HOUSE OF ASSEMBLY

Thursday 9 July 1998

The SPEAKER (Hon. J.K.G. Oswald) took the Chair at 10.30 a.m. and read prayers.

SOUTH AUSTRALIAN HEALTH COMMISSION (HEALTH SERVICES) AMENDMENT BILL

Ms STEVENS (Elizabeth) obtained leave and introduced a Bill for an Act to amend the South Australian Health Commission Act 1976. Read a first time.

Ms STEVENS: I move:

That this Bill be now read a second time.

I have much pleasure in introducing this Bill, which introduces to our Parliament legislation promised by Labor during the election last year. It is policy and legislation which we believe will benefit all citizens and our health care system as a whole.

The aims of the legislation are as follows: first, to enshrine in the South Australian Health Commission Act a requirement for the Minister to develop and review a charter specifying the rights of individuals dealing with all hospitals, health centres and other providers of health services; secondly, that this charter and any amendments to it must be laid before Parliament; thirdly, that the public must have access to this charter; and, fourthly, that the Ombudsman Act 1972 be applied to hospitals, health centres and other providers of health services that are not incorporated under the principal Act, that is, that the Ombudsman Act 1972 be applied to private as well as public providers of health services. Finally, the Bill enshrines a requirement for the Ombudsman to report on an annual basis to the Minister detailing any instances of non-compliance with the charter that have come to his attention during the year.

The growing consumer movement in health has led to more accountability for health providers. Central to this is the acknowledgment of the public's right to fair, reasonable, effective and respectful treatment. As much as we would like it, things do not always work out for the best in health care. Some of this is unavoidable. Sadly, there is also a percentage of problems in health care which is avoidable and should not be tolerated. A recent study of the Australian health care system, the Australian Study of Quality in Health Care, found that 16 per cent of adverse events in our health system need not have happened.

These adverse events can range from relatively minor disagreements through to life-threatening errors, even death. The causes of such a crisis in our health system covers the spectrum from problems with resources, unthinking bureaucratic procedures, poor communication, staff attitudes, inexperience and lack of supervision of junior staff. Whatever the cause, none must be tolerated. People's health is too important. The basic principle of health care is, first, do no harm. Our health professionals and administrators must continue to grapple with improving the quality of their services for the good of their patients and for the good of the community as a whole.

However, for consumers to have confidence in the health system, it is vital that they have enshrined in legislation a guarantee of their rights to proper care. To restore confidence in our health system it is also vital that consumers have access to independent complaint investigations, similar to what is now available in every other Australian State and Territory. Following worldwide trends, Australia began developing health complaint handling bodies in the 1980s. I want briefly to quote from *Ethics Law and Medical Practice* by Kerry J. Breen *et al* 1997:

> During the 1980s there was dissatisfaction with the health complaints processes in several States, especially in regard to their fragmented nature and difficulties in access, difficulties in knowing where to complain and a realisation that complainants' needs were not always met when the complaints were determined by a medical board according to the terms of the relevant Act.
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> In New South Wales the response to such dissatisfaction was the establishment in 1984 of a Health Complaints Unit within the Health Department, and in Victoria the passing of the Health Services (Conciliation and Review) Act 1987. This Act established the office of a Health Services Commission which was charged with receiving complaints from users of health services about providers and given the power to conciliate them confidentially.
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> In 1991 the Health Rights Commission Act 1991 established the Office of the Health Rights Commissioner in Queensland.

These moves were consolidated by the 1993 Medicare Agreement, which called on all State and Territory Governments to develop independent health complaints authorities. I quote further:

> In 1993 the Health Complaints Act 1993 established the Office of the Commissioner for Health Complaints in the ACT. In the same year the Health Care Complaints Act 1993 of New South Wales established a Health Care Complaints Commission which subsumed the role of the previous Health Complaints Unit and took on additional power to conciliate complaints. The systems in New South Wales, Victoria, Queensland and the ACT are now very similar, with the exception that in New South Wales the Health Care Complaints Commission is responsible in addition for investigating allegations of unprofessional conduct of doctors, with subsequent referral to a Professional Standards Committee or a Medical Tribunal for adjudication. A similar system, termed the Office of Health Review, commenced in Western Australia in September 1996.
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> In South Australia and the Northern Territory, complaints against doctors in the private sector continue to be directed primarily to the medical boards, which have powers to investigate and to deal with proven unprofessional conduct, but do not have formal powers to resolve, mediate or conciliate complaints against doctors. . . In Tasmania the State Ombudsman has a statutory complaints jurisdiction; the South Australia Ombudsman has administrative coverage in the public sector only.

Since the publication of this book, the Northern Territory has, I believe, from 1 July this year incorporated a system under the Ombudsman which allows the Ombudsman to investigate complaints from both public and private sectors.

As I have just said, the process of establishment is now complete across our nation with South Australia being the stand out example of half measures. Every other State and Territory has now established either as a separate commission or under the auspices of the Ombudsman a complaints handling authority which has the power to investigate both the public and private sector. This Government has let South Australia down by only providing the Ombudsman with powers to investigate the public sector.

Any person in this State receiving a service from a private hospital, general practitioner, private medical specialist or any provider of allied health or alternative health services has no protection and no recourse to a powerful complaints handling body as is available to every other Australian. The State Labor Government in the 1980s, as part of its commitment to consumer rights, established the Health Advice and Complaints Office. This operated out of the Health Commission for several years, providing an important service to the people of South Australia.

As part of the Medicare agreement just prior to leaving office, Labor was to develop this body into a proper complaints handling commission covering both the private and public sectors. We had broad agreement from industry, professional and community groups to head down this path. This community consensus was ignored when the incoming Minister, Dr Armitage, moved to establish a health complaints office within the State Ombudsman's office. This new office has been operating for a little over two years. Within its limited resources, it has been providing an effective service, but the Ombudsman's hands are tied. He has no power to investigate complaints in the private sector.

In every other State and Territory, no matter which Party has been in Government, the commonsense approach to independent complaints handling has been taken, ensuring that it covered both the public and private sectors. Everyone can see that Australia has a blended health system where consumers can receive care, often for the same condition, from a range of both public and private providers. When something goes wrong with that care, in every other part of the country, the independent investigator can look at the total package of care provided. Here in South Australia, this Government has muzzled the Ombudsman by erecting unrealistic barriers between private and public providers.

South Australia is a unique place in which to live, but it is not so different that its people do not require, expect and demand the same level of care from their health services. They also require, expect and demand the same level of protection when things go wrong for them in health care. To date, this Government has failed to deliver this level of protection to South Australians. The extraordinary thing is that an independent complaints authority which covers the private sector as well has shown itself in every other State and Territory to be able to assist not only consumers but also health providers.

The vast majority of health providers are just as interested as their patients in finding out if there is a problem or error in health care so they can fix it. It is in everyone's interest to have high standards of effective complaints handling and resolution in place, particularly with an emphasis on conciliation where possible, as is currently the practice under the Ombudsman's jurisdiction. It is hard to understand why the Government's thinking has been so narrow in this area. South Australians deserve better than this.

In every other State and Territory, the establishment of an independent health complaints authority covering the public and private sector has been a bipartisan effort. There is no reason why it cannot be the same here in South Australia. I call upon the Government and all members in this House, in the spirit of bipartisanship, and in the best interests of us all, to support this initiative.

Central to any improvement in the quality of health services are the rights of consumers. Rights, of course, do not come without responsibilities, and it is important for health practitioners to discuss and clarify all reasonable expectations with consumers at the earliest opportunity. All effective practitioners know the way to provide high quality care is the development of a sound working partnership with the consumer. The basis for this partnership is a clear statement of rights as is embodied in this Bill.

For people to feel safe about approaching any practitioner, public or private, they need some assurance that they will be well treated and treated with respect. A friendly bedside manner is no longer a sufficient guarantee. Some two years ago this Government published a charter of health rights and responsibilities for the public sector only—another half-baked measure. I challenge any member to walk around our public health facilities today and find much reference to it. Most members of the public do not know what their rights are. I hear this constantly from the numerous people from across this State who contact me in relation to health matters. The Government has failed to properly inform them. The charter has sunk with little trace.

It is only by enshrining a set of rights in legislation that the people of South Australia can send a clear message through this Parliament to the health practitioners in this State, both public and private, about how they expect to be dealt with when they receive a service. I believe that all right thinking health practitioners will welcome this approach because it will give them finally some clear standards and guidance. These rights in themselves can become a powerful education tool to be used by health providers when working with consumers.

In trying to work on the nature of the model that would be most appropriate in South Australia, I believe that the simplest thing to do was to in fact extend the model that we already have operating in South Australia. People in South Australia are aware of the *modus operandi* of the Ombudsman and have confidence in the conciliation processes now in place. That is why I chose to move in this way. Mr Speaker, I seek leave to have an extension of time.

Leave granted.

Ms STEVENS: In having decided to proceed down this course, it was important to determine the model and, as I have said, I have actually decided to stick with what we have and extend the current model. I have sought some advice and consultation with the Ombudsman, and I quote from a letter which he wrote to me, dated 27 May 1998:

> Dear Ms Stevens,
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> I congratulate you on your draft proposal 'South Australian Health Commission (Health Services) Amendment Bill 1998'.
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> . . . It is now my understanding that South Australia remains the only polity within Australia in which there is no statutory provision made in the external and independent investigation of 'private' health complaints. While the approach in this area of complaint varies from State to Territory, there is legislation in each State and Territory for external and independent investigation of 'private' health complaints, either by the Health Care Commissioner or, as in the case of Tasmania and the Northern Territory, the Ombudsman, having that jurisdiction conferred upon him. Similar situations may also now be found with overseas experience.
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> . . . I do not think there is any difficulty in principle for any legislative Ombudsman to have such 'private' jurisdiction, subject to there being a relevant connection with the Government by virtue of such instrument as a charter or some other relevant connection with the Ministry. Nor does the fact that the Ombudsman provides a report to the Minister about any instance of non-compliance with the charter cause any particular concern for the Ombudsman, so long as it is clear that the Ombudsman's accountability is to the Parliament and not the Minister or the Government.

He concludes:

> In the meantime, should I find other information. . . I will forward it to you. I propose, in any event, to deal with this issue in my forthcoming Annual Report to the Parliament and will also be providing like information to the Minister for Human Services, to you and the Leader of the Democrats prior to my Annual Report.

I had a conversation with the Ombudsman this morning and he informed me that he had just read on the Internet that the United Kingdom has just established a system of health complaints under the Ombudsman such as we are suggesting here. To expand those international examples, he also mentioned that New Zealand has a complaints mechanism covering both private and public providers but that New

Zealand had chosen the alternative complaints commission model.

I hope members will read the Bill. I am sure that every member receives complaints from people with problems and issues regarding health care which need resolution. This is nothing to be afraid of: healthy systems have healthy complaints mechanisms. We should go forward with this measure with great confidence knowing that if we can implement it across the totality of our health system we will, as I said before, provide great benefit to individuals and the community as a whole. I seek leave to insert in *Hansard* the explanation of the clauses.

Leave granted.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Amendment of s. 6—Interpretation

This clause inserts a definition of the 'charter' in the interpretation provision of the Act.

Clause 3: Insertion of Part 4B

This clause inserts a new Part 4B in the principal Act as follows:

PART 4B

RIGHTS IN RELATION TO HEALTH SERVICES

DIVISION 1—CHARTER OF RIGHTS

57L. Minister to develop and review charter

Proposed clause 57L provides that the Minister must develop a charter specifying the rights of individuals dealing with hospitals, health centres and other providers of health services. The charter is to give effect to various principles which are specified in subclause (2). The Minister may amend the charter at any time and must review the charter at the end of each financial year. In developing or reviewing the charter, the Minister must have regard to any submissions from members of the public and from hospitals, health centres and other providers of health services.

57M. Charter and amendments to be laid before Parliament

Proposed clause 57M provides that the Minister must cause a copy of the charter, and any amendments, to be laid before both Houses of Parliament and provides that the charter and amendments will be subject to a disallowance period.

57N. Public access to charter

Under proposed clause 57N the Minister is obliged to take steps to promote awareness of the charter and must ensure that a copy is kept available for inspection (without charge) by members of the public.

In addition, a provider of health services to which the charter applies must ensure that a copy is kept available for inspection by members of the public at any premises that it occupies and to which members of the public have access for the purpose of obtaining health services. Breach of the provision is an offence and is punishable by a Division 7 fine.

DIVISION 2—POWERS OF OMBUDSMAN

57O. Application of Ombudsman Act 1972

This proposed clause provides for the application of the *Ombudsman Act 1972* to hospitals, health centres and other providers of health services that are not incorporated under the principal Act.

57P. Ombudsman to report on non-compliance with charter

Proposed clause 57P provides that the Ombudsman must prepare an annual report for the Minister detailing any instances of non-compliance with the charter that have come to the attention of the Ombudsman in that year. The Minister is then obliged to cause copies of such a report to be laid before both Houses of Parliament.

Mr BROKENSHIRE secured the adjournment of the debate.

EVIDENCE (SEXUAL OFFENCES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 2 July. Page 1259.)

