:

The SPEAKER: Order! There are too many interjections.

The Hon. S.J. BAKER: —and, as the Minister for Mines and Energy said, about as popular. I said at the time that the document came from a substantive source. Indeed, it was from a substantive source, because it is quite clear that the document had some official capacity due to the nature of the information that was received and the form in which it was received. Obviously, it was not something that had been typed up by, for example, the Leader of the Opposition's office as reputedly being an official document. I have no doubt from the nature of the document that it was official. It was substantive, and that is why I raised the question at the time.

STATE IMAGE

Mr LEGGETT (Hanson): As a follow-up to numerous telephone calls to my office this morning, will the Deputy Premier please advise the House what research has been undertaken on the image of South Australia?

The Hon. S.J. BAKER: The Premier and all members of the Government have been concerned for some considerable time (both in Opposition and in Government) with the issue of how the State is perceived by its citizens and beyond its borders. This is something about which I talk to business groups at every opportunity. One of the greatest constraints on the future development of this State is the attitude of its own citizens, its capacity to develop and mature—

Mr Quirke interjecting:

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

The Hon. S.J. BAKER: The issue of how people feel about themselves and their State and how other people beyond our borders feel about us has been a matter of extreme concern for this Government. Those are very critical questions. Some in-depth research has been undertaken, and the outcome of that research will be of interest to the House. The research clearly indicates that the State is in need of a new image. It shows that, both locally and nationally, the State is not held in high esteem, that there is a lack of confidence in our population and that to the rest of the nation we are irrelevant. That is what has emerged from the research.

Over the past six months, as a result of our perception of the belief of people in themselves and the desire to think positively about themselves, we have done an extraordinary amount of work not only on the podiums but also in looking at ways in which we can boost the image of the State. Because of the State Bank debacle, for which the former Government is responsible, we did not believe that enough was being done to lift the self-esteem of the population. The issue of the State and its future is of prime importance to everyone in this Parliament and this State. I would like to see a positive response from the Opposition on occasions, but that is too much to expect.

Members interjecting:

The SPEAKER: Order! The Deputy Leader of the Opposition.

The Hon. S.J. BAKER: Over the past six months—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Leader of the Opposition.

Mr Foley interjecting:

The SPEAKER: Order! I warn the member for Hart.

The Hon. S.J. BAKER: Over the past six months, on numerous occasions, the Premier has said to audiences that he has addressed, 'What positive ideas do you have to put forward for selling your own State?' We received 196 suggestions from a wide population. We have canvassed with a broad cross-section of the community over the past six months what we should be doing and where we should be going. The message is clear: we need a promotion and marketing campaign for this State, and I believe that 95 per cent of the population would agree. Regarding the issue of how to handle the campaign, obviously the matter has been subject to in-depth research over a long period, it has been put before an expert group and other focus groups and, as a result of the efforts that are being made, we will see one of the most cost-effective and remarkable programs that has ever been conducted in South Australia.

GARIBALDI SMALLGOODS

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Minister for Health. Why did the Health Commission refuse to supply under the Opposition's freedom of information request minutes or notes of the inspection of Garibaldi's factory, which the Minister himself told Parliament was undertaken by the Health Commission on 23 January this year? On 7 February, the Minister told Parliament that an inspection of Garibaldi's factory had taken place on Monday 23 January immediately following the identification of Garibaldi mettwurst as the possible source of the HUS epidemic. The first recorded minutes of any meeting between Garibaldi and Health Commission officials in documents released under freedom of information are dated Friday 27 January, four days later. Following the Health Commission's attempt to suppress these documents and not comply with my FOI request, the Ombudsman has ordered that the Health Commission release all documents to me, but it is quite clear that the set of documents has been doctored.

The SPEAKER: Order! The Minister for Health.

The Hon. M.H. ARMITAGE: The Leader of the Opposition knows only too well that the documents are the subject of a dispute between the Coroner and the Ombudsman. As usual, the Leader of the Opposition has chosen to selectively quote the Ombudsman's view. As I have said on countless occasions in this House, we will do—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: Of course I do. I know full well that they were released to the Opposition. We released every document that the Coroner said we could. I will look into the particular matter but, as I said, we are not holding anything back. We are releasing the documents that the Coroner will allow us to release under the Coroner's warrant.

HARNESS RACING

Mr BECKER (Peake): What plans does the Minister for Recreation, Sport and Racing have to review the future direction of the harness racing industry?

The Hon. J.K.G. OSWALD: Members will recall that during the Estimates Committees I made a reference to the appointment of a consultant to undertake a future strategic review of the direction of the harness racing code. At the same time, I issued a press release dated 17 July in which I announced that there would be a push for reform amongst the three codes, particularly in relation to the viability of those codes, and specifically in relation to the harness racing industry. With respect to the harness racing code, over the past six months or so I have had various suggestions from people within the codes, such as administrators, owners, drivers, trainers and the like and, in the past, we have had the Evans & Mules report, which set a direction for the industry.

At the moment the industry contains a vast cross-section of people who all seem to think that they know which direction the industry should take. Clearly it is important that I seek some very detailed, professional advice on the future direction of the code, and with that objective in mind I have pleasure in announcing that earlier today I invited Mr John Delaney to undertake this review. Mr Delaney has extensive background knowledge of the harness racing industry and the racing industry at large. He spent 22 years as a stipendiary steward with the Harness Racing Board, and for the last four years of that time he was the Chairman of Stewards. He has served on the committee of the Gawler Harness Racing Club for 10 years, and he spent 10 years with the South Australian Jockey Club as a stipendiary steward. He held a trainer and driver's licence prior to employment as a steward with the Harness Racing Board. He has had lifetime family involvement in the harness racing industry, and I can assure members that he has an intimate knowledge of the racing industry, particularly harness racing, and he is extremely well respected by all those involved in it.

The terms of reference for the review are as follows:

1. To undertake a review of the current status of the harness racing industry in South Australia and to make recommendations concerning its future direction.

2. To consult with and seek the views of the Harness Racing Board, the South Australian Harness Racing Club, the South Australian Country Harness Racing Association and SA BOTRA.

3. To invite submissions from any other associations, groups or individuals that wish to contribute constructive suggestions towards the review.

4. To complete the review and present a report to me no later than 29 September this year.

I invite all those members of the public and anyone involved in the harness racing industry who wish to make a contribution to contact Mr Delaney. An advertisement will be placed in the media giving a contact point and information in relation to how they can make contact and contribute to what I believe will be a valuable review.

TOTALISATOR AGENCY BOARD

Mr FOLEY (Hart): Will the Minister for Recreation, Sport and Racing now seek the removal of the Acting Chairman of the TAB, Mr Malcolm Fricker, for providing him with misleading information? In his letter to the Minister dated 14 July, the Acting Chairman of the TAB, Mr Malcolm Fricker, confirmed that on 22 June 1995 the General Manager of the TAB had contacted the General Manager of the *Advertiser*, Mr John Sanders, by telephone (as requested by the Minister) the day before the contract was signed, but the *Advertiser* did not offer an improved quotation. In debate in this House on 18 July the Minister said:

> I have checked with the *Advertiser,* and members can telephone John Sanders as well; they will find that the General Manager of the TAB did not telephone the *Advertiser*. . .

The Hon. J.K.G. OSWALD: Here we have another attempt by the Opposition to put out misinformation and innuendo. I also have a copy of that letter. The statement to which the honourable member refers, as it is printed, is correct. Whilst that information was reported, when I followed up that statement to see whether the General Manager did in fact contact the *Advertiser*—and I checked the records at the *Advertiser*—I found that Mr Edgar did not do it. This is a matter now between Mr Edgar and the board of the TAB, and at the next board meeting of the TAB the members should ask Mr Edgar why in fact he did not do it and why he did not get back to me. It is now very much an internal matter for the board, and it must determine why, when instructions were given, Mr Edgar led the board to believe that the instructions were carried out when in fact the record at the *Advertiser* shows that the only contact Mr Edgar made with the *Advertiser* was at 3.30 p.m. that day.

MULTIFUNCTION POLIS

Mr ROSSI (Lee): With significant achievements now beginning to emerge from the multifunction polis in Adelaide can the Minister for Industry, Manufacturing, Small Business and Regional Development tell the House of recent market research relating to public opinion on the MFP?

The Hon. J.W. OLSEN: The Bureau of Industry Economics will be doing another assessment of MFP Australia and reporting to the Federal Government for ongoing funding, as has been the case in the past, and that review will take place later this year. To present evidence before that review, the MFP has taken a number of steps, one of which was market research which was conducted in South Australia in about January and May this year to gauge the reaction of South Australians towards the MFP project and to identify what they thought of it and what they thought it could deliver for South Australians. It will be important to present that information and evidence to the Bureau of Industry Economics when it undertakes its subsequent assessment.

Interestingly, more than three quarters (or 76 per cent) of those people surveyed were aware of the project. The two surveys clearly indicate that there is a steady and growing awareness of the MFP. The market research into public perceptions indicates that, following publicity earlier this year, there is a greater awareness of the following: the Barker Inlet wetlands construction and the fact that it is nearing completion; the New Haven village has been opened; the Bolivar-Virginia pipeline project is nearing resolution; and stage 1 of the urban development concept design and business plan is nearly complete.

The results of the research might not be what MFP critics would expect it to be. For a start, the MFP was most frequently identified as being a project that would help the South Australian economy and environment compared with a number of other projects. There was a firm increase from 55 per cent in January to 61 per cent in May of people who saw the MFP as being positive for South Australia. Only 8 per cent of respondents put it in a negative light. The reason why most of them (51 per cent) thought it would be good for South Australia was that the MFP would create more jobs. Indeed, that is in fact the case.