Mr HANNA (Mitchell): I support the second reading of the Bill. I endorse the remarks of the shadow Attorney-General and I add some points to those which have been made already. Reform is necessary in this area. This Bill is about creating a balance between, on the one hand, the right of rape victims to have an assurance of confidentiality when they disclose the humiliating crime to which they have been subjected and, on the other hand, the right of those accused of sexual crimes to have access to all information which might tend to prove their innocence. In my remarks this morning I will demonstrate why this balance needs to be shifted toward the victims rather than the accused.

It is important to make some general observations about the crime of rape and the way in which the crime is dealt with in our legal system in order to explain why this Bill is necessary. The treatment of rape as a crime has not varied substantially since biblical times. Our current law and sentencing practice is a reflection of ancient days when women came to be seen as items of property for possession by those who had real physical day to day power in tribal societies, in other words, the men.

Punishment for rape has never been anywhere near as serious as punishment for murder, despite the enduring agony that rape can inflict. Although our current Criminal Law Consolidation Act stipulates a maximum sentence of life imprisonment for rape, in practice the average sentence is five or six years with a three or four year non-parole period, and a number of those sentences are suspended. In other words, a number of convicted rapists need not spend time in prison for their crime.

There would be very few rape victims who have not felt, even in those very few cases where rapists are successfully prosecuted, that the sentence was not revoltingly lenient. This leniency, combined with the ordeal which must be suffered should a woman wish to pursue prosecution of a rape, gives rise to a bizarre situation. I refer to the fact that, based on a number of conversations I have had, many women professionals working in and around the criminal justice system know enough about the ordeal of a rape complainant to the point where they would not be involved in the prosecution of a rape even if they themselves were a victim.

For those women who report a rape and wish it to be prosecuted, there is, first, the ordeal of medical examination. In many cases this procedure is as invasive as the rape itself. It is a lengthy process involving tweezers and speculum and internal probing, often in or around areas still tender from assault. Then there is the matter of telling the story in detail over and over, reliving every moment. It is not uncommon for the story first to be told to a social worker followed by an initial police interview, and most likely followed up with a more detailed interview later on.

Then there is the lengthy process of wondering whether the offender will be apprehended, possibly putting up with outrageous lies on behalf of the accused, possibly giving evidence at the committal hearing, ultimately to face the offender in the courtroom where the victim must make herself vulnerable to the detailed cross-examination of defence counsel. On top of all that, and the common knowledge that lenient sentences are often given, there is the real risk of ongoing social relationships being shattered. I make this point in the context of most rapists being boyfriends, husbands, other family members, co-workers, or men otherwise known socially to the victim. The very nature of the ongoing relationship with the offender can be a powerful deterrent to reporting rape.

In my remarks today, I mainly refer to women victims of rape. We should be just as sensitive to the trauma of male victims of homosexual rape. They make up about 10 per cent of rape victims statistically. The victims in these cases have their own distinct trauma, and this Bill is for them as well. Against this background I would hope that there is a collective will in this place to remove any unnecessary laws and practices which discourage the reporting and prosecution of rape offences.

Now let me explain the situation in respect of counselling notes made in relation to rape victims. The problem in South Australia arose just over two years ago when it occurred to defence counsel acting for a man accused of rape that there might be some useful information in the notes recorded at the place where a particular victim went for counselling and support. In South Australia we have only one specialist agency for these cases, and it is known as Yarrow Place. It originated in the 1970s, and it was called the Rape Crisis Centre. The staff there have the experience and sensitivity to know how best to deal with women who have just been raped, or those who have been raped some time ago but need ongoing support to cope with the resulting trauma.

Bear in mind that defence counsel will normally have access to the investigating officer's notes and the full transcript of police interviews with the victim. At Yarrow Place, however, women are seeking a totally confidential supportive experience from the counsellor. Because the notes are taken by the counsellor for their value in future therapeutic sessions with the victim, the notes are, by nature, highly subjective and reflective of the victim's emotional state. The woman talking about her rape experience and all the emotions that go with it needs to be able to speak frankly and without reservation to the counsellor so that all those feelings can be resolved.

It is a psychological fact that many rape victims, like victims of other crimes, experience a degree of self blame in relation to the crime, not because of what you or I would call guilt but because it is a natural human response to resolve a traumatic event by asking the questions: 'Why did it happen to me?' and 'What could I have done to prevent this happening?' Obviously any suggestion of consent to sexual intercourse could be highly valuable for defence counsel as a means of attacking the woman's credibility.

We do not believe that those notes should be produced in evidence at a trial because of the high likelihood that any feelings of self blame being explored in a therapeutic context will be construed as admissions that the woman actually consented to have sex with the accused. At the same time, this Bill gives the trial judge a discretion to admit such notes as evidence in an exceptional case where there is a blatant contradiction between the woman's story in the court and the woman's story as she reports it to her counsellor (regarding the issue of consent).

Members will note as I examine the issues that I focus on the issue of consent. It is a distinctive feature of the crime of rape. If a bank is robbed, nobody stops to ask the bank teller whether they invited the armed robbers to come in so that they could hand over the bag full of cash to them. If a person is beaten black and blue and left lying in the gutter one night, nobody stops to ask them, 'Did you consent for someone to do this to you?' Unfortunately, however, consent is one of the hardest fought issues in most rape cases, especially those where identity is not in issue. And that is the majority of cases where the offender is actually known to the victim in the first place.

To illustrate what women are up against in relation to the consent issues, I will use a real life example. It is a case which went through the Queensland courts in the 1980s, although it raises issues which come up literally every week in South Australia. In this case, the victim was a 16 year old woman. One night, sexual intercourse took place with five men. One of them was her ex-boyfriend who still lived in the same house as her. She did not know the others very well or at all. She was bound up before sex took place. Can you imagine what the defence was? They said that she consented.

Hypothetically, that young woman might have sought counselling. She might have condemned herself for being in a situation where the opportunity arose for those men. In relating to her counsellor the events of that night, rather than focusing on her fear and the intimidation she experienced, she might in her distress have focused on feelings of self blame. She might have said, 'Why did I let them do it? Why did I let them tie me up? I didn't even struggle.' If a counsellor had jotted down those comments and perhaps added her own interpretation under the heading 'Feelings of Guilt' and if those notes were produced later in evidence, members can see how they could be twisted against the victim. That is the sort of scenario we seek to prevent in putting forward this Bill.

The mechanism by which this goal is achieved is by grafting an exclusion, in relation to personal records of alleged rape victims, onto existing section 34i of the Evidence Act. It might be worthwhile for members to consider the history of section 34i. It was enacted in 1976 as a result of recommendations by the Criminal Law and Penal Methods Reform Committee of South Australia, which was chaired by Dame Roma Mitchell, who was then a Justice of the Supreme Court, and the committee was known as the Mitchell Committee. The primary purpose of the 1976 amendment was to prevent evidence being adduced in court of the sexual reputation and sexual history of the alleged victim. In the cool, calm light of day it was acknowledged that a woman's sexual history, sexual inclinations or sexual reputation had highly dubious value in the context of judging whether a woman consented to a particular act of sexual intercourse.

For example, just because a woman is a prostitute does not mean that she is any more or less likely to consent to sexual intercourse when she goes out to a party with friends. These personal attributes of the victim, however, can have a decisive effect in the tense atmosphere of a courtroom in front of a jury, which brings with it not only its collective wisdom but also its collective prejudices. Section 34i is therefore a fitting place for a legislative provision which gives a trial judge the power to exclude evidence of records made in circumstances where the alleged victim has a reasonable expectation of privacy. If one accepts the principle that the privacy of a rape victim should be given very great weight in relation to confidential discussions where notes are taken, then it is easy to appreciate that we must look beyond Yarrow Place to other circumstances where rape victims might record their most intimate experiences. It is not uncommon for this to occur with the victim's usual GP.

The Bill before the Parliament defines personal records broadly to include a range of similar relationships. Police investigation records will remain available to defence counsel, as they are now. Intimate details revealed in these situations should be protected by a heavy veil of confidentiality, which should be brushed aside only in exceptional situations. I support this Bill's being put forward, but there are other ways of doing it. If the Attorney is motivated by the introduction of this Bill and its passage through the House of

Assembly to introduce a Bill that achieves the same just result, I believe that members of the Opposition will be only too happy to examine the Bill and judge it on its merits in an apolitical way.

The Bill before us is all we have to deal with at the moment. It is an excellent compromise solution, which balances the competing rights of rape victims and accused people. I commend the shadow Attorney-General for introducing it and I urge other members to support it.

Mr CONLON (Elder): I want to add some brief comments to those that have been made and indicate that some minor amendments will be moved to the Bill in the Committee stage. Someone once said that in making a speech you should tell people what you are going to say, then tell them, and then tell them what you have said. I think I will do that, because I want people to look at this through a certain filter, which is this. It is the estimate of Yarrow Place, the one expert place that deals with rapes in South Australia, that only some 10 per cent of rapes are reported. We know from the Office of Crime Statistics that, in the calendar year 1996, 600-odd rapes were reported. We know further from the Office of Crime Statistics that the results of those reports were that 18 convictions were secured for rape and four convictions secured on another offence.

If my sums are correct, that is less than 4 per cent of rapes reported proceeding to a conviction by the court. If you add that to Yarrow Place's view that only 10 per cent of rapes are reported, what you have, if Yarrow place is correct, is that, of every 250 rapes that occur in South Australia that we know of, one is punished by the courts. If they are only half right—and we assume that they are at least half right—one in every 125 rapes that occur in South Australia is punished by the courts, and that is a statistic that should appal us. There are a number of reasons for this.

First, quite obviously, rape is a unique crime; it is an act that is, I would go so far as to say, more than commonplace in the community, which becomes a crime in the absence of consent of one party. It is an act that in the vast majority of cases involves an enormous betrayal of trust. It is an act that, by its very nature, occurs in private on most occasions. There is a second reason, and the one that we address today, why those figures are as they are. And if any bleeding heart comes and tells us that what we are doing is preventing people getting a fair trial, I would say, 'Have a look at the figures.' It is not a particularly difficult crime to defend, as it stands at present, and I reject the views of those people who believe that we should make it easier to defend. As I said, the reason traditionally that it is a crime that is so infrequently reported and so infrequently gains a conviction is that there has been an historic hostility and distrust of victims of rape manifested in the common law.

Section 31 of the Evidence Act has been amended over a number of years in an attempt to redress that balance, but in the view of the common law over the centuries the allegation of rape was one that was easy to make, easy to fabricate and the victim should be treated in that light. We know from experience that the reverse is the case: an allegation of rape is one that the common law has made remarkably easy to defend and remarkably painful a complaint to bring for the victim. As has been noted by some speakers, common law in the past allowed the most grotesque cross-examination of victims as to their sexual history. That was addressed by an amendment to section 31 of the Evidence Act, to prevent such cross-examination except where absolutely necessary.

A further example of the hostility of the common law towards victims of rape was the requirement under common law of a corroboration warning: the judge would warn the jury that it might be unsafe to convict in the absence of corroboration. The nature of the crime being as it is, and its being made a crime by the absence of consent, occurring in private between two formerly trusting parties, corroboration is not necessarily immediately available. It would rely on some circumstantial evidence in the past, perhaps of violence, but violence is not always manifest upon a person. Section 31 was amended so that judges were made aware that a corroboration warning was not in fact necessary.

I am advised that a Senate inquiry since that time has found that judges have elected to use a corroboration warning in almost 50 per cent of cases; again demonstrating the hostility of the common law towards rape victims. The matter we are trying to address at this moment goes not only to the hostility of the common law system towards rape victims but that very serious matter of the impediments placed in the way of people reporting rape. The member for Mitchell touched upon the feelings of guilt that often pervade any victim of such an awful crime, which lead them to make statements blaming themselves. This is not uncommon. It is common where these offences occur because of ordinary feelings of guilt and self blame.

Counselling serves two purposes: it is not simply about prosecuting the perpetrator of the rape: it is assisting the victim of a rape to come to terms with it. If that process is likely to affect the ability to charge a perpetrator of the rape, the rape will go unreported. The woman will take counselling for her own benefit and the rape will go unreported and unpunished.

The second problem is the terrible position in which it puts rape counsellors. We know that in Canberra a rape counsellor has been incarcerated for refusing to hand over notes. We know that in South Australia rape counsellors under duress have handed over notes. The Bill would not exclude in all circumstances the ability to have those notes available if there was very good reason, but it would prevent the defence from going on fishing expeditions against people who are already victims of crime. It would prevent the very great damage that is done by this action, and that damage is the great motivation not to report a rape or to seek redress for it. Those are the wrongs that we are attempting to redress. We are doing it through that filter, as I said before, where one in 250 rapes in South Australia (based on the figures) is actually punished. I have told the House what I was going to say, I have told the House again and I will say it again—

Mr Atkinson interjecting:

Mr CONLON: No: I have told you twice. Try to count, Michael. Therefore, if the rape defence lawyers come to members and tell them this is a terrible thing we are doing to people accused of rape, I ask members to look at those figures again: of every 250 reported rapes in South Australia, one is punished. The facts speak for themselves. Rape is not an allegation that is too easy for a victim to bring: it is a crime that is far too easy for a perpetrator to defend, and that is why I support the Bill.