There has been rapid growth in the past 18 months at Technology Park, where some 1 200 people now are employed. That will grow to some 4 000 by the turn of this century, as projects such as Motorola, Galaxy and others are established on site. Other good reasons people saw for the MFP were: it was good for the South Australian economy, and that was up from 24 per cent in January to 42 per cent in May; and that it would keep South Australia at the forefront of new technology, and that was up from 29 per cent to 32 per cent.

Clearly, there is a better understanding and comprehension of MFP since it has been refocussed—of what it can deliver, ought to deliver and will deliver for South Australians. The most common response (27 per cent) was that MFP would introduce new technology to South Australia: people saw that as an important step forward in that it meant environmentally friendly industry and involved building a modern city for the future. Those results are encouraging. It indicates improving public support for MFP Australia. They see it as a significant project for South Australia and it can assist in the very important task of rebuilding this State's economy.

TOTALISATOR AGENCY BOARD

Mr FOLEY (Hart): When did the Minister for Recreation, Sport and Racing first come to the view that a new TAB form guide would greatly enhance information to punters in South Australia?

The Hon. J.K.G. OSWALD: The honourable member seems to be placing a lot of importance on what I think of this form guide. The member for Hart was very keen to point out recently in this House that I was in Western Australia looking at why the Western Australian TAB seems to be so much more efficient than the South Australian TAB. We came back from Western Australia with a very lukewarm attitude towards the form guide. It also came out in papers from within the TAB that the Western Australian experience with its form guide has not been a great success.

I do not have any great enthusiasm for the Western Australian form guide. It is the Opposition that keeps placing so much importance on that Western Australian document. As I gather, it was not a great success in Western Australia. It certainly did not stimulate telephone betting, which was the main aim of the exercise. It is the words of the Opposition, no doubt pumped out by their friends in the TAB, that tried to make a case that I am now supposed to think that the Western Australian form guide is such a marvellous document.

It has never proved to be a marvellous document there, and there was no reason to say that the South Australian one would be a success based on the Western Australian document. Clearly, it is a service provided over there, but no-one in their wildest dreams in Western Australia suggests that it is a document that is helping the industry. In fact, as I said a minute ago, the papers have indicated that it does not help the telephone betting service.

SAGASCO

Mr BUCKBY (Light): Will the Minister for Mines and Energy give an undertaking to the House that he will investigate allegations of anti-competitive practices used in the reticulated gas industry in South Australia? Further, will he assure the House that any such cases are not financially penalising the State's gas consumers? Finally, will he investigate whether SAGASCO has undertaken appropriate tender processes in relation to its subcontractors?

I draw members' attention to a contribution made by the Hon. Angus Redford MLC in another place, where he called on the Minister to inquire into and report on the affairs of SAGASCO Ltd and, in particular, the conduct of Daniel Joseph Moriarty, and also called for him to stand down as his representative on the board pending an inquiry pursuant to section 9 of the Gas Act. The Hon. Angus Redford MLC alleged that Daniel Moriarty and Russell Wortley are in receipt of enormous sums of money. He further alleged that Messrs Moriarty and Wortley, who are senior officials in the Federated Gas Employees' Industrial Union, receive salaries and benefits to the tune of $250 000 *per annum* and that the union finances these enormous salaries from a backhoe arrangement with SAGASCO Ltd.

Mr ATKINSON: I rise on a point order, Mr Speaker. Is it in order in this House to quote at such length from a debate in another place?

The SPEAKER: Is the honourable member for Light quoting from *Hansard?*

Members interjecting:

The SPEAKER: Order! The Chair does not need any assistance from the member for Giles. The Chair is inquiring from the member for Light whether he is quoting from *Hansard* of the Legislative Council.

Mr BUCKBY: I am only referring to it: I am not quoting directly from *Hansard*.

The SPEAKER: Standing Orders are such that the honourable member is required not to refer to the *Hansard* record of the other place.

The Hon. D.S. BAKER: I thank the honourable member for his question and obvious interest in the newspaper article this morning: obviously, this question came from that. I, too, was shocked when I read the newspaper report. More than that, it brings into question—

Mr ATKINSON: I rise on a point of order, Mr Speaker. Our manual explaining the rules of Question Time quite clearly provides that Ministers are not to respond to questions asking whether reports in newspapers are true.

The SPEAKER: The Chair's understanding is that that was not the question. The Minister in responding to the question has referred to an article in, I understand, today's newspaper. I suggest to the Minister that he answer the question. The Chair is aware that Ministers have a lot more latitude in answering questions than members have in asking them.

The Hon. D.S. BAKER: Thank you very much, Mr Speaker, for your protection. It does bring into question what has gone on since Mr Moriarty has been appointed. It brings in the good faith shown by Ministers in this Government towards appointments under the previous Administration. This person was previously on the board of SAGASCO and was reappointed twice. His current term expires in 1997. It was put to me whether or not I should appoint this person and, in the spirit of conciliation and getting on with good government, I accepted that appointment, and this person is on until 1997. However, if the allegations are correct, I hope that the Opposition will support me in getting rid of this person—not as it is trying to do to the Minister for Racing, who cannot get rid of someone who does not perform in the TAB. So, the very same case could come up. I want an assurance from the Leader of the Opposition that, if these allegations are proved correct, he will assist me in getting rid of this person off the union.

However, it appears from the newspaper report and other matters that have come to my attention that there have been some very serious breaches. I refer the House to one document that has come to my attention. I hope members opposite, who purport to represent good, decent, honest, working people, will listen to the benefits that have been obtained by Mr Moriarty. The benefits he was getting from the union were a scam compared with the benefits that an ordinary, decent, hard-working man in the community receives.

Members interjecting:

The Hon. D.S. BAKER: I will go through it, if I get a little silence from the other side. Mr Moriarty's benefits can be summarised as follows: $57 134 *per annum* in wages; union-paid superannuation of $6 300; nine weeks a year of service to be paid when leaving the union, regardless of the reason—$9 400; private health cover—none of this public sector stuff—Blue Ribbon private health cover—$3 500; an annual clothing allowance, $728 (a hell of a lot of blue collar shirts, I would have thought); a motor vehicle allowance—VN Commodore, fully maintained and renewed every two years (not a bad perk)—$10 000 a year; telephone—full rental and all calls paid by the union—$500; annual leave—five weeks plus 20 per cent leave loading—$1 200—

Members interjecting:

The Hon. D.S. BAKER: He might use all that up. Rostered days off—

Mrs GERAGHTY: I rise on a point of order, Mr Speaker. I do not see the relevance to the question of the honourable member's contribution.

Members interjecting:

The SPEAKER: Order! The Chair is having difficulty hearing. The honourable member for Torrens.

Mrs GERAGHTY: I do not see the relevance of the answer that the Minister has given to the question.

Members interjecting:

The SPEAKER: Order!

Mrs GERAGHTY: He is merely citing allegations.

The SPEAKER: The Chair cannot uphold the point of order.

Mrs Geraghty interjecting:

The SPEAKER: Order, the member for Torrens! Ministers are responsible for the answers they give. The honourable Minister for Mines and Energy.

The Hon. D.S. BAKER: And there is more. There are rostered days off, a 38 hour week and a 19 day month; and all rostered days off may be accumulated and taken at Christmas. There is sick leave of 15 days a year which may be taken without a medical certificate—not a bad perk.

Members interjecting:

The Hon. D.S. BAKER: Under the award.

The SPEAKER: Order! I suggest that the Minister round off his answer.

The Hon. D.S. BAKER: I will, as soon as I finish the benefits, Mr Speaker: but there is more. There is a living away from home allowance, worth $40 a day, plus meals, taxis and accommodation paid by the union; and directors' fees involving the Gas Company of some $11 000. That all adds up to $104 000 per annum. And, Mr Speaker, there is more. He also was Branch President of the Reynell ALP: there's an extra perk if ever anyone would want one.

An honourable member: And the workers' darling.

The Hon. D.S. BAKER: And the workers' darling, yes. It will be good down there at Reynell when they explain to those good working people the benefits that this person gets. If this is proved to be correct—the allegations that have been made in another place—I think that that person will have to be removed from that position. I will conduct an investigation and I hope to bring back some preliminary matters to do with that next week, before this Parliament rises. There is more, and you will hear more about it next week.

TOTALISATOR AGENCY BOARD

Mr FOLEY (Hart): My question is again directed to the Minister for Recreation, Sport and Racing. Given the Minister's reply to my previous question, does he now deny that as far back as March 1994 he knew of and supported plans by the TAB for a new TAB form guide to enhance the provision of information to punters? A letter to a member of the public signed by the Minister and dated 3 March 1994 states:

> On a further note, I have been advised by the TAB that they are investigating the provision of racing services bureau or race book style information being available in all TAB staffed agencies. It is anticipated that this initiative will greatly enhance the racing information provided to the South Australian public.

Here it is, Minister.

The SPEAKER: Order! I point out to the member for Hart that, if he continues to make comment at the conclusion of his question, I will rule the question out of order. The honourable Minister for Racing.

The Hon. J.K.G. OSWALD: I will obtain a considered reply to that question for the honourable member for next Tuesday.

Mr Foley interjecting:

The SPEAKER: Order! I suggest to the member for Hart that he contain himself. The Minister is answering the question.

The Hon. J.K.G. OSWALD: Reflecting back to that time, that letter could refer to the provision of form guides or the provision of racing information in TABs. I do not know to what it refers. I will endeavour to find out the background to it.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition for the second time.