Mr MEIER secured the adjournment of the debate.

EDUCATION (GOVERNMENT SCHOOL CLOSURES AND AMALGAMATIONS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 4 June. Page 1119.)

Mrs MAYWALD (Chaffey): This is an important Bill for all school communities. Legislating the review process in relation to schools is going to give some sense of security to school communities that their views will be heard when their schools are being considered for closure or amalgamation. Presently the system enables a policy from the department to determine how the school closure review process takes place. I believe that this amendment will ensure that that process is enshrined in legislation and that the Minister will be accountable to this Parliament for the reasons for closure of schools, other than those recommended by the committee. I commend the Bill to the House.

Bill read a second time.

In Committee.

Ms WHITE: I move:

That clauses 1 and 2 be considered after clause 3.

My amendments are subsequential to the debate on clause 3.

Motion carried.

Clause 3.

Ms WHITE: I move:

Page 2—

Lines 6 to 23—Leave out clause 14B and insert:

14B. The following provisions apply in relation to the closure of a Government school to which this part applies:

(a) the school cannot be closed except at the end of a calendar year;

(b) the Minister must—

(i) give written notice of the proposal to close the school to the head teacher of the school and the presiding member of the school council; and

(ii) publish a notice of the proposal in a newspaper circulating generally throughout the State,

not later than 15 June in the year preceding the year of the proposed closure;

(c) the Minister must, within 21 days of giving notice under paragraph (b)—

(i) appoint a committee to review the proposed closure; and

(ii) provide the committee with details of the Minister's reasons for the proposed closure and copies of any reports or other documents prepared by or for the Minister or the department relating to the proposed closure.

Page 2, lines 25 to 34, page 3, lines 1 to 4—Leave out subclause (1) of clause 14C and insert:

14C.(1) A committee appointed by the Minister under this part will consist of—

(a) —

(i) if the school is situated within the area of a council constituted under the Local Government Act 1934—the mayor or chairman of the council (or a person nominated by the mayor chairman); or

(ii) in any other case—a person nominated by the Minister for Local Government; and

(b) the Director-General (or a person nominated by the Director-General); and

(c) the presiding member of the school council (or a person nominated by the presiding member); and

(d) a person nominated by

(i) if the school is a primary school—the South Australian Association of School Parents' Clubs Inc; or

(ii) in any other case—the South Australian Association of State School Organisations Incorporated; and

(e) a person nominated by the Australian Education Union, South Australian Branch; and

(f) a person nominated by the Minister.

(1a)The member holding office under subsection (1)(a) will be the presiding member of the committee.

Pages 3 and 4—Leave out clauses 14D to 14F (inclusive) and insert:

14D.(1)A committee, in conducting a renew of a proposal to close a school, must—

(a) call for submissions and seek expert demographical and educational advice relating to the school's present and future use; and

(b) invites submissions from, and meet with, teachers and parents of students of the school and representatives of local communities likely to be affected by the closure of the school.

(2) In making a recommendation relating to the closure, the committee must have regard to the educational, social and economic needs of the local communities likely to be affected by the closure and of the needs of the State as a whole.

14E.A committee must, by 30 September of the year in which the committee is appointed, submit to the Minister its report on the review and the recommendation of the committee.

14F.If a committee recommends that a Government school should not be closed and the Minister does not accept that recommendation, the Minister must, within six sitting days after receipt of the report and recommendation of the committee, cause—

(a) a copy of the report and recommendation; and

(b) the Minister's reasons for closing the school and for rejecting the recommendation of the committee,

to be laid before each House of Parliament.

I will test the Committee on my amendments before dealing with those of the member for Chaffey. My amendments insert an appeals process with regard to how school closures are dealt with. The Bill as it is simply puts into legislation what currently exists in practice within the department and would not have any effect in changing the outcome of the closures of Croydon, Croydon Park and McRitchie schools last year, for example. The purpose of the Opposition's amendments is to insert an appeals process in those circumstances where school communities do not agree with the Minister's decision to close a school.

I said in my second reading speech that these amendments deal with the composition of the appeals committee as well as procedures that the Minister would need to go through after a decision was made in terms of tabling that decision in Parliament and the reasons for it. It ensures that schools are given enough time after notice of an impending closure to make arrangements for that closure so that schools would close at the end of a school year and students would not be disrupted unnecessarily.

In my second reading speech I pointed out that, as this Bill stands, school principals and representatives of school councils are not represented in the review committee that the member for Chaffey proposes to set up. I understand that the member for Chaffey intends to move amendments to change that, so I welcome that change. However, I appeal to the House to support the Labor Opposition's amendments to insert into this process an appeals mechanism for school communities who wish to appeal a decision by a Minister to close a school.

The CHAIRMAN: Just so that the Committee understands exactly what we are doing, I point out that the member for Taylor has sought and obtained the leave of the Committee to deal with amendments to clause 3, page 2, lines 6 to 23—'Leave out clause 14B and insert:' and the amendments are before the Committee. I intend to put that question first and whether there is support from the Committee for that will then determine where we move, because I am conscious that

the member for Chaffey has an amendment to the same clause.

Ms WHITE: You do understand, Sir, that I moved three amendments.

The CHAIRMAN: I understand that the member for Taylor has debated the three issues, but we are putting the amendment to clause 3, page 2, lines 6 to 23 to test the member for Taylor's position.

Mrs MAYWALD: I speak against the amendments moved by the member for Taylor. I believe that the problems that were identified by the Ombudsman in the process for the closure of schools, and in particular the Croydon school, related to the review process. The member for Taylor's amendments do not address the identified problem: they merely seek to establish another committee to review the original committee's findings. What is needed is accountability to this Parliament that the procedures have been undertaken correctly. By legislating in relation to this process, we will ensure accountability to this Parliament.

I also appreciate that my amendments and the original Bill moved by the member for Taylor provide that the Minister would have to report to Parliament on the recommendations of the committee and his reasons for not agreeing with those recommendations if he chose not to do so. That addresses the problem as identified by the Ombudsman and makes the Minister more accountable. I do not agree with the amendments moved by the member for Taylor. However, I move:

Page 2—
Line 26—Before 'two' insert: 'at least'.
Line 26—After 'two' insert:
'(but not more in total than the number gained by multiplying the number of schools being reviewed by two)'.
Page 3, lines 2 to 4—Leave out paragraph (d) and insert paragraph as follows:
(d) the head teacher of each of the schools subject to the review; and
(e) a nominee from the school council of each of the schools subject to the review.

I move these amendments because I believe that there was a shortfall in terms of the review committee under the original Bill, and that there was not sufficient community and school representation on that committee. Whilst the original Bill enabled or demanded consultation with those groups, I believe that the community could take better ownership of the committee if the head teacher of each school and also a nominee from each school council were on the review. Therefore, I propose to amend the clause, with the following correction to the amendments as distributed: that the word 'optional' be deleted.

The CHAIRMAN: The Committee is now free to debate issues relating to the amendments moved by both the members for Taylor and Chaffey.

Ms STEVENS: I support the amendments moved by my colleague the member for Taylor. I agree with her criticism of the Bill as it stands in that the Bill simply states what is or is supposed to be current practice. I speak on this matter of school closures from a fair degree of experience. I was a school parent—my own sons went to Fremont High School—and I was on the school council at that time as a parent. I was also a principal of one of the schools in the Elizabeth area and prior to that I was on the staff of that same school in a different role.

When the threat of school closures hangs over school communities, it can be very debilitating, as occurred and as I witnessed over the years. We have to make sure that there is a fair and objective process that is also seen by the community to be fair and objective. I must say that, in recent years and certainly over the past couple of years, a few closures that have been carried out by the present Government have left a lot to be desired.

The member for Taylor has mentioned Croydon and McRichie Primary Schools. I also draw the attention of the Committee to the closure of The Parks High School. There were real difficulties in that process from the point of view of the community, concerning whether they had had a fair say and whether the Minister had ignored the issues. I do not have the material here but I was provided with it and I certainly spoke on this matter in the House earlier. Considerable evidence was put forward by the school community that in fact the issues had not been canvassed widely enough and that there were severe difficulties with that process. I believe that some means of appeal is needed and for that reason I support the member for Taylor's amendments.

Mr WRIGHT: I agree with those comments. We would probably all agree that on most occasions the closure of any school will be a very emotive topic. On most occasions we see that parents, students and, in all probability, staff as well do not want a school to close. That is not to say that there are not times when schools should be closed: because of the population of students, a school can reach a point where it cannot offer a broad enough curriculum. There are times when that occurs. Currently in the Semaphore Park and Ethelton area two school communities are working through a proposed amalgamation very maturely. They have agreed, and an amalgamation of two primary schools which are very close together but which are divided by Bower Road is being worked through and, I hope, will continue to be worked through sensibly.

However, having said that, because of the emotive nature of this topic within the full school community, we cannot be too careful with respect to the process that is put in place. We will not completely overcome the emotion that exists in this debate but, to help to alleviate the sensitivities involved, the member for Taylor is precisely correct in putting forward an amendment and saying there should be an appeals process. If there is an appeals process, although we will not overcome some of the emotive debate that takes place in some given situations, a procedure will be put in place which is fairer and which, on most occasions, people within the community will come to respect, even if at the end of the day they do not agree with the ultimate decision that is made.

This is what these amendments that the member for Taylor (the shadow Minister for Education) brings before the House are about. She has brought before the House some sensible amendments that will put in place a better procedure and a process that, at the end of the day, will be more accountable and will arrive at a solution, and if people look back through the process and track through it, even if they do not get the decision that they want and expect, they will have a process and a procedure that is accountable and that is followed through in a logical way. The member for Taylor is correct when she says that the member for Chaffey's Bill does not go far enough and does not change what is currently before us so that we will put that particular procedure in place.

We all agree that the education of our children is one of the most vital matters before us, and we obviously all want to achieve the highest outcomes with respect to the education of our children. Public education is a critical area within our system. This is not the time to debate this, but I suggest that there are a number of ways in which we need to improve our public education system. I do not say that as any slur on this

current Government, because I believe that it has drifted over a number of years, and there will be times when I get the opportunity to speak in more detail about that. However, I believe this is one way to better ensure, in this very difficult process that both major Parties have had to go through, that we can make it a better and a fairer system and, at the end of the day, we will take people within the school community through a more accountable process which involves the total school community.

I take the point (and we should all take the point, and the member for Chaffey has acknowledged it in her amendment) that the principal and a representative from the school council—who, by and large, we would expect to be representing the parent community within the system—should be a part of that process. I believe that this is a good amendment, and something about which we should think seriously: to have a worthwhile and correct appeal process as a part of this system.

Mr WILLIAMS: I would like to speak against the amendment moved by the member for Taylor. There are a couple of things that concern me. One is the time line that prevents a school from being closed unless the processes are started probably at least six months before the end of the year, and I can imagine that there would be situations where that would put the Minister and the department in an invidious situation, where it was important to have a school closed, and could in fact force the Minister to keep a school open for 12 months longer than it should be. So, I have a bit of a problem with the time line.

The other aspect is that the review of the so-called appeal process is, I believe, designed to do one thing, but it does it through prolonging the agony. I believe it is a politically motivated situation. It is the sort of thing that we saw at the time of the last election here in South Australia, where we had a politically motivated movement against a particular school closure. The school concerned(and I have spoken about this before in the House) had been through a review process. The school community had agreed with the schools in the local hub that two of the schools in that hub would be closed; then an election was in the air and the whole thing became political.

As I have also said before in this House during an earlier debate on some of these issues, I understand that this provision is very similar to the existing provision in New South Wales. In that State, since this provision has come into the Act, it is my understanding that no schools have been closed under this new system: it does not make it harder for the Minister or the department to close a school: it makes it impossible to close a school.

As I have also said previously, we should be talking about quality of education for the students of our State; that is the paramount thing. I do not believe we should be making it impossible to close schools, but I believe that the member for Chaffey's amendment and the subsequent amendments that she has foreshadowed will ensure that the due processes are carried out and that there is an adequate review process not only by the school community but also by this Parliament.

Ms WHITE: The member for MacKillop said that one of the reasons why he did not support my amendments to this Bill related to the Croydon Primary School closure and what he called political motivation—he said that it was a politically motivated campaign. The honourable member is probably unaware, but that campaign by the parents to save that school began over 12 months before the election campaign, when the decision had been made. That community disagreed with the decision and acted in the interests of their children—and I believe that most people in the community appreciate this. To try to imply that it was a political thing rather than parents trying to change a decision that affected their children is not really recognising what happened, nor is it recognising the decision that the Ombudsman took in criticising the processes that led to that decision.

Interestingly, in his second reading speech, the Minister made an admission. He admitted that the Bill as it stands before us in the composition of the Committee set up to review a school or a cluster of schools is no more than already exists within the processes of his department. And that is indeed the case. So, given the criticisms that the Ombudsman has made, and given the criticisms that the community has made and its discomfort about school closures and the way in which the decision-making has been happening to date, it is clear that the Bill as it stands (and I am speaking of the Bill as it stands; we have to consider some amendments) does very little to protect the community against wrong decisions about school closures.

Obviously—and all members have said this—there is the need from time to time to close schools. The Minister should always have that power to close schools, but there should be some process whereby the community has an appeals mechanism. In the end, it will always be the Minister's decision, but the purpose of the Labor amendments is to give the community that mechanism of appeal.

Mr WRIGHT: I have raised this point before in the House. The member for MacKillop has also raised the same point previously, and I responded to it. I am unsure what is wrong with a school, through its school council or parent body, sending out a political message. I cannot see why the honourable member is making that point. One would hope that, if a school in the honourable member's electorate went through a similar procedure, irrespective of the Government of the day, as the local representative, he would not be doing his job if he did not ensure that, as one of the community leaders within his electorate, the school community did not undertake getting across some political message. Whether it was done during an election campaign, in the lead up to an election campaign or 12 months out, as the member for Taylor has correctly highlighted to the Committee, I would not be critical of that.

With respect to the role that the Principal or the staff took, it would be reasonable to expect that people in those positions did not play an active political role. However, in the main, that is not what we are talking about. We would expect that school community, led by the school council, with the parents of that community, to take an active political role. Indeed, it is their democratic right to do so. Why should they not do so? We exist, member for Mawson, in a political environment: in case you had not realised, you are not down there looking after your cows anymore, you are now in Parliament, representing an electorate and going through a political process in which the school community has every right to be involved.

Do not get embarrassed and talk about set-ups, because I would suggest that any honourable member, if they were playing a realistic leadership role in their community, would take an active interest in the closure of a school. For over 12 months the Croydon community was able to touch up the Government and embarrass it, because of an inappropriate process that you went through. There is no need for the junior Minister to screw up his face—

Mr BROKENSHIRE: I rise on a point of order, Mr Chairman.

Mr Koutsantonis interjecting:

The CHAIRMAN: Order, the member for Peake! There is no need to raise a Standing Order.

Mr BROKENSHIRE: Mr Chairman, I draw your attention to the fact that twice again today the member for Lee has referred to an honourable Minister as a junior Minister. There is no such thing as a junior Minister in this Committee.

The CHAIRMAN: There is no point of order.

Mr WRIGHT: They are not silly enough to bring him into their junior ministry. I will get back to the point of the argument.

Members interjecting:

Mr WRIGHT: The junior Minister interrupts again; his rudeness is quite unacceptable in this Committee. The junior Minister obviously does not want to get involved in the merit of the argument.

Mrs MAYWALD: I rise on a point of order, Mr Chairman. I ask that you rule on the matter of relevance.

The CHAIRMAN: Order! I was rather distracted at the time, and I apologise for that. I ask the honourable member to come back to the amendment.

Mr WRIGHT: Mr Chairman, I appreciate the point of order from the member for Chaffey, because I know she is interested in the merit of the debate. Had it not been for the rudeness of the junior Minister continually interrupting, I certainly would not have been sidetracked. Had I not been interrupted, I would have finished five minutes ago, anyway. I was just about to conclude—

The Hon. W.A. Matthew interjecting:

Mr WRIGHT: There he goes again; he can't help himself. You would think as a junior Minister he would have more manners.

The CHAIRMAN: Order! The matter is confused enough as it is with the amendments that are before the Committee. Up until now the debate has been fairly sensible, and it would be a good idea if we kept it that way.

Mr WRIGHT: I wish all these members would let me conclude my remarks.

The Hon. W.A. Matthew interjecting:

Mr WRIGHT: There he goes again; he cannot help himself.

The CHAIRMAN: Order! The Chair also believes that it would be important for the member to conclude his remarks.

Mr WRIGHT: Thank you very much, Sir. With a bit of decorum from members opposite, I will conclude my remarks. I remind the members for MacKillop and Mawson that we are in a political environment, and we should not be too affronted, whether we are in government or opposition, by a school community using the various means available to it to try to get across its message. This has happened before, and it will happen again. It is the environment that we are in, and we should not be too touched up by it.

Mr WILLIAMS: When I spoke a while ago, I failed to congratulate the member for Lee on his comments about the importance of schools to local communities. I acknowledge that his contribution in that area was relevant. It is important to communities. The community has asked the Minister to close a school in my electorate at the end of this year. That school has been in existence for about 90 years, and the latest information I have is that the school community and the people in that district will get together over the next six months and produce a history of that school, which has been a vital part of that small community. At the end of the day, we must respect that those people stood back and had a look at it and said that, for the educational benefit of their children and the children of that community, it was in the best interests to close that school, and that is what they have done.

Sometimes the parents in a particular school are not able to stand back and dispassionately look at the facts and make that decision. I will briefly clarify my point. The member for Lee talked about political nature and what has happened. He showed his true colours when he said that, over the 12 month period preceding the last election, the people from the Croydon area and the Croydon school community touched up the Government—they were his words. I accept that sometimes there are political considerations and that the school community used the political processes to protect what it saw as its interests. When I came in as a new member of this House we had people from Croydon disturbing the House, behaving in a shocking manner in the gallery and outside the House, putting out press releases, writing to me and telling me that I had blood on my hands.

Mr Koutsantonis interjecting:

Mr WILLIAMS: The member for Peake says that I broke a promise. Did the people from Croydon say that I made them a promise? That decision had nothing to do with education opportunities for the people of that area: it had a lot to do with touching up the Government of the day. It was about putting the perception in the community that the Government was heartless and that it would close schools all over the State. That is what the review of the review of the review process is all about: enabling Oppositions and people to touch up the Government. It has nothing to do with education. I suggest that the Committee vote against this amendment.

The Hon. W.A. MATTHEW: One thing that needs to be put on the record very firmly during the debate on this amendment is some of the behind the scenes activities that occurred in order to orchestrate the Croydon campaign. Members opposite know what happened, because some of them were part of it. This was not an ordinary campaign—as the member for Lee would have the Committee believe—that involved simply parents and students from Croydon: this campaign was orchestrated by the trade union movement with the Labor Party on a national basis. It had to be done on a national basis, because it is quite apparent from the lack of expertise opposite that the Labor Party did not have the people in South Australia to mastermind it. So, they brought over a henchman from Melbourne who was there with the parents holding up the placards. As the Liberal Party, we filmed the Roxby Downs demonstrations. Sure enough, the same trade unionist from Melbourne was there orchestrating and organising a Roxby Downs demonstration.

The Croydon campaign was not about local parents: it was about dirty, low gutter politics and about manipulating a small community group for political gain. That needs to be put very firmly and squarely on the record: it was about trade union henchmen. The only reason that person had to be brought in from interstate is because of the lack of expertise on the other side. This morning in the Chamber the member for Lee dribbled forth his rubbish. I recall that the current Leader of the Opposition did not even want the honourable member preselected—and today we have seen why.

Mr KOUTSANTONIS: First, let me say that that last remark was outrageous. I believe the Minister has no right to make those terrible remarks. Now the Minister is leaving the Chamber—what courage! The member for MacKillop, who,

generally, is a decent and good man, referred to a school in his electorate which the local community wanted to close. The honourable member said that the parents' wishes should be respected and that community input should be taken into account by the Minister. I agree with the honourable member wholeheartedly. The Minister should take the advice of parents and the local community when they want their school kept open, when they think it is viable.

Why can the same argument not be used in reverse? If parents and the community feel passionate about their school, why can they not keep their school? If we use the same logic when parents want the school closed because they think it is the best thing, why can we not use the same logic to keep a school open? The rubbish that the members for Mawson and Bright perpetuate about so-called conspiracy theories on a national level in relation to Croydon primary school rate with One Nation's ideas.

An honourable member interjecting:

Mr KOUTSANTONIS: It is a Jewish conspiracy! There are 12 faceless men running the Croydon Park school council; in fact, I heard they are being funded through New York! I ask the Minister: why can we not use the same logic that the member for MacKillop used to close a school to keep a school open? I think it is a pretty practical question.

Mr WRIGHT: The member for MacKillop made a good point earlier, and I think that is the reason why this appeals process should be in place. I hope I do not quote the honourable member incorrectly—I apologise if I do—but when referring to a situation in his electorate he said that the community identified the need to close a school that had been there for 90 years—and that does happen. I referred to a couple of schools, one of which is in Lee and one of which is in the member for Hart's electorate. So, we are talking about similar principles in those terms.

My point is that the honourable member said that there are times when parents cannot look at this objectively. I do not necessarily agree with that, but within the school community there may be certain parents who do not necessarily look at this objectively. Let us be honest with each other, because it is a very emotive topic. I said that earlier in my first contribution. I think that adds to the argument that that is why you need the best process in place and why it is significant that the member for Taylor's amendment is good, because if that appeals process is in place you have the best possible procedure that to date we have been able to come with to alleviate some of those tensions that exist.

Although it really does not even warrant comment, I refer to the junior Minister's remarks which were quite unrelated to this debate, and then he skulked out of the House like a dog. To make comments of that nature in respect of allegations about the process that took place in regard to the—

Mr BROKENSHIRE: I rise on a point of order, Mr Chairman. I draw your attention to improper motives and to the slur against the Minister in referring to him as a dog.

The CHAIRMAN: I uphold the point of order. The member for Lee's comments are unparliamentary.

Mr WRIGHT: I did not call him a dog: I said, 'like a dog'.

Members interjecting:

The CHAIRMAN: Order!

Mr WRIGHT: I am seeking clarification.

The CHAIRMAN: Order! The Chair requires the member for Lee to withdraw his comments.

Mr WRIGHT: I am happy to withdraw the comments about the Minister's being 'like a dog'.

The CHAIRMAN: And the previous comments.

Mr WRIGHT: And about him skulking out of the House.

The CHAIRMAN: Thank you.

Mr WRIGHT: As I said, his comments do not warrant reply. Suffice to say, the Minister's comments about the campaign are illogical. The fact that he—

The Hon. G.M. Gunn: You were caught with your hands in the till.

Mr WRIGHT: Did you just wake up? Have you been here for all of the debate, or did you just wake up? I know that we went a bit late last night for you, but it is good to see that you have just woken up.

The Hon. G.M. Gunn interjecting:

Mr WRIGHT: It's good to see that you have just woken up.

The CHAIRMAN: Order! The honourable member is out order.

Mr WRIGHT: I would just like—

The CHAIRMAN: It would also be appropriate for the member for Lee to address the Chair.

Mr WRIGHT: Thank you, Mr Chairman. In conclusion, we should look at the merits of this argument and at what is currently before us. To go back over the ground of what happened previously with respect to the Croydon situation does not get us a long way down the track with respect to this debate anyway; that is what we are here for.

Progress reported; Committee to sit again.

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

A quorum having been formed:

Mr MEIER (Goyder): I move:

That Standing and Sessional Orders be so far suspended to enable Notices of Motion: Other Motions and Orders of the Day: Other Motions not to be considered until Orders of the Day: Private Members Bills/Committees/Regulations No. 6 is disposed of.

Motion carried.

EDUCATION (GOVERNMENT SCHOOL CLOSURES AND AMALGAMATIONS) AMENDMENT BILL

In Committee (resumed on motion).

Ms WHITE: I make one final comment in relation to the remarks of the Minister for Administrative Services. The Minister proved the case of the Opposition for having an appeals process inserted into the school closures decision making process. His view, and it clearly has been the assessment of the Liberal Government, is that what South Australians saw last year during the election campaign when people were protesting about the closure of Croydon Primary School is that that is all it was: a protest. They totally misunderstand the depth of feeling of parents in the community about school closures and the educational future for their children. They want a say in what happens to their schools and educational programs within those schools. A group of parents stood up, quite publicly in the end, over a prolonged period of time to try to protect that interest. The misinterpretation by Liberal members about the impact of that protest by the Croydon school community is proving the case for the Opposition that an appeals process is necessary.

Ms White's amendments negatived.

Mrs MAYWALD: I would like to raise a few points following the comments of the member for Lee. The honourable member remarked that the committee, as outlined in the Bill, is a reflection of the existing policy—which in fact is the

case. It is a reflection of the existing policy which is a good policy that incorporates community involvement, the school council and the school principals. However, the member for Lee failed to recognise that the Bill also enables accountability to this Parliament for the Minister's decision based on the recommendation of that committee. If the Minister determines that he will not take on board the recommendation of the committee and decides to close a school regardless, he must table those recommendations in Parliament and also table his reasons as to why he has decided not to go with those recommendations.

This is exactly what is in the amendment as proposed by the member for Taylor. It is also proposed in the member for Taylor's amendment that the Minister still have the final say as to whether or not a school should close—and that is the way it should be. However, my Bill enables the process in the initial instance to be addressed and enshrined in legislation, a process that is currently only policy. It outlines who the stakeholders are and what stakeholders should be consulted during the process and it makes the Minister accountable. The member for Taylor's amendments propose another bureaucratic process to set up an appeal process to appeal a process that is currently only policy. I believe that if you are going to fix something, you fix it correctly in the first instance. You go to the core of the problem to address those issues: you do not establish another committee. Therefore, I recommend my amendments.