The Hon. J.K.G. OSWALD: Members opposite are showing their ignorance. Various types of information are provided within the agencies. I will find out to what that letter refers—the background to that letter. I am prepared to provide the House with a considered reply. That is a perfectly proper way of dealing with it. Obviously there is leaked correspondence once again pouring out of the TAB, and I would like to find it. This debate is about the *Advertiser* and the new form guide which is in the public arena at the moment, and I would like to refer back to that letter. I will get a considered reply and see whether in fact the two link up: I doubt it very much.

Mr BECKER: I rise on a point of order, Mr Speaker. Will you rule that displays of documents are out of order, as was just done by the member for Hart—twice? That is a breach of Standing Orders and was done specifically for the media. I would ask that it be not displayed or printed.

The SPEAKER: The Chair already has intervened in relation to that matter and has ruled that displays are completely out of order. If members attempt to use that tactic, there is provision in Standing Orders to deal with it. The honourable member for Davenport.

MATURE AGE STUDENTS

Mr EVANS (Davenport): Will the Minister for Employment, Training and Further Education explain how mature age people at Flinders University are participating in the computer revolution?

The Hon. R.B. SUCH: This morning I had the privilege to present certificates to the graduating participants at Flinders University. What is unique about this program is that the people involved are mature age students who are undertaking a computer training program, which was initiated by Professor Downing and supported by Dr Irizarry. It is unique in that people who are of the age of retirement are accessing university facilities and, with the use of volunteers, are being trained to use modern day computer equipment. They are doing it not only to keep their minds active but also so that they can work with their children and grandchildren, keep up to date with modern technology and enjoy themselves.

Currently there are 70 participants, seven people instructing and 32 voluntary helpers in addition. Since June some 120 people have attended the program and not one has dropped out, which is a pretty good record. There are 150 people waiting to access this training program, which shortly will be expanded to centres at Elizabeth and West Torrens.

I would like to congratulate the university and, in particular, Professor Downing and his staff for this innovative program. Recently it won an equal opportunity achievement award. It shows that the universities not only are involved in high level research and teaching but are prepared to involve the community in a very useful and constructive way. I pay tribute to the Flinders University and its staff for what they are doing through the seniors' on-line computer training program.

MOUNT GAMBIER HOSPITAL

Mr CLARKE (Deputy Leader of the Opposition): My question is directed to the Deputy Premier. Given the Premier's statement yesterday that tendering for the Mount Gambier Hospital 'has been handled so competently by the Minister for Health', can he explain why tenders were called for the project before project finance had been organised? Tendering standard AS4120 states:

> The principal shall call for tenders only after the principal has arranged funding for the project and has made a firm commitment to proceed with the project.

The Hon. S.J. BAKER: The issue was satisfied at the time—the matter of whether the decision had been taken as to whether or not the hospital should be built. It was then a matter of how it should be financed. The matter could have been satisfied from Treasury sources or private financing sources.

Members interjecting:

The Hon. S.J. BAKER: The fact is that that was irrelevant, as the honourable member should understand. Quite simply, we were looking at the best outcome. If I get a better outcome by looking at other opportunities, I will do so. It is about outcomes: it is about expanding the range of possibilities for Government. It is about giving a hospital to Mount Gambier that was promised 20 years ago by the Labor Government. It is a matter of keeping faith.

CANADAIR FIRE BOMBERS

Mrs KOTZ (Newland): Will the Minister for Emergency Services advise the House of plans by the Canadian firm Canadair to trial one of its aerial water bombers in South Australia this summer and detail the integral role this Government has played in ensuring that the aircraft is trialled under Australia's harsh and unique bushfire risk conditions?

The Hon. W.A. MATTHEW: I thank the member for Newland for her question and ongoing interest in this matter. As members would be aware, the member for Newland is Chair of Parliament's Environment, Resources and Development Committee, which last year tabled a comprehensive report in Parliament on the Canadair CL415 aircraft.

Mr Venning interjecting:

The Hon. W.A. MATTHEW: As the member for Custance said, it was a very comprehensive and very well put together report which recommended, among other things, that South Australia take up an offer by Canadair to trial the aircraft in Australian conditions. Therefore, it is no coincidence that I advise the House that the aircraft will be trialled in South Australia this summer, and it will arrive in Adelaide on 22 January 1996 for a three-day trial as part of the four-week Australia-wide trial being arranged through National Jet

Systems, which has been happy to confirm these details with my office today.

During the time the aircraft is in South Australia, it is expected to take part in a series of demonstrations that will highlight its capabilities. While details are yet to be finalised, it is hoped that the aircraft will have the opportunity to demonstrate its water scooping features, possibly at sites such as Mount Bold reservoir, Happy Valley reservoir, Gulf St Vincent and other suitable water sources. While the water dropping sites are also yet to be determined, the CEO of the Country Fire Service has indicated that he has a strong preference to trial the aircraft in the Mount Lofty Ranges region for demonstration purposes.

During a recent visit to Canada, I had the opportunity to witness at first hand the capabilities of this aircraft. It has the capability of filling its storage tanks of 6 130 litres in just 12 seconds. The total distance it needs to reload is only 1,300 metres, from a height of 15 metres on approach and 15 metres on climb-out. South Australia is particularly well suited to the aircraft's capabilities and has the distinct advantage of having one sea boundary and several large reservoirs which would be suitable for the aircraft's usage.

However, the cost of the aircraft, as I have already acknowledged to the House, is prohibitive. At some $23 million, the Government is concerned about the cost and, therefore, would not be able to participate in sole ownership. A range of options has been put to the Government which we will consider after we have had the opportunity to see a trial in Australia, those options being ownership with other States, with the Commonwealth and/or large corporate bodies or possibly sharing ownership with a northern hemisphere body to allow aircraft to be used in both hemispheres during the period of need.

Much has been said about the capability of this aircraft by a variety of political Parties over many years, but nothing has been done. This Government has voiced its interest in trialling the aircraft (nothing more than that at this time), so much so that I was the only Minister at an emergency management Ministers' conference in December 1994 who indicated a willingness to trial the aircraft. Members would be aware that I recently approached my new counterpart in New South Wales who is also considering the position of that State in this matter. It gives me pleasure to reveal to the House that the aircraft will be trialled Australia-wide and in South Australia so we can see at first hand whether it is suitable for Australian conditions.

MOUNT GAMBIER HOSPITAL

Mr CLARKE (Deputy Leader of the Opposition): Will the Deputy Premier explain why the Government has only now clarified that the construction of the new Mount Gambier Hospital is conditional on the availability of private finance? In the House yesterday, the Premier stated that the hospital would proceed with private funding only because of the 'limited money available under the Government's capital works program'. The 1994-95 capital budget included public funding for the project, which was to have commenced in January this year.

The Hon. S.J. BAKER: The issue of how budgets are managed is very dear to my heart and, as I told the Deputy Leader previously—he obviously was not listening—it is a matter of how much we can achieve with a limited amount of dollars. It is a matter of what we can put in place in terms of top priorities from the Government's point of view and what other services we can provide from private financing sources. The Deputy Leader would clearly understand—

Mr Clarke interjecting:

The SPEAKER: Order!

The Hon. S.J. BAKER: The Deputy Leader chortles on. If he has a problem with the project, let him go outside and tell the people of South Australia that he does not want it.

Mr Clarke interjecting:

The SPEAKER: Order! This is Question Time.

The Hon. S.J. BAKER: If he has some questions about the tender or the finance, let him ask them. What I am—

Mr Clarke interjecting:

The SPEAKER: Order! I suggest to the Deputy Leader that he is very familiar with the provisions of Standing Order 137 and I hope that they do not have to be applied to him again.

The Hon. S.J. BAKER: The project is going ahead and it will be privately financed.

ABORIGINAL HERITAGE

Mr LEWIS (Ridley): My question is directed to the Minister for Aboriginal Affairs. Does the Government consider that the current Aboriginal heritage legislation provides adequate scope for cooperative relationships with Aboriginal members of our community?

The Hon. M.H. ARMITAGE: I thank the member for Ridley for his very important question because the Aboriginal Heritage Act is, in many instances, very creative, particularly in relation to section 37, which provides specifically for Aboriginal heritage agreements. However, that section of the Act has not been used before, which is a pity, but I am delighted to inform the House that, as Minister for Aboriginal Affairs, I have signed the State's first Aboriginal Heritage Agreement under that Act.

The agreement involves three parties: the Ngarrindjeri Lands and Progress Association, representing the Ngarrindjeri community; the Greater Granite Island Development Company Pty Ltd, the developer of the proposed development on Granite Island; and myself as Minister for Aboriginal Affairs, representing the Government. Granite Island as a whole is registered as an Aboriginal site under the Aboriginal Heritage Act 1988 and there are a number of specific registered Aboriginal sites on the island. The agreement is historic, as it is the first Aboriginal Heritage Agreement entered into under that Act.

I pay tribute to the very positive contributions made by the Ngarrindjeri Lands and Progress Association, led by Mr George Trevorrow and Mr Robert Day, and the Ngarrindjeri Heritage Committee, led by Mr Peter Rigney. In identifying to the House what an historic occasion it was, I emphasise that the member for Reynell, as a member of the Aboriginal affairs backbench committee, was present, and I am sure that she would agree that it was a particularly pleasing occasion, with absolute goodwill shown by all parties. I note also that, in concluding the agreement, both Aboriginal bodies paid tribute to the efforts made by the developers to consult with the Aboriginal community.

The signing of the agreement is not the end of the process. In a number of respects it sets the direction for the rest of the project. I sincerely hope that the excellent relationships which have to this stage been evident between the developer and the Ngarrindjeri community will continue. They involve a number of other matters in the implementation phase, not the least of which is a management committee to be formed, with

a majority of Ngarrindjeri people, to monitor on an ongoing basis the impact of the development on the Aboriginal heritage. The developer and the Government will ensure that the construction workers are fully briefed on the Aboriginal heritage significance of the island, and two full-time Aboriginal heritage officers will be employed to ensure that the construction proceeds in accordance with the agreement. If any Aboriginal heritage issues arise, they will be referred immediately to the Aboriginal people, and two elders have been identified by members of the Aboriginal community.

In answer to the member for Ridley's question, I am confident that the Aboriginal heritage legislation provides scope for very cooperative relationships, and no more evidence is required of that fact than the historic signing and the first use ever of section 37 of the Act.

STATE SLOGAN

Ms HURLEY (Napier): My question is for the Acting Premier. Will the many South Australians who find the new slogan 'SA Going All the Way' embarrassing and offensive have the option of being issued at no extra cost with number plates which do not carry that slogan? Many South Australians have already expressed their dismay and concern at the phrase being touted as the State's new slogan. Some of those contacting the Opposition's office have expressed concern about carrying the slogan on their cars when they travel interstate and they are simply offended by its double meaning.

The Hon. S.J. BAKER: I am delighted to answer this question. I was amazed that it was not asked by the Leader of the Opposition. He must want to get himself out of a hole when we consider his remarks in response to the slogan. If we consider his response, we would say, 'Well, he put this State in the gutter with the State Bank and he has kept his mind there as well.' It is interesting that his immediate reaction—

Members interjecting:

The SPEAKER: Order!

The Hon. S.J. BAKER: People can make up their mind when the total marketing and promotion campaign comes out. Next week everyone will have an opportunity to judge. It is a matter of total marketing and promotion. The vision for South Australia will please all South Australians—

Members interjecting:

The SPEAKER: Order! I suggest to the Deputy Leader of the Opposition that there are four days to go and I am sure he wants to remain in the House. Any more of that, and I will name him.

The Hon. S.J. BAKER: I would like to contrast the amount of effort that we have put behind this promotional campaign with the efforts of the present Leader of the Opposition. The Leader produced a marvellous video, 'The best of both worlds', which cost some $300 000, ran for nine minutes and took us nowhere. That is what his efforts amount to—'The best of both worlds'. I contrast our effort also with the Business Asia Conference, which was the Leader of the Opposition's personal PR campaign prior to the last election. What did that get us? It got us a debt of $600 000. What did we get out of his personal PR? Not a lot, I can tell you.

Let us consider the history and the hypocrisy of the Opposition. Let us get down to some of the issues. We have the total support of the media in this campaign to re-image the State. It will be the most cost-effective campaign that the State has ever seen and it will cost less than $1 million. Let us contrast that with two failed campaigns—

Members interjecting:

The SPEAKER: Order!

The Hon. S.J. BAKER: Members will have to wait until next week. Let us contrast that with the failed efforts of the previous Government. They spent $900 000 on just two ventures, but what did they do for the State? The answer is 'Nothing'. I suggest that all members consider what we will be putting forward next week and I am sure that they will be very pleased.

TOTALISATOR AGENCY BOARD

Mr ASHENDEN (Wright): Does the Minister for Recreation, Sport and Racing have any further information about the leaked letter referred to by the member for Hart relating to racing information availability in TABs?

The Hon. J.K.G. OSWALD: Once again, this is another scurrilous attempt by the Opposition to dredge up innuendo and misinformation and dress it up as new information. I have now had an opportunity to read the letter which I note dates back 16 months. At that time, there was considerable criticism that the information that customers wanted in the staffed agencies was not being upgraded. When people walked in, they wanted to see sheets on the walls providing relevant information. The letter refers, nothing more and nothing less, to the fact that they wanted to have access to the RS Bureau to obtain relevant information in the staffed agencies. It does not say a 'race book'. It says 'race book style'.

Mr Foley: It does say 'race book'.

The SPEAKER: Order!

The Hon. J.K.G. OSWALD: The member for Hart cannot even read.

Members interjecting:

The SPEAKER: Order! I suggest to members that the considerable tolerance that the Chair has continued to display towards members is now at an end. I suggest that they should not test their luck. The next member to transgress will be named.

The Hon. J.K.G. OSWALD: We are simply seeing another display of the honourable member's blind political ambition to use these issues to get on to the Opposition front bench. He cannot even read the letter he has been given. It talks about race book style information. That is the information that one would normally see in a race book. It is not talking about putting in race books. This letter, which dates back 16 months, refers to getting information onto the sheets provided in TAB agencies. There has always been criticism of the information because people want information when they cannot go to the track. That was the scenario at the time; there was nothing in the letter other than considering information in the agencies, and it was not about having access to a *TABForm*. There is no relationship to the events that unfolded in June. This is just a deliberate attempt to provide further misinformation by a very ambitious shadow Minister who is heading along as fast as his legs will carry him.

Members interjecting:

The SPEAKER: Order! The Leader of the Opposition has the call.

STATE SLOGAN

The Hon. M.D. RANN (Leader of the Opposition): My question is for the Acting Premier, given his replies to the

previous question. Given that the Government is committed to going all the way with the new slogan that the Premier has thought up for both a logo and an image, and given that it is the Premier's own choice, will the Government put the issue on hold so that South Australians themselves can submit better ideas, perhaps through a public competition, so that the State can avoid future embarrassment? The Premier is away today seeing his Federal Liberal Leader who, 10 years ago almost to the day, thought up the slogan 'Incentivation', which also did not have divine inspiration.

The SPEAKER: Order! The honourable member is out of order.

The Hon. S.J. BAKER: The question on everyone's lips is: will Mr Rann make it to the next election? Will he make it all the way to the next election? The answer is 'No'. The issue of the amount of work that has been done on this campaign will become clear once the campaign unfolds. In the imaging of every State, the Government has made the decision—

The Hon. M.D. Rann: Let the public decide.

The SPEAKER: Order!

The Hon. S.J. BAKER: I suggest that the public decided very astutely at the last election. The issue has been through a sifting and checking process unlike any other program that we have seen. We have tested a large range of ideas. As I said, 196 ideas were submitted—

The Hon. M.D. Rann: This is the worst.

The SPEAKER: Order! I name the Leader of the Opposition. Does the Leader of the Opposition wish to be heard in explanation or apology?

The Hon. M.D. RANN: I feel that, in the process of debate and the give and take in this House, the naming is quite out of step with the tenor of today's debate.

Members interjecting:

The SPEAKER: Order! The Chair needs no assistance from its right. I suggest that the member for Peake will be the next to be named. In view of the fact that this is the first occasion that I have named the Leader of the Opposition, the Chair is prepared, in that spirit, to accept the explanation. However, I point out to the Leader of the Opposition that he has consistently, and on an ongoing basis, interjected and asked questions after he has asked his original question. On this occasion, I am prepared to accept it, but I will not accept it on another occasion.

The Hon. S.J. BAKER: I believe that the explanation is at an end.

DROUGHT RELIEF

Mrs PENFOLD (Flinders): Will the Minister for Primary Industries say what arrangements have been made to continue the exceptional circumstances under the drought provisions of the Federal Rural Adjustment Scheme on Eyre Peninsula? While the season has opened well around the State, Eyre Peninsula farmers remain concerned about their long-term future, given the succession of drought years they have experienced.

Members interjecting:

The SPEAKER: Order! If the Minister wants to answer the question, I suggest he do so, or I will withdraw leave.

The Hon. D.S. BAKER: Thank you very much for your protection, Mr Speaker, and I thank the honourable member for her question and continued interest in the matter. It was an horrific drought in her area. When we negotiated the terms and checked the exceptional circumstances terms with Senator Bob Collins—and I pay tribute to his officers and to him for doing that and the way it was done—we were told that after a perceived break in the season the situation would be reviewed. I am pleased to announce that Senator Collins has now advised that exceptional circumstances drought relief will continue to apply in those areas of Eyre Peninsula that qualify until 31 December 1995. That means that those producers who have had to expend considerable sums getting in their crops—and there has been a reasonable opening so far—can, under exceptional circumstances drought relief, apply for not only carry-on funds for everyday expenses but also interest subsidies which will help them get through to what we hope will be a good harvest in the future.

FISH PROCESSING

Mr KERIN (Frome): With South Australia's rapidly expanding seafood export market in need of skilled workers, will the Minister for Employment, Training and Further Education provide details of new developments that will provide people with skills in post-catch processing techniques?

The Hon. R.B. SUCH: I thank the honourable member for his question and interest in this matter. Recently South Australia obtained a significant grant towards establishing post-catch training facilities for the fishing industry. When that is combined with what we are putting in ourselves in terms of facilities, we are looking at in excess of $500 000. This facility at Port Adelaide will enable us to have the best training facility in Australia so that, when fish and other seafood are caught, people can be trained in how to process them to get maximum benefit, so that we do not export jobs and we get the value adding here rather than it happening overseas. Once again, it shows that South Australia is a leader. We were able to put a case to the Commonwealth to obtain that funding against competition throughout Australia.

We will have the most outstanding training facility in South Australia to boost even further our successful and rapidly expanding seafood industry. It is currently worth around $150 million a year, and this new training facility, which will ensure that the treatment and display of aquatic products is of a high standard, will ensure that we go on to lead not only Australia but the world in the way we present our fishing industry products. It is an excellent outcome for South Australia, and it is supported strongly by the Commonwealth to keep us in front.

MODBURY HOSPITAL

Ms STEVENS (Elizabeth): Will the Minister for Health confirm that the Health Commission will require all public hospitals except Modbury Hospital to cut their activity levels by 2 per cent this year, and does he accept that this measure will increase waiting lists for elective surgery?