Ms WHITE: I am speaking to the amendment proposed by the member for Chaffey. While the Opposition is disappointed that its amendments were lost, we support the member for Chaffey's amendments to her own Bill. As I pointed out in my second reading speech, as the Bill currently stands the proposal would set up a review process whereby clusters of schools were reviewed but the principals and school councils of those schools would not have any input or direct representation on those review committees.

The member for Chaffey's amendments ensure that the head teacher of each of the schools party to the review, as well as a representative from each school council, is included on that review committee. As this is an improvement on the current practice of reviews of school clusters, the Opposition will support the amendments.

The CHAIRMAN: The test case having been put on the amendments moved by the member for Taylor, we will not further proceed with the other amendments. We are now dealing with the amendments moved by the member for Chaffey.

Mrs Maywald's amendments carried; clause as amended passed.

Remaining clauses (1 and 2) and title passed.

Bill read a third time and passed.

EDUCATION FUNDING

Ms WHITE (Taylor): I move:

That this House expresses concern that South Australia's public school and TAFE systems will suffer unprecedented budget cuts over the next three years and censures the Minister for Education, Children's Services and Training for failing to protect the future of education and training in this State and for accepting the Government's cuts to his portfolio which far exceed those in other departments.

After ensuring the health and safety of our children, there is little more important in the job of parenting than making sure our children have the very best education that we can provide. In this great nation of ours it is still a basic belief of Australians that every child, no matter how rich or poor, no matter which suburb or region they live in, no matter what race, background or gender, should be encouraged and given the opportunity to achieve their educational goal.

Most parents recognise that in Australia education is the one true leveller. It is a major factor in determining the type of job a person can hold and it significantly affects the quality and enjoyment of a person's whole life. The value of a quality education cannot be underestimated in both social and economic terms. The consequences for a society of not ensuring that its people are well educated and skilled enough to provide the work force necessary for both existing industries and those we want to attract are dire. This State leads the nation in unemployment. If we do not maintain good standards of education and training in South Australia we will not be able to climb out of our current unemployment crisis, and wages and living standards in this State will fall behind the rest of the nation.

At a time when maintaining our education and training standards is paramount, this Government's response has been instead to treat the education portfolio as simply a source for budget savings. The Liberals see education only as a cost instead of an investment, which is really what it should be, in our children and in our future economic and social prosperity. In this State budget, our public schools and TAFE systems have suffered unprecedented budget cuts. Some members opposite may believe the Minister when he feeds them the line he has been running that these cuts are just education's share. That is far from true.

Members interjecting:

The SPEAKER: Order! There are too many audible conversations going on in the Chamber.

Ms WHITE: Let no member be in any doubt that these cuts are far greater than those to any other portfolio and they have come about because the Education Minister failed to stand up for the education and training interests of this State.

Mr Venning: That is not right.

Ms WHITE: The member for Schubert says, 'That is not right.' The Minister has not provided any evidence that he stood up to minimise the cuts in this budget, and they have been the most severe cuts to any portfolio. Let me outline to the House the Minister's budget strategy for these harsh cuts, and I have before me a document prepared by the Minister's department. The figures it contains were confirmed by the Minister in the Estimates Committee. I seek leave to insert a statistical table in *Hansard* without my reading it.

Leave granted.

Department of Education, Training and Employment Budget Strategy

		1998-99			1999-2000			2000-2001		
		Ongoing $m	One-off $m	Total $m	Ongoing $m	One-off $m	Total $m	Ongoing $m	One-off $m	Total $m
	Budget Task									
A	Unavoidable cost pressures									

Department of Education, Training and Employment Budget Strategy

		1998-99			1999-2000			2000-2001		
		Ongoing $m	One-off $m	Total $m	Ongoing $m	One-off $m	Total $m	Ongoing $m	One-off $m	Total $m
1	Year 2000 Compliance Project (total estimated cost is $9 million)		2.5			1.5				0.0
2	Reduction in Liabilities Workers Compensation		2.0			1.0				0.0
3	State Government Efficiency Dividend	4.4			6.6			6.6		
4	Indigenous Education Strategic Iniatives Program				0.8			1.7		
5	TVSPs (assume Government funding)									
6	Leave Loading increase	0.7			0.7			0.7		
	Total Cost pressures	5.1	4.5	9.6	8.1	2.5	10.6	9.0	0.0	9.0
B	Unfunded Government policy iniatives									
1	EBA (at 1995-96 prices)	5.2			7.9			11.1		
2	Provision for implementation for other policy iniatives	0.5			1.0			2.0		
3	On Line delivery of Vocational Education		3.5			3.5				
4	Non Government School Interest Scheme				0.5			0.5		
	Total Policy iniatives	5.7	3.5	9.2	9.4	3.5	12.9	13.6	0.0	13.6
C	Government Savings Task									
1	1 Per cent per annum towards Enterprise Agreement	11.2			16.4			19.6		
2	Other savings on State outlays	18.6			22.9			27.4		
	Total Government Savings Task	29.8		29.8	39.3		39.3	47.0		47.0
	Total Budget Task	40.6	8.0	48.6	56.8	6.0	62.8	69.6	0.0	69.6

Ms WHITE: This table, which has been prepared by the Department of Education, Training and Employment, under the heading 'Budget Strategy', shows that in 1998-99 the total budget task for the Minister's department is $48.6 million, not the figure of $29.8 million outlined in the budget papers. In 1999-2000, it is $62.8 million and in 2000-1 it is $69.6 million. By that year, the ongoing budget task will be $69.6 million. I seek leave to insert in *Hansard* another statistical table which outlines the budget savings strategy.

Leave granted.

Department of Education, Training and Employment Budget Strategy

		1998-99			1999-2000			2000-2001		
		Ongoing $m	One-off $m	Total $m	Ongoing $m	One-off $m	Total $m	Ongoing $m	One-off $m	Total $m
	Proposed Savings Strategies									
A	Saving towards Enterprise Agreement									
1	Formation of DETE—Efficiences in the longer term (assume 30 positions in 1998-99 and further 30 in 1999-2000)	1.5			3.0			3.0		
2	Shorter school year by 1 week	1.5			3.0			3.0		
3	Devolution of water, energy and telephone costs to schools	1.0			2.0			2.0		
4	Devolution of TRT Budget to schools	0.6			1.2			1.2		
5	Adult re-entry	0.5			1.0			1.0		
6	Site closures—rationalisation—recurrent savings	2.0			3.0			3.0		
7	Option for 90 FTEs	2.5			4.4			4.4		
	Sub Total—Enterprise Agreement	9.6			17.6			17.6		
B	Corporate Savings Strategies									
1	Absorb inflation on goods and services including school grants for 3 years	6.4			13.0			19.5		
2	Continued conversion to outcome cleaning contracts	05.			1.0			1.0		
3	Continued rationalisation of school bus routes (to be absorbed by pressure on industry rates)	0.8 (0.8)			1.7 (1.7)			1.7 (1.7)		
4	Acquit portion State Recurrent Contribution under the National Child Care Strategy	0.5			0.5			0.5		
5	Commonwealth specific purpose grants for primary and secondary—supplementation	5.0			5.0			5.0		

Department of Education, Training and Employment Budget Strategy

		1998-99			1999-2000			2000-2001		
		Ongoing $m	One-off $m	Total $m	Ongoing $m	One-off $m	Total $m	Ongoing $m	One-off $m	Total $m
6	Fringe benefits tax	0.5			0.5			0.5		
7	Procurement strategy	1.0			2.0			2.0		
8	DETAFE cross charge	1.0			1.0			1.0		
9	Non Government school sector (3.75 per cent)	1.2			1.6			1.9		
10	Generate additional income									
11	Balance of discretionary fund	0.5			0.5			0.5		
12	Means testing of transport concessions				1.7			3.4		
	Sources	26.2	0.0	26.2	44.4	0.0	44.4	52.9	0.0	52.9
	Net Shortfall/(Surplus)	14.4	8.0	22.4	12.4	6.0	18.4	16.7	0.0	16.7
C	Use of cash reserves To pay for once off items above. Balance of available cash		13.3			6.0			0.0	
D	Further Group Savings Strategies									
1	Operations Group (including TAFE SA)	5.9			10.4			11.9		
2	Employment and youth	0.1			0.1			0.1		
3	Strategic development	0.4			0.5			0.5		
4	Programs and Curriculum group	2.1			2.1			2.1		
5	Resources group	1.8			1.8			1.8		
	Total Funding Sources	36.6	13.3	49.9	59.2	6.0	65.2	69.3	0.0	69.3
	Net Shortfall/(Surplus) including other savings options	4.0	(5.3)	(1.3)	(2.4)	0.0	(2.4)	0.3	0.0	0.3

Ms WHITE: For the interest of members, I want to go through a couple of the huge cuts that have been made in this budget. The document that I have just tabled, which was prepared by the Department of Education, Training and Employment, shows a breakdown of the budget strategy, and various figures throughout it were confirmed by the Minister in the Estimates Committee on 19 June.

One major cut to the budget is the reduction of funding to institutes of TAFE: $3.2 million in 1998-99; $7.9 million in 1999-2000; and $9.5 million in 2000-1. It is a massive cut to our TAFE institutes. At a time when we are battling huge unemployment in this State, the highest in the nation, our State Liberal Government is cutting back on the very institutes that are doing a marvellous job in providing training.

From the briefing papers attached to this budget strategy, I would like to quote to the House how the Minister intends to make those savings in the TAFE sector. This document states:

> Directors have been asked to identify strategies to achieve the savings target identified. This includes an initial target of $9 million over three years for TAFE SA.

The Minister said in the Estimates Committee that he would make those savings through efficiencies in TAFE, but the document states that the directors have been asked to make the savings. So, contrary to what the Minister told Parliament—contrary to his statements that these savings would be made from efficiencies—the directors have been asked to come up with these figures.

Another interesting portion of this document reveals the extent to which and the impact that these cuts will have on children in schools. It took a considerable number of questions to the Minister to establish that the school year would be shortened by one week. A saving of $3 million in this current financial year is to be made from shutting every school in the State one week earlier: $260 000 of that just by turning off the lights in schools; and $444 000 by not having to bus students for that week. That is the extent to which this Government is implementing cuts—cutting down tuition for children to meet its budget bottom line. It is devolving management of utilities, for example, telephone costs to schools, resulting in a saving of $1.3 million to the department this financial year. A cut of $1.2 million will be cut from the budget this financial year by devolving relief teacher budgets to schools.

Very interestingly, the Government is cutting adult re-entry by $1 million per year. The reasoning in the briefing papers for that is interesting, and I quote as follows:

> A 1995 studies showed that South Australia has the highest number of year 12 repeating students in Australia and this trend is increasing. The main reasons for repeating this year are to obtain a better tertiary entrance score, to gain acceptance into university or to gain acceptance into a preferred course. The costs associated with educating students for an extra year for the purpose of improving TE scores is an additional $8.6 million (in 1995 dollars) and the average improvement in TE score was 11 points. It is proposed that a reduction of $1 million per annum be achieved.

Adult re-entry is not just year 12 students repeating. Many mature age students go through re-entry, and it is interesting that that is how the Government views adult re-entry. A saving of $3 million is also to be made by closing 30 schools. The briefing paper states:

> A program of school reviews will need to be put in place to achieve a savings target of $3 million. . .

Straightaway, without looking around, the Government is deciding to cut 30 schools because it has this target to meet. The Minister has been saying that it has been decided to make these cuts because that is how many schools are likely to close. Quite clearly, this briefing document says that they will need to close these schools to save that money, which is quite a different emphasis. That is on the top of the reduction of

100 teachers. Extra funds are to be obtained by the rationalisation of bus services.

Very interestingly, this briefing document demonstrates that, despite assurances that all the election promises have been funded, quite clearly they have not been. Under the heading 'Unfunded Government policy initiatives', this document provides for a total of $9.2 million in this budget year. From where is some of the money for those Government unfunded policy initiatives to come? Again I quote from the briefing paper:

> It is envisaged that in 1997-98 about $.5 million will be required for initial pilots/feasibility. The total of estimated cost of the revised proposal is expected to be $7.5 million and will be met from cash reserves.

That refers to one of those Government policies of on line deliveries, totalling $7.5 million over three years. It is interesting, indeed, that the policy initiatives that the Government took to the election campaign were not all funded. Another interesting revelation is made in connection with the non-government schools interest rate subsidies scheme. The briefing document states:

> This is a Government policy commitment for which the former Minister for Education and Children's Services approved in principle a scheme which will provide a limited interest rate subsidy for capital works in non-government schools. The funding has been capped at $.5 million per annum. The Minister directed that the cost of the scheme in 1997-98 and 1998-99 be met from department's cash reserves and for 1999-2000 onwards Government supplementation be sought. If this was unsuccessful the cost was to be met from within the capital works program. This is no longer an option given the reductions to the capital program.

It is interesting how the Government is managing that one. On this topic of the use of cash reserves, I again refer to the briefing document, as follows:

> The department plans to run down its cash reserves from 1997-98 onwards to fund the year 2000 project, on line delivery system for vocational education, and reduction of workers compensation liability and insist in meeting the budget target in 1998-99.