The Hon. M.H. ARMITAGE: The whole question of work loads is determined in service agreements. When I was last informed, the service agreements were at the last stages of being developed and were being sent to the various hospitals. Of course, what we recognised in the Estimates process is that some of the discretionary surgery will be cut. We make absolutely no bones about that. As we identified in the Estimates Committee, we expect to cut a number of things, such as the reversal of sterilisation. We have no option but to do that because of the way the State's finances were flagrantly wasted by the previous Administration. All the

service agreement matters will be revealed when they are sent to the units.

What we know is that, because of the changes we have brought in, such as casemix funding, which has forced hospitals to be efficient, whatever agreement is reached between the commission and the various hospitals, the taxpayers of South Australia will know that they will get top value for their dollar. That is why, with the reductions in the health budget from last year, we were still able to increase the throughput, the activity of the hospitals in South Australia, by 4 per cent. This did not happen by mirrors and smoke—it happened because we were forcing the hospitals to be more efficient.

In forcing the hospitals to be more efficient, we are getting better value for the taxpayers' dollar. That is why the waiting lists went down by 10 per cent in 12 months, despite the fact that we cut funding to the hospitals. That means two things: first, that we forced the hospitals to be more effective and efficient (and I am sure every taxpayer would be only too pleased about that; every taxpayer to whom I speak says that they are pleased that we are not wasting the taxpayers' dollar); and, secondly, quite clearly, if we had been able to get a 4 per cent increase in activity, with a $35 million reduction, it means that the previous Government, quite frankly, was wasting the taxpayers' dollars, and that is something this Government will not do.

MEMBER'S REMARKS

Mr ASHENDEN (Wright): I seek leave to make a personal explanation.

Leave granted.

Mr ASHENDEN: Yesterday a number of statements were made by the member for Taylor which grossly misrepresented actions I have taken and statements allegedly made by a constituent about me. She also alleged I was not telling the truth. Those statements include allegations that my constituent was not happy with the help that I had provided, and she also said that the constituent intimated that I had not done what I said and promised I would do. She then went on to say:

> For well over 12 months my constituent had been corresponding with the member for Wright all that time and had received no satisfactory redress of this issue.

She also said:

> This is not the first time that the member for Wright has got up in Parliament and told untruths.

These statements are a gross misrepresentation of the facts. Over the past 18 months, I have made 17 written representations on this matter on behalf of my constituent; had innumerable telephone conversations with him, the Minister for Health and officers of the Health Commission; had three meetings with the Minister and his officers; and held several informal discussions with the Minister. I have also raised this matter in a grievance debate in this House. I have examined my files on this matter, and I believe the following correspondence only too clearly shows how the member for Taylor misrepresented the facts. This letter was written before the incident yesterday:

> Dear Scott,
>
> In response to your letter and copy of letter you sent to the Minister, I wanted to voice in writing my (our) admiration for the stand you are taking on our behalf in this case. You have worded it beautifully with, we believe, very strong conviction that you are pursuing a just cause, and believe me you are, and I'm proud of your continuing efforts to help us. God loves a trier, and you certainly are. So thank you for the dogged effort you have consistently put in to this whole affair. In our eyes, you truly act as an MP should act and more but also have demonstrated your compassion as a human being, and I applaud you for that most of all.

That is signed by my constituent. A further letter from my constituent states:

> Both myself and my wife have nothing but high regard for the many attempts you have made to the Minister, Michael Armitage, to facilitate justice for the way the South Australian Health Commission had misled us in relation to the investigation of a private hospital.

The letter states further:

> I appreciate your perseverance over the last 18 months in this whole sordid matter.

Those are hardly the thoughts of a dissatisfied constituent. I now leave it to members to assess the credibility of the remainder of the honourable member's diatribe of yesterday.

The SPEAKER: Order! The member for Elizabeth.

Ms STEVENS (Elizabeth): I seek leave to make a personal explanation.

Leave granted.

Ms STEVENS: Yesterday, during Question Time, the Deputy Premier stated:

> The member for Elizabeth gets stuff out of committees that is confidential.

That is a very serious accusation which is completely false. I have never used confidential information from any committee on any subject. The Deputy Premier ought to apologise—

Members interjecting:

The SPEAKER: Order!

Ms STEVENS: —or move a substantive motion for breach of privilege so that the issue can be debated properly.

Ms WHITE (Taylor): I seek leave to make a personal explanation.

Leave granted.

Ms WHITE (Taylor): In a grievance speech in this House yesterday, the member for Wright made untrue statements in grieving that I had referred to a constituent of his electorate. Before I address this matter, I wish to point out to the House—because it will add perspective to what I am about to say—that in no part of that speech did I give any indication of where the constituent lived nor make any reference to the level of service that the constituent may have received from any member of this Parliament. What I did do was to highlight what I regard as the unacceptable circumstances in which those constituents found themselves in respect of their medical complaint. I maintain my right as a member of this House to raise such matters. Yesterday, the member for Wright made the following statement:

> Because this occurred, I contacted my constituent to find out what on earth had happened. I was advised that this matter was raised in the House yesterday without his knowledge or permission.

He went on to say:

> I repeat: I telephoned my constituent, who advised me that this matter was raised by the member for Taylor without his knowledge or permission. He said that he had written to the Federal Minister for Health, pointing out problems that his wife had experienced in Adelaide and requesting that an independent health complaints unit be set up in this State.

That is as it should be: I have no reason to debate that sentence. However, the honourable member went on to say:

> I am advised by my constituent that the Federal Minister for Health then forwarded that letter to the shadow Minister for Health in South Australia, who passed it on to the member for Taylor who,

in turn, raised this matter in the House. I stress that this is the information that I have been given by my constituent.

I believe that this is totally unprofessional; it concerns me, and it is a lesson to us all. It appears that, if you write to a Federal Minister, that information may be sent back to shadow Ministers and used in this House for purposes for which it was not intended. My point is this: in my opinion, there has been an awful misuse of that letter. . .

In reply, I wish to say, first, as *Hansard* clearly shows, I had made no reference whatsoever to any letter from the Federal Minister for Health. The only member to have done so was the member for Wright. Further, I have not received a copy of such a letter from any source: the Federal Minister for Health, the State shadow Minister for Health or the constituents themselves.

Secondly, I have checked with the Federal Minister for Health, and it has been confirmed that she did not send any letter or a copy of any letter to the State shadow Minister for Health, nor did she or any member of her office discuss this constituent's issue with the shadow Minister for Health or with me. Thirdly, I have had it confirmed by the State shadow Minister for Health that she has received no such letter, sighted no such letter, has not had any communication with the Federal Minister on this issue, and nor has she spoken with the constituents.

Members interjecting:

The SPEAKER: Order!

Ms WHITE: Yesterday, in responding to the member for Wright's allegations, I stated that I did not know at that time whether the honourable member's statement was true, that he had contacted the constituent, Mr Jones, and been told by Mr Jones 'that this matter was raised in the House yesterday without his knowledge or permission.'

The SPEAKER: The member for Taylor will conclude her personal explanation. I will allow her to round off her comments.

Ms WHITE: I called the constituent immediately after finishing my speech. I asked the constituent whether he had told the member for Wright what the honourable member claimed. The constituent categorically denied that he gave that information to the member for Wright and that it was untrue. Further, the constituent went on to ask for my advice. He said that he was feeling pressured by the member for Wright because he had asked him to supply him with a statement—

The SPEAKER: Order! The honourable member is clearly debating the issue. Therefore, leave must be withdrawn. The Chair has given the member for Taylor a great deal of latitude.

Members interjecting:

The SPEAKER: Order! The member for Wright was given considerable latitude. The Chair is of the view that the appropriate way to deal with matters of this nature is by way of the grievance debate, because in a personal explanation a member must be particularly careful of the comments they make. The member for Taylor has gone far beyond what is acceptable even with the latitude given by the Chair.

GRIEVANCE DEBATE

The SPEAKER: The question before the Chair is that the House note grievances.

The Hon. FRANK BLEVINS (Giles): Unfortunately, during private members' time this morning, I did not have the opportunity to move my motion, of which I gave notice yesterday (Notice of Motion: Other Motions No. 7). I was a little disappointed when I saw it this morning. It was somewhat truncated from what I read out yesterday, but one can always find the opportunity if one wants to make a point more fully. For the benefit of those who read *Hansard*, the motion states:

That this House supports the North-West Health Education Unit and calls on the Minister for Health to maintain the present unit based staff.

That is what appears on the Notice Paper. Clearly, an explanation is required. The points that I would have liked to make this morning, had time permitted, are these:

(a) The focus of the unit is that distance or isolation shall not preclude any nurse or health care professional from being able to access ongoing education at a level congruent with that of their metropolitan colleagues.

(b) The North-West Health Education Unit services a vast area encompassing some 813 000 square kilometres with two full-time and one part-time nurse educator positions, and one full-time administrative officer. It should be noted that this area, which makes up 86 per cent of the State of South Australia, is larger than the entire State of New South Wales.

(c) In the financial year 1994-95 the North-West Health Education Unit serviced a total of 1 450 rural and remote health care professionals with ongoing educational packages and/or programs.

(d) There is considerable concern regarding the cost of transporting city based educators to rural and, most particularly, remote areas. This principle is applicable in the reverse. It simply is not economically feasible for rural and remote centres to send staff to city based education programs even if adequate funding were available.

(e) Rural and remote populations are already disadvantaged from accessing health care that is of the same standard as the metropolitan community.

(f) That the economic health of rural communities depends to a great extent on State Government employees being based in the communities they serve rather than in Adelaide.

That is the full text of the motion that I would like to have moved in the Parliament this morning. I have continued to receive correspondence on this issue, which of course is the attempt by the Minister for Health and this Government to close down the North-West Health Education Unit based in Whyalla. This unit serves more than Whyalla: it serves the whole of the Eyre Peninsular and the whole of the north-west of this State. I believe that, through its attachment with the School of the Air, it also services some areas in Queensland.

I know that the members for Flinders and Eyre, the Hon. Caroline Schaefer and the Hon. Peter Dunn all have equal commitment, as I do, to these areas, and I know that those members will support me and will support the North-West Health Education Unit maintaining its base and its nurse educators in the country so that those country professionals who are based in the community in which they work have access to ongoing education and services from the north-west. We do not want another example of centralisation taking place just to suit the bureaucrats in Adelaide. We want the country services delivered as far as possible by professionals and other public sector employees who are based within the community.

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

Mr ROSSI (Lee): I would like to refer to the comments made by the member for Torrens yesterday regarding members of her Party representing both their and neighbour-

ing members' electorates, be they Liberal or Labor held seats. She said that they serve those members of the community who live outside their electorate only when those people approach them. However, I have a copy of a letter by the Leader of the Opposition which states:

> The Labor leadership team in South Australia has given a commitment to all South Australians to provide a constructive and positive Opposition . . . We believe it is vitally important for members of Parliament to keep in touch and listen to the views of the local community.

Where were all these principles when the Labor Party was in government? Why do Labor members have to transgress into other members' electorates? The letter continues:

> We would therefore like to invite you to come along to . . . (adjacent to West Lakes Boulevard) . . . Friday 28 July 1995 at 2 p.m. . . .

I believe that this leaflet was posted out at taxpayers' expense by the Federal member of Parliament representing Port Adelaide. The letters were addressed directly to particular individuals in the electorate, so they were not letterbox dropped, and they had postage on them. A number of letters have been sent out, one of which refers to a public meeting to be held at Torrensville on Monday the 24th. I feel that all the money used and effort made by members of the Opposition in trying to white-ant electorates and in indicating that, as a member of Parliament, I am not doing my duty, is quite offensive.

I have conducted surveys in my electorate in relation to different suburbs, and I now refer to a survey conducted in the area of Delfin Island a couple of weeks ago which contained the following information: Question 1 reads, 'Has your property suffered from a graffiti attack in the past 12 months?' The reply indicated that 11.9 per cent had, 85.6 per cent had not and 2.4 per cent did not know. Question 2 asked, 'Has your home been vandalised or robbed in the last 12 months?'; 25.3 per cent answered 'Yes', 72.9 per cent answered 'No' and 1.77 per cent answered that they did not know.

Question 3 asked, 'Has your driveway been blocked by illegally parked cars during events at Football Park in the last 12 months?'; 13.3 per cent answered 'Yes', 85.1 per cent said 'No' and 1.5 per cent said that they did not know. Question 4 asked, 'Are you aware of Neighbourhood Watch in your area?'; 15.9 per cent said 'Yes', 76.1 per cent said 'No' and 7.98 per cent said that they did not know.

I found from this survey that there is no Neighbourhood Watch on Delfin Island proper and I am taking action to liaise with the local police to see whether Neighbourhood Watch can be implemented as soon as possible. Part 1 of question 5 stated, 'Is your street tidy and free of litter?'; 81.8 per cent said 'Yes', 17.5 per cent said 'No' and .6 per cent said they did not know. Apparently, most of the replies indicated that there was a lot of litter straight after football matches at West Lakes oval. Part 2 of question 5 stated, 'Is your street well lit at night?'; 70.7 per cent said 'Yes', 28.4 per cent said 'No' and .89 per cent said that they did not know.

I took this survey in my electorate. The member for Ramsay has sent out many letters and leaflets and he says that he is always in contact with the constituents and the workers, but where are his surveys? What are his results? He is giving only lip-service; he never collates results, he never listens to the workers and he never really means what he says. I suggest that he keep in his own electorate and let me worry about mine.

The Hon. M.D. RANN (Leader of the Opposition): The member for Lee has a lot to worry about in his electorate, in particular support. We have had the extraordinary situation where the hapless Acting Premier had to defend his Premier's choice of a new logo and slogan for the State. Listening to the talk-back shows and listening to the view of people ringing our electorate offices and, indeed, Parliament House, I believe that the public of South Australia does not want to go all the way with Dean Brown on this new slogan. In fact, the State Opposition opposes any change to the slogan as a complete waste of money. At a time when the Government is cutting spending on education, hospitals and the police, it quite simply is perverse to start worrying about the stationery.

If the Premier thinks that we are to have a number plate led recovery, he is wrong, and particularly if he sticks to the slogan that he intends to unveil to the few media organisations which are waiting with bated breath and which are backing this scheme next week.

Those media organisations should take notice of the public of South Australia. If the Premier is so committed and so locked into going ahead with the change to the stationery and a change to the logo, let us put it on hold for a couple of weeks and invite ordinary, decent South Australians to come up with a better idea. It is my view that there is an enormous range of talent, wit and imagination in out State that could come up with a much better idea than this. When you talk about brand image, you have to look at what resonates interstate and overseas, as well as with your own people. We are the 'Wine State', the 'Creative State'; we are a State that is known internationally for its wine industry, its high technology and its commitment to the arts. We are not known internationally for 'going all the way'. I am not surprised at the number of people who have rung today saying they are embarrassed by the sexual connotations and the suggestiveness of it all, and the jokes around the factory floors, in the offices and on radio interstate imply that the Premier lacks divine inspiration in coming up with this logo.

People have contacted the Opposition already asking whether number plates that do not carry Premier Brown's slogan will be available. If the Government is hell bent on a new slogan, it should consult the people who have to live with it. Let us see a campaign through the *Advertiser*, a competition, or an *Advertiser* poll on this issue to see what people think. I know the Premier's office is going around boasting, 'Do not worry; the media will not run the opposition to it. The commercial stations will not allow it to be run because they are locked in.' They are trying to suggest that the journalists and news rooms of this State can be bought off, that the news rooms will have to respond to the managing directors of their companies who might have sat around the table. I do not believe that. I have much more faith in the integrity of the journalists in this State. I know they will not want to see themselves on *Media Watch* next week. I am sure it is a total furphy being put around by the Premier's office that somehow the media in this town has been nobbled. As a former journalist and one who still proudly holds an AJA card, I expect to see this issue reported fairly, no matter what the commitment of the managing directors of any company.

We put in an FOI request for the HUS correspondence, reports and advice to the Minister in relation to the epidemic on 9 February. That was fought tooth and nail by the Health Commission. Eventually, after injunctions and attempts to block it, the Ombudsman and the Coroner have ordered the release of those documents. It is quite clear that the documents have been doctored and nobbled. It is quite clear that,

despite a legal order on the Health Commission to turn over all the documents to me, there are gaps, and the gaps are the crucial documents. All roads are starting to lead to the Acting Minister, Rob Lucas, in terms of his failure to act on time and appropriately during that crisis.

Mr CAUDELL (Mitchell): Is it not very obvious and predictable that the Leader of the Opposition will pick one issue out of a marketing program and decide to run with it on a bipartisan basis—of all people, a person who has stood up in this House on a number of occasions and said that he is a marketing person and knows how to market this State. Yet he pulls out a possible logo and says, 'That is the case; and that is the whole marketing program.' The Leader of the Opposition knows very well that a logo is only one stage of a marketing promotion. It also includes the business program and the advertising program. Maybe the Leader of the Opposition would like something else on the number plate than that which will be released on Tuesday. Maybe he would like to put on number plates for his Labor Party people, 'South Australia—the State Bank crash State'. Maybe he would like to put on his number plate, 'South Australia—the rust belt State', or 'South Australia—the State that is in debt for $900 million worth of interest'—

The Hon. S.J. Baker: What about 'The ex Grand Prix State?'

Mr CAUDELL: Yes, he could have a number of things—'The ex Grand Prix State' or 'I gave it to Victoria State'. I can imagine all the connotations that the Leader of the Opposition could have for this State because he has given a lot of things away—'I gave South Australia the highest unemployment State' or 'I gave South Australia the headache State'. The list of things that the Leader of the Opposition could choose from to put on his number plate is amazing. I, too, had a lot of people ring my electorate office after hearing the Leader of the Opposition on 5DN yesterday. They were extremely upset that the Leader of the Opposition, who holds such a high position in this State, would use sexual connotations in his interview on radio. When I heard what he had said, I was upset that a person of such high profile in this State would attempt to degenerate a marketing program down to sexual connotations. It was typical of backyard, behind the school shed stuff. The Leader of the Opposition is like the dirty old man—the guy in the rain coat with a bag of boiled lollies.

Mr CLARKE: I rise on a point of order. Mr Deputy Speaker, I would ask for an unqualified withdrawal from the member for Mitchell with respect to those comments and allegations made against the Leader of the Opposition.

The DEPUTY SPEAKER: The Chair has to admit that members are reading more into almost everything than the Chair is able to see. However, if members have that sort of mind, I ask the honourable member to withdraw his last comment.

Mr CAUDELL: Which particular last comment, Sir?

The DEPUTY SPEAKER: The Chair is not sure. The Chair saw nothing—

Mr CLARKE: The comment that the Leader of the Opposition was the equivalent of a dirty old man behind the back shed, I think—

The DEPUTY SPEAKER: With a rain coat?

Members interjecting:

Mr CAUDELL: That is a paragraph, Mr Deputy Speaker.

The DEPUTY SPEAKER: The phrase is fairly precise. I ask the honourable member to withdraw the phrase.

Mr CAUDELL: I withdraw the phrase, whichever phrase it is, Mr Deputy Speaker, that they wish to be withdrawn. This marketing program has been put together by a number of very intelligent people in South Australia. It will be released next week and involves contributions from a number of South Australian media associations, from what I understand. They are to be congratulated for at least trying to put something together to get this State going. We not only have to sell this State in South Australia: we also have to sell ourselves interstate. We have to sell South Australia as a place to visit, a place to come to work, and a place to set up a business. It is a place to come to, and we will go with South Australia to the top. At the moment, thanks to the Australian Labor Party, this State is at the bottom and we are going all the way to the top.