So, it is running down its cash reserves as well. This is a harsh budget with unprecedented cuts and the Minister for Education has failed in his duty to protect this budget. Education and training have by far taken the biggest hit of any portfolio—and this Minister has taken it lying down—and the children and students of this State will suffer as a result.

Mr MEIER secured the adjournment of the debate.

BANKS, COUNTRY

Mr VENNING (Schubert): I move:

> That this House condemns the major banks for the closure of many branches in country regions with no consideration for the impact on local communities.

I will speak on the significant number of bank closures we have seen in recent months, particularly in country towns. I also note closures in the metropolitan area and in the CBD. I make an observation early in this speech that since the mid 1980s Governments certainly can also be accused of closing down facilities: many services have gone and that has continued until the current time. This comparison is not quite as direct, because banks have been making huge amounts of money in spite of these closures, whereas Governments have restricted their services because of the huge economic restraints under which they have been placed because of the state of the economy.

The use of the word 'condemns' is a bit strong, but I cannot think of a more appropriate word. There has been and there probably will continue to be significant rationalisation of bank operations throughout the State. The reduction of services concerns me, particularly those involving banks, when they are still returning a large profit to their head offices.

The banks are closed because the profit is deemed to be insufficient. Banks can make bigger profits by forcing people to use automatic teller machines. Banks are also making people travel farther to a central place because services have been rationalised. The banks have forgotten about their loyal customers. The focus is on big profit and return to shareholders; banks have forgotten their loyal staff. If this is the only driving force and deciding factor, casting aside the general community's interest and needs and also the long-term security of their local employees' future, then some serious and searching questions need to be asked.

Commentators say that this is only economic rationalism unfolding and taking affect, but I say that it is just single mindedness by certain high level distant individuals—those banking executives who usually reside in Sydney or Melbourne. We have all seen people affected by these phenomena. These are the people who become further disillusioned. No wonder they are open to reactionary politics of the likes espoused by Ms Hanson. I have previously said in this place that it is not what Ms Hanson is or what she represents: it is what she says, or part of what she says. I do not want to elaborate because it has been a phenomenon, and this is yet another reason why people in country and regional South Australia are concerned about their future.

I was encouraged when I heard the Chief Executive of the Australian Bankers' Association, Mr Tony Aveling, say that he recognises there is a great deal of economic and social uncertainty in rural Australia and that customers are looking for answers. I have also spoken to Mr Sandy Cameron from the Farmers Federation who gave me some additional information from the Australian Bankers' Association, which states that the banking industry owes a duty of care to rural communities to ensure that the level of inconvenience they experience as the result of a branch closure is minimised and that a minimum of three months, not six weeks, notice should be provided to the rural community in the event of a branch closure.

The Association said that banks should commit to leaving a full-time staff member in a branch for a period of at least two months to provide face-to-face training for customers who, by reason of the branch closure, are required to make the transition to phone banking or EFTPOS services. Certainly, one can understand that elderly people, who are being forced to use these electronic devices because there is no other option, will require some training in their use. I also have some reticence in using those machines.

The Association further recommended that a community forum should be held by the banks involved to explain the reasons for closure and clearly set out the alternative banking services that will be provided. Also, that the alternative banking services provided should include access to free and local call communication with the bank. Why should the cost of communication increase as a result of a bank closure? The Australian Bankers' Association also said that banks should be required to demonstrate that they have explored alternative options for face-to-face banking services, such as bank agency, joint agency, community banking, Australia Post, etc.

I was encouraged by these comments from the Australian Bankers' Association via Mr Aveling.

The whole subject of the closure of banks brings me to other areas of rationalisation. I suggest that only a decade ago banks, insurance houses, stock and station agents, and the like, were huge employers of young school leavers, particularly in country regions. Now there are very few opportunities for school leavers to get a job in these areas. I know this only too well. I have three children and two have come to the city to get jobs with one staying on the farm. New opportunities for these people are rare. Members would have been pleased to note the tabling in the House last week of the aquaculture report from the ERD Committee, which I Chair. It is a very sustainable and world-class industry with great prospects and it is great news for country businesses, country workers and their communities.

I am fully aware that the Minister for Youth and Employment recently announced an extremely good initiative to improve the prospects of young people in securing long-term employment, but I cannot get away from the legacy left after years of Labor mismanagement, on both the State and Federal scenes. We would not be sitting here, going through the angst of selling a major State asset, that is ETSA Optima, if the previous State Labor Government had shown some professionalism a few years ago.

I know first hand the impact of bank closures, not only on the communities they serve but on the employees and their families. I know that because I employ an ex-bank manager on my staff. In fact, he wrote part of this speech. I know the effect that a bank closure had on him and his family, and that is only one example. One could multiply that across the board to every redundant bank employee—

Mr Clarke: Is he a member of the National Party?

Mr VENNING: No, he is not a member of the National Party. One could multiply that effect across the board to every redundant bank employee as a result of branch rationalisation. We all know people who have worked in banks. Indeed, our own Premier started his life working in a bank. They are the major employers of people. Now they are shedding staff as though they have no loyalty to them at all. People who see themselves as direct victims of any rationalisation process feel threatened and have a sense of insecurity. They close ranks and turn in on themselves to protect their own. This is one of the reasons why community groups, such as the Lions, Apex and Rotary in our country regions, are suffering a severe lack of membership and support.

Communities cannot flourish and grow while they are feeling threatened and insecure. Many people have this feeling at the moment. The Government knows that and I am sure the Opposition does, too. That is why we are prepared to take the bit between the teeth and do the tough things to get the State back on track. I am very pleased that in the debates on the restructuring and disposal of ETSA that guarantees and riders have been given to ensure that staff are looked after and not made to accept forced redundancies. Also, I am pleased to see that guarantee of service has been given to rural users of electricity in any sale proposal.

In contrast, in some cases the private sector has shown to be somewhat more ruthless. One day you are sitting at a desk, working away diligently and conscientiously, then, out of the blue, the next day the boss walks up, taps you on the shoulder and says, 'Sorry, your job is gone due to an internal restructure and decisions from above. Get your things together and we will escort you out of the building. You're redundant.' That scenario has happened but it does not happen so much today. That is a real life example of how it was done. I understand that the process has improved and so it should.

A staff member has given decades of their life to one institution thinking that if they give dedicated, honest and committed service then they will be secure in their job—not the case. No wonder Pauline Hanson gets support when she talks about going back to the security of the 1950s and the 1960s. People long for these times again. We all know that it will not and cannot happen but we can reflect on how it was in those days. At least we had two banks in the main street: the Bank of Adelaide and the Savings Bank of South Australia, as well as several stock firms. These are memories but certainly we got very good service in those days. No wonder people want to go back, but we cannot.

All employees feel the brunt of rationalisation at one time or another. It is felt not only by people who work in white collar occupations: blue collar workers working in the many factories and fields in the State are also affected. A merger takes place, operations amalgamate—which means that there is duplication of services—with the result that someone must go, and then that person is unemployed. Retraining does benefit some people but what about the person who is 50 years of age—the likes of me—who has worked in one job all their life since the age of 15? These people are unemployable in any other field.

It is very difficult when people who have lived in country regions all their lives find themselves having to relocate in their middle life—having to break from their family and their traditions. People do find their own niche in life. They have their own homes in all places of the State, and whether it be Sedan or whether it be Whyalla it is all the same. I certainly feel their concern and anxiety in having such a thing thrust upon them. No wonder they listen when a populist politician comes along and offers alternatives.

Bank closures affect the community as a whole. When a bank closes in a country town, it not only affects the staff who worked there, those people who may well have lost a job, but it takes people out of the town and thus reduces the population. This has a domino effect, whereby less money is spent in the town and those businesses are adversely affected. The townsfolk have to travel to a large regional centre to do their banking and, guess what, they end up doing their shopping there. The problem is that the community spirals down. Next thing, the chemist shop closes, and it goes on and on, and you can end up with a little town like Yacka. It is a lovely little town that once had all the services. But now even the hotel in Yacka is closed.

Mr McEwen interjecting:

Mr VENNING: It was in my electorate. I fought to keep the railway bridge there. The railway has gone but the bridge is still there as a memorial to the railway service it once had. That is just one little example of what rationalisation can do to a small rural community. I believe we must lead and manage our communities through this very sensitive and emotional period of time. We are all experiencing a revolution at the moment with the national competition policy being rolled out. Farmers are feeling the hard times at present with the perceived protection they have experienced for many years being taken away or at least big changes being forecast. Grower cooperatives, such as the SACBH, are being restructured. A Bill is coming before this House in a few weeks to do just that. I urge all members to consider that and to ask the growers whether that is a wise thing to do. I have done that and have suffered a fair bit of rebuke for doing so, but I will still do it all the same.

It is up to each of us to put away our individual agendas and to become more unified in our approach to matters of the State, for the good of all who live here, particularly our rural communities. People are not happy, and many are taking their own actions. We have seen the formation of rural financial groups into organisations such as credit companies. Also, I was told by the member for McKillop this morning of a case in Victoria where some of those affected have formed their own bank. I look forward to listening to his contribution when he will give yet another example of country people saying, 'Enough is enough, we do not appreciate the closure of these valuable services to us.' The banks need to be condemned for closing these branches without a true assessment of what they do in country communities.

Mr McEWEN (Gordon): I just find absolutely astonishing this macabre preoccupation with ritualistic self-mutilation. Why would anybody get up in this place and condemn private enterprise when the major perpetrator of these evils has been the Government? How can the member for Schubert come into this House and make these statements when it is the Government that has demolished the social fabric of rural South Australia? It is the Government that has abandoned families. It is the Government through policy settings, both State and national, that has unravelled rural South Australia.

Mr Scalzi interjecting:

Mr McEWEN: Governments of both persuasion. These people have embraced economic rationalism. You ought to start to understand that economic nationalism is the saviour of this country. It is the Government and its policy settings that have created these anomalies like One Nation. The Government can blame no-one but itself for this reaction. The Government must accept that it is the architect of the demolition of non-urban Australia. To come into this place and say that banks are at fault—banks are just reacting and responding to the policy settings. It is the Government that has abandoned our youth and older people. The Government ought to stand up and say—

Mr Clarke interjecting:

Mr McEWEN: I am not voting with them. I am saying that this is an outrage. I am saying that we ought to step back and have a good look at the damage that has been done and we ought to genuinely embrace community impact statements before we remove any further services from non-urban Australia.

An honourable member interjecting:

Mr McEWEN: You are right, I am wound up on this one. I am absolutely astonished that the Liberal Party even allowed its member to come into this place to give me this opportunity. What an opportunity to actually expose this policy, to expose them for what they stand for. On behalf of all non-urban South Australians, I had to express my outrage. Non-urban South Australia has had enough. We have paid more than a fair price. We demand some services back, and the Government needs to set the lead. Without creating opportunities for our youth, the next generation, the wealth generators of non-urban South Australia are disappearing forever, and we are just going to be an abandoned landscape.

Mr WILLIAMS (MacKillop): I hope that the Whip rues the fact that he got the member for Gordon to speak before me.

Mr MEIER: On a point of order, Mr Speaker, it is my understanding that you, Sir, must determine who is the next speaker, not the Whip.

The SPEAKER: There is no point of order.

Mr WILLIAMS: Like the member for Schubert, I am very concerned about bank closures in country and rural towns throughout South Australia and indeed our whole nation. Unlike the member for Schubert, I would not condemn the banks. Certainly, I appreciate what the member for Gordon has said about the fact that it is not just the banks that have led to the demise of rural and regional towns in South Australia and, indeed, throughout Australia. I could not condemn the banks. They have not been the leaders of this movement out of rural and regional Australia. They have not been the ones who have embraced economic rationalism in the forefront. They have not been at the vanguard of this. In fact, it has been a lot of other agencies, and Government has been amongst those.

During the last couple of years, many towns within my electorate, including Lucindale, Keith, Penola and Coonalpyn have all suffered bank closures, and some of those towns now have no banking facilities whatsoever. It is a shame that a place like Penola, on the edge of one of the best tourist attractions we have in this State, catering for a huge number of tourists to that area, particularly on weekends to the Coonawarra vineyards, does not have an EFTPOS facility for people who want to purchase product from that area. In fact, some of the local storekeepers are being used as quasi banks, and they are not very happy about that. They are not happy about having to carry sums of cash on their premises over weekends, and that has impacted upon them, and some feel insecure about having to do that. I fully understand the impact of bank closures, and the member for Schubert certainly did make a telling point when he said that, when people travel to another town to do their banking, they also do their shopping.

I do not think we should be totally negative on this. The banks have reacted to what has happened in the communities. I have spoken to banks about that, and at least one bank has given me the figures of their costs compared with those of their competitors. They have no choice. If they want to continue to be in the banking industry in Australia, they have to trim their costs. One of the ways they are doing that is rationalising their services and, unfortunately, that is falling very heavily on rural and regional Australia and South Australia.