Ms WHITE (Taylor): I rise reluctantly, because I did not plan to contribute to this grievance debate. I responded to a personal explanation made by the member for Wright earlier because I felt I had to correct the inaccuracies. I did not finish what I had to say then and the member for Wright has indicated to me that he will be using the next opportunity to raise this matter.

Mr Ashenden interjecting:

Ms WHITE: He now indicates that he will not, and I am thankful for that. I want to place on the record the series of events that has occurred over the past few days, because I think it is a serious and disappointing matter. On Tuesday I used the grievance debate to talk about the need for an independent health complaints unit. In that debate I talked about one instance—and that was the instance of constituents Mr and Mrs Jones—which, in my view, typified the need for an independent health complaints unit. At that time I did not give any indication to the House who Mr and Mrs Jones were, where they lived, or whether they had been to any other member of Parliament—any information of this sort.

Later that evening the member for Wright, whose constituents are Mr and Mrs Jones, rose in the House and virtually said the same thing that I had said—only he took longer to say it. The only substantive difference I could see in those two speeches was that I quoted a sentence out of a letter which was written by the State Minister for Health and which had been supplied to me by the constituent. Yesterday there was an extraordinary attack on me by the member for Wright, who made all sorts of allegations and untrue statements, and I was forced to my feet to rebut them. Today the member for Wright has made a personal explanation, which again contains some untrue statements, and again I rebutted them.

It should be noted here that these constituents are very unfortunate. For a number of years prior to this Government (since 1990), they have been put under enormous stress and have had unfortunate medical treatment about which they have been complaining for five years, and they have not had any redress or satisfactory resolution of their complaint.

The member for Wright criticised me for raising their complaint in this House. I find that extraordinary. I stand by my right to do that and I will continue to do it. I do not give one hoot whose electorate these constituents are in. I give notice that I will always stand up for what I believe to be right. I cannot be silenced by the member for Wright.

The member for Wright made several telephone calls to the constituent, and one during the debate, without checking *Hansard*; he made allegations that I had said certain things in the Parliament. He will now be able to check *Hansard* for

the accuracy of those statements. In fact, the constituent telephoned me this morning—I did not call him, he called me—after reading *Hansard* and said, 'Scott Ashenden had it wrong.' I sent the constituent copies of *Hansard* because that is his right. The constituent was pressured by the member for Wright to supply a statement which he was very uncomfortable about making. He asked my advice and I told him, 'You should do whatever makes things easiest for you. I am disgusted by the member for Wright'—I would not require him to provide a statement—'You should not have to put up with this rubbish.'

The DEPUTY SPEAKER: The Chair thinks that it is high time, following the many personal explanations and quite acrimonious debates which have ensued in the course of the afternoon, that all of us invoke Standing Order 141 to prevent squabbles between members of Parliament. The member for Reynell.

Members interjecting:

Ms GREIG (Reynell): Mr Deputy Speaker, I think it is my turn to speak if everybody else is finished.

Mr Becker interjecting:

Mr QUIRKE: I rise on a point of order. I think that the member for Peake's interjection should be withdrawn immediately.

The DEPUTY SPEAKER: The Chair heard no interjection, but the Chair's instruction is that interjections are out of order. The member for Reynell.

Ms GREIG: I would like to draw to the attention of the House that from 14 to 19 July this year the inaugural YMCA Youth Parliament was conducted in South Australia. This involved some 60 young people from different regions around our State. The YMCA Youth Parliament program deserves both our praise and recognition. The comprehensive program provided young South Australians with an opportunity not only to develop their personal skills but also to learn parliamentary process and procedure.

The first YMCA Youth Parliament was conducted in Victoria in 1987 when 45 young people from that State participated in the event, which was held in the Legislative Council of Parliament House. Since then, Tasmania and the ACT have also run Youth Parliaments. The inaugural National Youth Parliament was held in 1994, and teams from all States and Territories spent seven months learning the parliamentary process and preparing a Bill. The program culminated in a week in Canberra of which two days were spent in Old Parliament House with the aim being to pass the Bill and refute another.

With assistance from the State Government, the South Australian YMCA coordinated a 10 month program for its first Youth Parliament. The aims of the program were: to provide a State forum for young people in South Australia; to provide the State Government with a document of Bills; to hold an innovative YMCA youth project concerned with the developing of young people; to develop an interest in the parliamentary system; and to raise the image of young people in South Australia.

The Youth Parliament program gave our young people the opportunity to better understand the parliamentary process and have genuine input into the decision making process through the formation of their Bills. They developed their skills and learnt new ones. More than 1 000 young people have participated in the program nationally. A Youth Parliament Task Force involving YMCA staff and young volunteers was responsible for the planning and execution of the entire South Australian program. Teams of six people were drawn from community groups and groups from different backgrounds and geographic areas to take part in the program. During the past 10 months, 10 teams of young South Australians have prepared a Bill of interest and concern to them, as well as being nominated another team's Bill to research and refute.

The program culminated in a six day camp in Adelaide, with two days spent in Parliament House. As in State Parliament, the teams were arranged into Government and Opposition and, using parliamentary procedure, their Bills were both sponsored and rebutted. Conscience votes were used for the final passing of Bills. The activities conducted over these two days provided those involved with a valuable and unforgettable experience and provided us with an accurate representation of youth opinions.

On a personal note, I was very pleased to be able to work with the southern cluster group, advising and assisting in the preparation of its Bill. The team consisted of Sian Gardner, Toni Millan, Janelle Sluggett, Anorea Coad, Melissa Rodda, Darren Daff and Katrina Jackson, and their resource person was Erica Russel. It was a refreshing insight into the concerns felt by so many of our young people which were coupled with real enthusiasm to participate in a program which gave an opportunity to voice those concerns.

Youth Parliament has provided a relevant setting for our young people to learn about the State's political practices, gain experience in public speaking and debating, and research and discuss important public issues. The future of South Australia will be in the hands of today's youth. The more information, experience and skills we can give them now the more positive the future will be. I would like to congratulate everyone involved with the Youth Parliament program.

MEAT HYGIENE (DEFINITION OF MEAT AND WHOLESOME) AMENDMENT BILL

The Hon. D.S. BAKER (Minister for Primary Industries) obtained leave and introduced a Bill for an Act to amend the Meat Hygiene Act 1994. Read a first time.

The Hon. D.S. BAKER: I move:

That this Bill be now read a second time.

I insert the second reading explanation in *Hansard* without my reading it.

The Government is pleased to introduce the *Meat Hygiene (Definition of Meat and Wholesome) Amendment Bill 1995.*

The amendments address two specific and separate sections of the Act:

1) Regulation of Smallgoods
2) Procedure for declaring and determining action on 'diseases and conditions' detected in meat processing establishments.

Objectives

Regulation of Smallgoods

The amendment seeks to replace the specific exemption of *cooked products* from the definitions of 'meat' and 'meat processing' under the Act by refining the definitions to include the range of processed meat products as defined in Clauses 6 through 10 of the national Food Standards Code, Standard C1.

The definitions of 'meat' and 'meat processing' under the *Meat Hygiene Act 1994* specifically *exclude* cooked products. The reason for this, at the time of drafting, was to avoid regulating companies producing food products containing cooked meat, such as bakeries and pasta wholesalers.

An assumption was made at the time of preparation of the Act that all smallgoods producers were making *some* fresh products (for

example, fresh sausages), some cured and/or salted uncooked products and/or uncooked fermented products.

Initial assessment of smallgoods operations and entry to compliance programs was arranged and completed quickly, in line with the 'fast-tracking' program announced by the Premier on 6 February 1995. A total of 55 companies in SA are currently accredited to produce smallgoods.

It is now evident that a small number of companies make only cooked products. Under the current wording of the Act, these manufacturers are exempt from the requirements of the Meat Hygiene Act.

The SA Meat Hygiene Advisory Council has expressed concern that the matter be addressed as soon as possible. The Council is of the view that existing surveillance procedures are inadequate and there are significant risks to human safety associated with all smallgoods processing, whether the final product is cooked or not. The Council is also concerned that all meat processing in smallgoods establishments is subject to documentation and regular, consistent auditing, to ensure that product safety and wholesomeness can be affirmed.

The importance of industry-wide consistency and coverage of regulatory hygiene controls was reaffirmed early in 1995 when the Federal Government announced an initiative to introduce mandatory quality assurance based on HACCP (Hazard Analysis and Critical Control Points) and a mandatory code of hygienic production in all smallgoods factories in Australia within 12 months. In March 1995 the Federal Minister for Primary Industries and Energy, Senator Collins, announced the resolutions of ARMCANZ 5, which included mandating HACCP and national standards throughout the meat processing industry.

The smallgoods industry in South Australia is committed to supporting the initiatives taken so far, which have unified the industry and established uniform operating and auditing standards. It is concerned at the possibility that once company programs are defined and documented under the fast-tracking program, some producers may find their operations are not covered under the Act.

The smallgoods industry therefore strongly supports amendment of the current Act to provide for coverage of all operators.

Careful examination of the definition provided by the national Food Standards Code, Standard C1 and consultation within the industry has shown that the proposed amendment will not result in any significant increase in the number of meat processors actually operating under meat hygiene regulations. The only group of initial concern were paté makers—inquiry revealed that all the key South Australian wholesalers of paté products are fully aware and supportive of the regulations and already accredited under the Act.

It is the intention of the Government to exclude from the application of the Act makers of pastry products containing cooked meat, such as pies (because they are regulated under separate national Food Standard, C4) and makers of canned meat products (because they are regulated under Standard C2).

Diseases and Conditions of Animals and Meat

Section 5(2) of the Act provides for the Minister to declare diseases and conditions subject to specific action by inspectors or company staff.

Currently, pending the passage of new regulations, all operations at slaughtering operations are covered by regulations under the *Meat Hygiene Act 1980* which include reference to specific diseases and conditions subject to specific action by inspectors.

New regulations under the *Meat Hygiene Act 1994* will refer specifically to the *National Standard for Hygienic Production of Meat for Human Consumption*, which will effectively replace existing State regulations.

The National Standard includes specific diseases and conditions detected both ante-mortem and post-mortem in meat processing plants and specifies actions required on their detection by both inspectors and company staff.

Inclusion of a separate reference to Ministerial notice of diseases etc under the definition of 'wholesome' (Section 5(2)) is therefore now unnecessary, as long as the definition of 'wholesome' (Section 3) is clarified by reference to regulations.

Explanation of Clauses

Clause 1: Short title

Clause 2: Amendment of s. 3—Interpretation

The deletion of the definition of diseased animal or bird is consequential on a later clause that substitutes section 5.

The definition of meat is substituted. It is proposed to alter the way in which meat products are included within the ambit of the definition. Under the current definition the cut off point is cooking. Under the proposed definition the cut off point is if the product (whether cooked or not) contains less than 300g/kg of meat.

Clause 3: Substitution of ss. 4 and 5

4. Meaning of meat processing

The definition of meat processing is altered to reflect the proposed alteration in the definition of meat. The references to the meat being intended for human consumption or consumption by pets are made consistent.

5. Meaning of wholesome

The current definition requires the Governor to declare diseases or conditions rendering meat unfit for human consumption or consumption by pets. It is proposed to remove this requirement.

In its place it is proposed that the definition rely on the provisions of the Codes (as applied by the regulations) requiring holders of accreditation to classify meat as unfit in certain circumstances and not to process the meat for human consumption, or consumption by pets.

A general reference to disease rendering meat unfit is included.

Clause 4: Amendment of s. 12—Obligation to hold accreditation

Section 12(2)(c)(iii) relates to cooked meat. With the alteration to the definition of meat processing, this subparagraph is otiose.

Clause 5: Amendment of s. 29—General powers of meat hygiene officers

Clause 6: Amendment of s. 30—Provisions relating to seizure

These amendments are consequential to the amendments to section 5.

Mr CLARKE secured the adjournment of the debate.

ELECTRICITY CORPORATIONS (ETSA BOARD) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 19 July. Page 2843.)

Mr FOLEY (Hart): This Bill expands the board of the ETSA Corporation from five to seven members. The Minister has had discussions with the Opposition and, consistent with the bipartisan and strategic approach to issues concerning ETSA that we have shown to date, we are prepared to accept the Minister's request to expand the board in this way. The argument that the five member board is too small is accepted by the Opposition.

The only comment that I should make is that the original legislation was dealt with by Parliament only six or eight months ago, and perhaps we should have addressed that issue at that time. I appreciate that the Minister has acknowledged that the Government erred in that legislation and that the seven person board would be more constructive. At the time the original Bill was debated the Opposition successfully moved, with the Government's acceptance, that the General Manager of the corporation should become a member of the board, and I appreciate that that has put some strain on the remaining members in terms of the numbers required for a quorum. I foreshadow that the Opposition has one amendment to the Bill, namely, that at least two positions be made available to women, and I will move that amendment in the Committee stage.

The Hon. J.W. OLSEN (Minister for Infrastructure): I thank the Opposition for its general support for this measure. I note that the honourable member has an amendment on file that the Government will be happy to accommodate because, in one instance, we have already appointed two women to the Water Corporation Board.

Mr Foley interjecting:

The Hon. J.W. OLSEN: Indeed, it will be. I shall also be proposing that, with the concurrence of the people I will be approaching, we increase the number of women on the ETSA Corporation board. I am more than happy to accommodate

the honourable member's amendment simply because the Government is going to implement that in any event.

However, I cannot but help comment on the remarks of the member for Hart in relation to the fact that the Government should have got this right when the original legislation was passed six months ago. That Bill was amended in another place and, where the Government's intention was to have five external members, it was amended in the Upper House to include the Chief Executive Officer of both organisations as a member of the board. That reduced the number of independent external directors to four, which was a key factor in my determination to take up the matter with Cabinet, and it has resulted in this small amendment. It will enable a broader spectrum of talent to be drawn to the boards.

The composition of the boards thus far appointed in both instances shows significant expertise, talent and capacity from within South Australia and from within Australia to give a national perspective to these two very vital and very large trading entities, which will have to incorporate in their policy and strategic planning in the next few years quite significant decisions to meet the Hilmer requirements, and for us in South Australia to get ahead of the agenda. By that I mean that we must get ahead of the requirements of Hilmer for Government trading enterprises and, in doing so, protect and preserve the position and the regional economy of South Australia. That will protect the disbursements from the Commonwealth in terms of the implementation of Hilmer reforms, as has been identified.

We must also protect these trading enterprises and their capacity to deliver services to South Australians at competitive prices compared with other States in Australia, to ensure that our manufacturing industry in this State is able to compete in the international marketplace and thus preserve jobs and create the opportunity for jobs in manufacturing in South Australia in decades to come. It is getting the foundation right and ensuring in doing so that the protection and creation of jobs in South Australia is the overriding factor. The broad spectrum of the board and the expansion of the board will enable those objectives to be readily obtained.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Establishment of board.'

Mr FOLEY: I move:

Lines 16 and 17—Leave out all words in these lines and insert:

Section 14 of the principal Act is amended—

(a) by striking out from subsection (2)(a) 'four' and substituting 'six';

(b) by striking out subsection (4) and substituting the following subsection:

(4) At least two members of the board must be women and two men.

I note that the Government will accept this amendment, and I applaud the Minister for that. I take this opportunity to state that the Opposition makes no criticism of the fact that we are expanding the board's membership. As I said, the Opposition is supportive of the move and, given the extreme difficulties that will face the ETSA Corporation over the course of the next three or four years, the needs and the abilities of the board will be significant, and having the widest possible skill base on that board is certainly welcome.

Amendment carried; clause as amended passed.

Clause 4 and title passed.

Bill read a third time and passed.

SOUTH AUSTRALIAN WATER CORPORATION (BOARD) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 19 July. Page 2842.)

Mr FOLEY (Hart): The remarks that I made in the debate on the previous Bill apply equally to this Bill. The Opposition supports the expansion of the Water Corporation board for the same reasons. This has been handled in a very constructive manner and is an example of how the Opposition and the Government can work together to quickly resolve issues such as this. We will be moving an amendment to ensure that there are at least two women on the board.

The Hon. J.W. OLSEN (Minister for Infrastructure): I again thank the Opposition for supporting the measure and recognising the need for the expansion of the board to reach the objectives which have bipartisan support in terms of looking after the interests of South Australia. The Government will accept the Opposition amendment. With regard to the Water Corporation Board, the initial appointments included two women. The requirement as identified by the amendment has been implemented.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Establishment of board.'

Mr FOLEY: I move:

Lines 17 and 18—Leave out all words in these lines and insert:

Section 12 of the principal Act is amended—

(a) by striking out from subsection (2)(a) 'four' and substituting 'six';

(b) by striking out subsection (4) and substituting the following subsection:

(4) At least two members of the board must be women and two men.

The amendment ensures that there are at least two women on the board. It is appropriate to acknowledge that, regardless of the amendment, the Government has on its own initiative moved to have two women on the board of the Water Corporation Board, and it should be commended for that. It is a progressive move by the Government and we can only hope that, in the near future, that number will be more in the order of 50 per cent. I commend the Government for placing two women on the board even before the amendment was tabled. That should be acknowledged.

Amendment carried; clause as amended passed.

Clause 4 and title passed.

Bill read a third time and passed.

ADJOURNMENT

At 4.5 p.m. the House adjourned until Tuesday 25 July at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 18 July 1995

QUESTION ON NOTICE

TRANSPORT FARES

224. **Mr ATKINSON:** Is it an instruction to TransAdelaide bus operators to ensure the passengers boarding a bus insert a valid ticket in the Crouzet machine and that the ticket registers; and what instructions are issued to bus operators on how to deal with fare evaders?

The Hon. J.K.G. OSWALD: TransAdelaide bus operators are instructed to ensure that an appropriate fare is paid (under current system this means validation of a ticket in the Crouzet machine) and the following operating instructions 53, 54 and 55 apply:

Fare collection: Employees must ensure that all customers pay the correct fare or present the appropriate corresponding ticket, pass, concession travel certificate or other authorisation in accordance with the current fare scale.

An employee, who knowingly allows any person to travel without paying the proper fare, or issues or attempts to issue a ticket other than the proper ticket, or fails to issue a ticket to the full value of fare received, will be liable to dismissal.

Notwithstanding the above, any passenger who. . . for some sufficient reason, has boarded the vehicle without the means of paying the fare, is to be permitted to travel on the understanding that the amount of fare owing is to be paid at any TransAdelaide offices, railway stations, or by post within 48 hours.

Children under four years of age are permitted to travel free if accompanied by a passenger of at least 15 years of age meeting the provision of this rule.

Attempt to use invalid tickets: Employees must obtain the name and address of, and immediately report to the Operations Control Centre, any passenger unlawfully attempting to ride on an expired or invalid ticket or pass.

Customer failing or refusing to produce ticket: Should a passenger fail or refuse to produce a ticket a fare must be requested and, if payment of the proper fare is refused, the name and address of the passenger must be obtained and the matter reported.

In the event of a passenger refusing to give name and address, a report must be made to the Operations Control Centre.