Unlike the member for Schubert, I do not condemn that but I am very concerned about that and the impact it has been having. I have said previously, both in this House and other places, that I believe it is within the Government's ability to address and overcome some of these problems by in fact looking at the work of its agencies and, by using modern telecommunications infrastructure, putting agencies back into rural and regional South Australia. They must put some of the people presently sitting in office towers in the CBD and the metropolitan area back in front of their computer screens in rural and regional towns, be they big or small. This is one way in which I think the Government can address the problem of social degradation of rural and regional South Australia.

I would like to draw to the attention of the House a good news story which took place over the border in Victoria adjacent to my electorate and which I heard about within the past couple of weeks. Two very small towns, Rupanyup and Winnap, with a population of about 400 to 500 each recently lost their banking service. Instead of whingeing and com-

plaining, the local communities formed a committee, which met over about a 12 month period.

Initially, they tried to induce a credit union to set up shop in their towns, but whilst going through that process they came across what they saw as an even better option. Through becoming a franchisee of, I think, the Bank of Bendigo they have set up branches in each of those towns. A series of meetings were conducted, as a result of which many interested people were brought together and a company set up. Many members of the local community became shareholders in that company. I am told that that shareholding was limited to a total input of from $500 to $5 000, which enabled all sorts of people within the community to become shareholders.

I believe that hundreds of thousands of dollars have been spent on setting up this venture. Each town has its own shopfront. They provide most of the normal banking facilities including a videoconferencing service linked to the headquarters of the bank so that through this modern technology people can have face-to-face access to the full range of banking services from within their local community. I repeat: these are small towns of about 400 people.

At this stage, I believe that these branches are operating on a part-time basis on two or three half days a week. They have a full-time manager and three part-time employees. This is an illustration of what a local community can do to overcome the loss of banking services. These are quite rich cereal growing and cropping areas, and it is hoped that they can induce most of the people in the district to utilise this service and plough the profits back into the community.

I make two points: first, the Government can use this sort of electronic information technology to which I have just alluded and which is being used in this new bank in its own Government agencies to overcome the problem of social degradation in rural and regional South Australia; and, secondly, local communities can set up their own bank. This has already been done. I am sure that the people in those towns would be more than willing to share their ideas with other communities. If any communities wish to contact me, I can put them in touch with the people involved. I am sure that there are many communities in South Australia who could follow this lead.

Mr BROKENSHIRE (Mawson): I rise also to talk about this rather serious motion. I would like to highlight a few points. I understand what both the member for Schubert and the member for MacKillop have said. I will try to be quick, because I know that one of my colleagues would also like to address this motion. I also appreciate what the member for Gordon had to say, but he forgot to point out one thing, and that is that banks are making billions of dollars of profit each year. They are able to rationalise in other ways through technology, etc. without pulling the guts out of country towns by closing down branches altogether.

The difference between a bank in the private sector and governments, particular the Government of today, is that governments are cash strapped, they carry large debts and they do not have the luxury of making billions of dollars in profit or having surplus recurrent budget opportunities such as a bank has. A government can help rural towns and regions with initiatives such as Food for the Future, a group which I convened for the Premier which has a clear commitment in regional and rural South Australia to grow the value added food industry from $5 billion now to $15 billion by the year 2010. By doing this, the Government is having a real impact by allowing the private sector and committed economic wealth generators, to which the member for Gordon referred, the opportunity to grow their businesses and create real jobs not bandaid jobs which governments often create temporarily.

The fact is that governments can also help rural regions and rural economies by keeping down taxes and charges, reducing debt and creating an economic climate in South Australia that will attract real investment. There is an absolute differential between the responsibility of a government and a private sector organisation such as a bank. Notwithstanding that, I strongly support fighting to ensure that where possible in rural and regional South Australia we maintain existing State, local and Federal Government offices and facilities and that we also look at encouraging the private sector to grow.

I was delighted the other day to hear Bank SA say that, in rural areas where communities make representations and demonstrate that they will support their branch, Bank SA will take a further look at what is happening in those areas in respect of banking opportunities and offices. I encourage other banks to look at that and not just at the bottom line.

On the other side of the coin, there are taxes, charges and imposts. I will conclude my remarks on this point as the member for Chaffey might wish to add a few remarks. Taxes, charges, imposts and massive bank fees hold back economic development in regions. As a farmer, when I receive my overdraft statement each month, I cannot believe how much line fees, service fees, overdraft fees and other fees are being increased. If banks were honest about this, they could help farmers in rural communities. If they have to pull some branches out of some areas, why not put those savings into reduced banking charges so that that community is given the opportunity to spend that money within its region rather than feathering the nest of major banks with profits of from $2 billion to $5 billion each year.

Mrs MAYWALD (Chaffey): I rise briefly to oppose the motion. I agree with the comments of the member for Gordon and the member for MacKillop in that we cannot condemn private enterprise for following the example set by Government. Whilst I appreciate the remarks by the member for Mawson in relation to banks being billion dollar profit organisations and governments being cash strapped, particularly in this State, I point out that in South Australia and right across the nation it is country people who have copped the brunt of Government expenditure cuts. We have seen services disappear from our communities. We have seen our school systems start to collapse with schools becoming too small because too many people have relocated from the region, and infrastructure has suffered.

There are wonderful programs to which the member for Mawson refers of, for example, Food for the Future, which is tremendous, but try getting developers to come into country areas when there is no infrastructure in place to support development. It is great in theory but, unless we start to reverse the trend and get more Government services back into country areas where they can employ people and provide communities with a future, rural South Australia will not be able to grow and expand in line with the 2015 program of Food for the Future.

I would also like to commend the communities which the member for MacKillop mentioned for setting up their own bank franchise. I commend this initiative—it is a wonderful thing. The National Party federally, in conjunction with the Federal Coalition, has also been working with credit unions

to develop an initiative whereby credit unions can take the place of banks. So, other opportunities exist.

However, if we did not see this decline in population due to Government services and others leaving these areas, banks would not see the need to rationalise their services in country areas. I cannot support this motion and I cannot condemn private enterprise for following the example set by governments, particularly by this State Government, which has virtually ripped the essence out of the country over the past four years with its economic rationalisation policy.

Mr De LAINE secured the adjournment of the debate.

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

ELECTRICITY, PRIVATISATION

A petition signed by three residents of South Australia requesting that the House urge the Government to oppose the sale or lease of ETSA and Optima Energy assets was presented by Mr Hill.

Petition received.

PUBLIC WORKS COMMITTEE

Mr BROKENSHIRE (Mawson): I bring up the seventy-second report of the committee, being the final report on the Mount Gambier police complex, and move:

That the report be received.

Motion carried.

Mr BROKENSHIRE: I bring up the seventy-third report of the committee, being the final report on the Adelaide Youth Court redevelopment, and move:

That the report be received.

Motion carried.

Mr BROKENSHIRE: I bring up the seventy-fourth report of the committee on the Spencer Institute of TAFE, Kadina campus, and move:

That the report be received.

Motion carried.

The Hon. R.G. KERIN (Deputy Premier): I move:

That the reports be printed.

Motion carried.

QUESTION TIME

The SPEAKER: Before calling on questions, I advise the House that questions for the Minister for Government Enterprises will be taken by the Deputy Premier and questions to the Minister for Local Government will be taken by the Minister for Industry, Trade and Tourism.

SA WATER

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Deputy Premier, representing the Minister for Government Enterprises. Given the performance of SA Water and United Water, how does the Minister justify the payment of so-called performance bonuses to 13 executives within SA Water? Since the privatisation of the management and operation of Adelaide's water systems, average water bills have increased by 25 per cent, the promise of 60 per cent Australian equity has been broken, the PICA activated carbon factory in my electorate has not yet been established, Thames Water has not met its contractual commitment to fully establish its Asia-Pacific headquarters in Adelaide, the promised 1 100 net new jobs have not been delivered and for months during 1997 Adelaide was covered in an odour that has since become known nationally as the Bolivar pong. For this performance SA Water's CEO, Ted Phipps, this year will receive a $10 000 performance bonus payment on top of his recent pay rise and his basic salary of $220 000.

The Hon. R.G. KERIN: I am told that the report in the paper today was not totally accurate. I will take the question back to the Minister and obtain a considered reply for the Leader.

OPTUS

Mr SCALZI (Hartley): As I understand a major national telecommunication company has today announced that it will locate a call centre in Adelaide, will the Premier inform the House of how many jobs it will create and the importance of such investment to South Australia?

The Hon. J.W. OLSEN: The announcement by Optus is a very significant good news story for South Australia and I commend the Minister, Graham Ingerson, and the staff of the Department of Industry and Trade, who have pursued the securement of this investment with some rigour and vigour in the course of the past few months. When Australis exited the building at Technology Park a number of companies were interested—not only Optus—

Mr Foley interjecting:

The Hon. J.W. OLSEN: There were three or four. The member for Hart must be squirming now. Members should recall the member for Hart wanting to dance on the grave of Australis and Galaxy, talking about the building and how it remained vacant and the loss of money for South Australia.

Mr Foley interjecting:

The Hon. J.W. OLSEN: After all your claims that we would be left with a white elephant, we have a purpose-built building securing a major national company's investment in this State and 800 jobs. The member for Hart has the hide to continue to interject after an announcement such as that.

Mr Foley interjecting:

The Hon. J.W. OLSEN: Whenever there is a good news story, members opposite cannot resist trying to drag it back. In relation to Australis and Galaxy the Government made an investment in that company locating its call centre here three or four years ago and it failed. It failed principally, I suggest, because of a decision by the ACCC—but it failed. It was a secure investment which opened the door for South Australia to establish a call centre in Australia. It was the first cab off the rank. It was an investment, and any dollars in that project are an investment. We have had some 5 000 jobs since. Look at Westpac, which started out with a commitment of 1 000 jobs and it is currently at 1 700 jobs and a prospect of a further 300 jobs. At Science Park we have Bankers Trust, which originally was a commitment of 150 jobs but which is now looking at 540 jobs at Science Park by the year 2000. Now we have 800 jobs: 400 in the first year and advertisements to go in the media at the end of August.

Optus has put a 1800 number out now so that people looking for work in that field can register an interest and get details about job opportunities. The task ahead of us now is to look at how we can double the size of the Australis-Galaxy building to take the 800 employees it will employ. This

industry sector has the capacity for further substantial growth not only in the metropolitan area but in country and regional areas of South Australia. Members should look at some of the activities undertaken at Wudinna on Eyre Peninsula. It does not matter where you are located these days. Therefore, we have the advantage in South Australia of a skilled and available work force with the right attitude.

Turnover in these facilities in South Australia is between 1 per cent and 7 per cent. The turnover in the eastern seaboard cities of Melbourne and Sydney is between 20 per cent and 40 per cent and, to accompany this investing, if they have constantly to retrain one-fifth or up to 40 per cent of their staff on an annual basis, that is an additional and substantial cost. Average weekly overtime earnings and rents in South Australia are well below those on the eastern seaboard. One of the reasons why Bankers Trust decided to expand its numbers from 150 to 540 was the speed with which we put up the building for it and the quality of the work force that was available.

Now that we have companies such as Westpac, Bankers Trust, Optus, Boral and others locating in South Australia, we are starting to get through to the eastern seaboard. Whereas journalists on the eastern seaboard have tended to write off South Australia as a basket case, the rust belt State or whatever, now, as a result of major companies coming here, any other companies looking to locate similar facilities will say, 'Why South Australia? Why did Optus and Westpac go there?' This gives us a chance to start re-marketing this State on the eastern seaboard. To have people such as Bob Joss or Rod Ferguson from Westpac Bankers Trust who are prepared to act as third party endorsement is a significant advantage. If a company is coming here, we say to it, 'Go and ask the people who have invested in South Australia' as the follow-up after the deal has been done with the Government of the State. That third party endorsement has augured very well.

We are currently negotiating with a number of other companies, and I would hope that over the course of the next few months there will be further significant announcements such as this. Whilst we have achieved about 5 000 employees in this industry in the past three years or so, the target is to take it up to 10 000. We can reach that 10 000 target by the year 2005 without any difficulty at all, provided we remain focused on the competitive advantage of South Australia and get out into the marketplace. It is a matter of having to go to the marketplace and convince them. They will not get it of their own free will: we have to go and convince the marketplace of the importance of coming here.

For example, National Australia Bank and AMP are having annual board meetings in Adelaide. If we can get the boards of these major corporates to come to Adelaide at least once a year, we will have the opportunity to make a presentation on how things are different from how they might have believed they were in South Australia. Herein lies some real opportunities for job generation in this State. It is a secure industry sector to build upon and one worth investing in.

WRITE CONNECTION

The Hon. M.D. RANN (Leader of the Opposition): Did the Premier unintentionally mislead the House when earlier this year he said that Ms Alex Kennedy's Write Connection was paid $10 000 per month between 1 July 1997 and 14 January this year and that 'no benefits, including allowances for telephone, recreation leave and superannuation were payable' when the Premier's Department today revealed it paid Write Connection nearly $112 000? Earlier this year the Premier said that Ms Kennedy was not an employee and that no payments were due to her at the expiry of her contract on 14 January this year. Today in a formal, written reply to an Estimates Committee question, the Premier's Department revealed that Ms Kennedy was paid $111 860 in the financial year 1997-98 for provision of speech writing services to the Premier's office—a different kind of 'right connection' with a different spelling.

The SPEAKER: The Leader is now starting to stray into comment.

The Hon. J.W. OLSEN: Simply, there was a contract in place and, as I indicated to the House previously, at the end of the contract there were no payments paid.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Leader asked his question. The member for Stuart.

COOPER BASIN

Members interjecting:

The Hon. G.M. GUNN (Stuart): Coming from you, I take that as a compliment.

The SPEAKER: Order! The honourable member will ask his question.

The Hon. G.M. GUNN: Will the Deputy Premier outline to the House what has been the outcome of industry and public comment on the review of the Cooper Basin Ratification Act, which I understand has now been completed?

The Hon. R.G. KERIN: I thank the member for Stuart for the question, which is very important to the top end of his electorate. The Dyki report on the Cooper Basin Ratification Act has been out to industry for comment, and there has been the opportunity to make submissions. The Government is very keen to secure a good balance between competition in the Cooper Basin and certainty over the very substantial past investments in that area. The expiry of petroleum exploration licences 5 and 6 over the Cooper Basin in February 1999 is now being marketed nationally and internationally as an opportunity for the petroleum industry to participate in what is the largest onshore petroleum province in Australia. PIRSA has had promotional booths at the American Association of Petroleum Geologists conference in the United States, and the Australian Petroleum Production and Exploration Association conference in Australia for the past couple of years, in the interests of generating awareness of what is in the Cooper Basin. The same will apply next year, where the Cooper Basin opportunities will be the marketing focus.

To promote and market the Cooper Basin, a seminar workshop will be held in Adelaide on 15 and 16 October to announce the first round of blocks in the Cooper Basin which will be offered up to industry. Blocks for exploration will be offered in three rounds spread over 18 months to allow the maximum opportunity for industry bids, and a publication summarising the petroleum geology of the Cooper Basin will be released at the seminar as a further marketing tool. A database of companies interested in Cooper Basin exploration has already been established, and this is used to provide information on Cooper Basin data publications and the timetable for the offers of licences. The Cooper Basin opportunities are also marketed through advertisements in industry association magazines and journals. The Government is determined to ensure that our natural resources are responsibly utilised to create jobs and economic activity for

South Australia. Being a world class resource, the Cooper Basin is very important to the State's future.

OUTSOURCING

The Hon. M.D. RANN (Leader of the Opposition): Will the Premier assure the House that the Party affiliations of members of Parliament in individual electorates and regions in South Australia play no part in the Government's decisions in awarding outsourcing contracts and in privatisation?

The Hon. J.W. OLSEN: I certainly would not have thought so. I have no idea of the basis of the Leader's question. Do we have just a fishing exercise again today?

AUSTRALIANS DONATE

Mr CONDOUS (Colton): Will the Minister for Human Services advise the House of the significance to South Australia and the nation of the establishment in Adelaide of Australians Donate, the Australian organ and tissue donation and transplantation network?

The Hon. DEAN BROWN: At the Health Ministers meeting in Sydney yesterday, the Health Ministers finally agreed to form a body called Australians Donate and they have agreed on the membership of that council. I am delighted to announce that it will be chaired by the Governor of South Australia, Sir Eric Neal. About 70 organisations are brought together under Australians Donate. The whole idea is to encourage Australians to contribute organs and tissues or to make a commitment while they are still living to contribute organs and tissues. Often the donations come from living people, as when people have donated kidneys. But, in other cases, where people have been killed accidentally, perhaps in a car accident, because of the commitment they have made, their organs are automatically available for assessment for transplant.

Australia has done well over a number of years. About 28 000 Australians have donated organs or tissue since 1941. It is a common practice now, but we need to encourage more people to become potential donors, particularly as medical technology has meant that more opportunities exist for the transfer of a kidney or even heart transplants today. The success rate is very good. Across the whole of Australia, the success rate is better than 90 per cent. Besides Sir Eric Neal as the Chair, I am delighted to be able to say that the national office of Australians Donate will be based in Adelaide. South Australia has been, if you like, the organising State for this. I have nominated the representative both for the donors and for the recipients. In addition to that, a South Australian has been selected as the National Chief Executive Officer, that is, Mr Bruce Lindsay.

I am also delighted to say that yesterday the Health Ministers' council agreed that Prof. Geoffrey Dahlenberg, who is the Director of the South Australian Organ Donation Agency, has also been put on Australians Donate. One reason for that is that Prof. Dahlenberg is seen nationally and even internationally as a person who has done a great deal in terms of organ transplant. He is a well known South Australian and an outstanding medical practitioner. He has made an enormous contribution in the field of organ donation, and I am delighted that his expertise and experience as well has been accepted for this national body.

I ask members of the House to bring to the attention of their electorates and the public generally the importance of Australians Donate, as well as the importance of the public understanding the need for tissue and organ donation, and for people to make that commitment whilst they are still living.

TRANSPORT CONTRACTS

The Hon. M.D. RANN (Leader of the Opposition): Given the Premier's answer to my previous question, how does the Premier explain the existence of a TransAdelaide document that indicates that the political status of an electorate or region—whether it is represented by Labor or Liberal, and how safe it is—affects the awarding of bus privatisation contracts? The Opposition has a document dated 1 June 1998 and entitled 'Assessment of contract area competitive position'. Item 4 in the document entitled 'Political sensitivity', reads, in part:

> A Liberal Government is less likely to introduce a new service provider—

that is, a private operator—

> in contract areas encompassing marginal electorates due to risk of disruption. The most electorally sensitive contract areas are the following,which each include two seats held on a margin of less than 4.5 per cent.

The document then lists eight State seats and their Party representation, including Hartley, Norwood, Wright, Florey, Elder and Mitchell. The document continues:

> Based on experience in the previous contract round, a Liberal Government is more likely to introduce a new player in safe ALP held areas. On this basis the ALP dominated north-west and LeFevre areas are the main candidates for outsourcing, while the safe Liberal inner south and east are least likely to be outsourced.

We even have a map basically showing how contracts are politically awarded.

The Hon. DEAN BROWN: Mr Speaker—

Members interjecting:

The SPEAKER: Order!

Mr Foley interjecting:

The SPEAKER: Order, the member for Hart!

The Hon. DEAN BROWN: As the Minister representing the Minister for Transport in another place, I will certainly refer the question to the Minister.

MINISTERIAL COUNCIL MEETING

The Hon. R.B. SUCH (Fisher): Mr Speaker—

Members interjecting:

The Hon. R.B. SUCH: I note that my seat was not listed as marginal. My question—

Members interjecting:

The Hon. R.B. SUCH: O'Bahn for Bragg. Will the Minister for Aboriginal Affairs indicate the outcomes of the joint ministerial council meeting held in Sydney yesterday involving Ministers responsible for Aborigines and Torres Strait Islanders, as well as Ministers responsible for health?

The Hon. D.C. KOTZ: The meeting was a historic first between the two Ministers' councils. It certainly provided an excellent opportunity to explore the collaborative nature of making effective responses to Aboriginal health issues. My ministerial colleague the Hon. Dean Brown and I both represented South Australia and took the opportunity to lead discussion on four specific areas that were of concern to Aboriginal communities. They included the area of substance abuse, concerns relating to the prevalence of diabetes and mental health problems and the associated concerns with social and emotional wellbeing, the need for more Aboriginal

health workers in the health system and improving access for Aboriginal people to mainstream health services.

We all know that substance abuse particularly is a deeply concerning issue amongst the Aboriginal communities. Alcohol, marijuana, petrol sniffing and narcotics are all viewed by young Aboriginals as some of the main and major concerns that they face within their own communities in the process of growing up. The practices have certain serious downsides, and they are related to over representation in the juvenile and the criminal justice systems, car deaths, injuries, a high incidence of family violence and a range of chronic illnesses, notably, again as I said, diabetes and mental health problems.

At that conference, South Australia was complimented by the New South Wales host Chairman of the council for the development of South Australia's health partnership agreements, which have been undertaken by our health Minister Dean Brown. Those strategies, developed under those agreements, will assist in dealing with many of the complex issues I have just mentioned that face Aboriginal people. Many health and community services are available to Aboriginal people, but it is certainly apparent that we must make a greater effort to provide a more holistic set of responses consistent with Aboriginal culture and managed by Aboriginal staff, self-help groups and, indeed, educators.

Therefore, I am pleased to report that the conference also agreed to South Australia's preparing a paper for the next MCATSIA meeting which will give impetus to a South Australian proposal to seek a nationally supported strategy to target the provisions of both education and employment opportunities for young Aboriginal people, in particular young Aboriginal men, related particularly to the health sector.

BOLIVAR SEWERAGE PLANT

Ms HURLEY (Deputy Leader of the Opposition): My question is directed to the Minister representing the Minister for Government Enterprises. Why did the South Australian taxpayer, through SA Water, pay for the cost of a study by Professor Hartley into the Bolivar pong when that report found that the pong was caused by the negligence of United Water, and the then Infrastructure Minister said United Water would pay for the entire cost of remediation if United Water was found responsible? When asked who paid for the report, the Minister in Estimates said that United Water did. On 1 July, the Minister wrote to me telling me that this earlier advice was incorrect and that SA Water paid almost $62 000 for the Hartley report. In a media report of 21 June 1997 headed, 'Ingerson vows to get tough if negligence is found', the then Infrastructure Minister pledged to apply penalties against United Water if it were found responsible.

The Hon. R.G. KERIN: Once again, as there is quite a bit of detail in that question, I will take it on notice. However, regarding the statement about United Water being responsible for the problem, my understanding of it is that the equipment there was considered to be faulty, which is the reason why the problem was occurring.

An honourable member interjecting:

The Hon. R.G. KERIN: It had been old through a couple of Labor Governments, I think. I will get a considered reply for the Deputy Leader.

POLICE REFORM

Mr HAMILTON-SMITH (Waite): Will the Minister for Police inform members of constructive talks he has held with the Police Association in a bid to resolve its concerns about key workplace reforms for police?

Mr ATKINSON: I rise on a point of order, Mr Speaker. Surely that question anticipates an Order of the Day, namely, the Police Bill.

The SPEAKER: The Police Bill was passed last evening. The question was couched in such a way that at this stage it does not impinge on any forthcoming debate.

Mr FOLEY: I rise on a point of order, Mr Speaker. The motion for suspension of Standing Orders states:

> The Minister for Police, without notice, will move—That Standing Orders be so far suspended as to enable him to move a motion forthwith for the rescission of the third reading of the Police Bill.

The SPEAKER: Order! That is to bring the Bill back. At the moment, the Bill has passed the Chamber.

Mr FOLEY: On a further point of order, Mr Speaker; the Standing Order refers to 'in anticipation of debate'. Now, if the Bill is coming back in—

The SPEAKER: Order! It is not on the Notice Paper: it is on the green sheet, which is quite separate and distinct.

Mr HAMILTON-SMITH: Members will have seen the intriguing four page advertisement in today's *Advertiser* that was inserted by the Police Association of South Australia.

The Hon. I.F. EVANS: With any major workplace reform there are obviously a number of discussions that occur between Government and unions, and this is no different—

Mr FOLEY: I rise on a further point of order, Mr Speaker. Sir, I want yet again to challenge your ruling. The Bill will be brought back into this place, and the third reading will be rescinded. I take it that that will provide an opportunity for the shadow Minister or others to speak on that third reading about how that Bill comes out of this House. Sir, you cannot pre-empt that debate in Question Time.

The SPEAKER: The honourable member is only anticipating debate. The Bill is not in the possession of the House until such time as it is brought back.

The Hon. I.F. EVANS: As I said, with any major workplace reform there are a number of discussions that need to occur between Government and unions, and this particular workplace reform is no different. There have been a number of discussions with the Police Association, including some very open and frank discussions last night. Through discussions last night we have managed to confine to four the main areas that need further negotiation, namely, the contracts for non-commissioned officers; the burden of proof in relation to disciplinary proceedings; the safety net provisions in relation to termination for unsatisfactory performance; and safety net provisions in relation to promotion and transfer.

These further discussions are about trying to obtain a balance between the Police Association's role as a negotiator on behalf of the employees and the Government's role in trying to administer the Act and negotiate on behalf of the management. We look forward to having further discussions with the Police Association to resolve these issues.

Ms THOMPSON: I rise on a point of order, Mr Speaker. In terms of accuracy, the Minister seemed to speak about—

The SPEAKER: Order! There is nothing in the Standing Orders about that. There is no point of order.

INDUSTRY, TRADE AND TOURISM MINISTER

Mr ATKINSON (Spence): Is the Minister for Industry, Trade and Tourism receiving any taxpayer-funded legal advice in respect of the Privileges Committee?

The Hon. G.A. INGERSON: Last week, Cabinet authorised legal advice to be available to me if required.

WATER LEVY

Mr WILLIAMS (MacKillop): My question is directed to the Minister for Environment and Heritage. In view of the answer to my question last week regarding the legal advice the Minister requested whilst seeking and then amending the water levy on water users in the South-East, will the Minister explain why the newly appointed catchment water management board at its first meeting on 18 June was given legal advice contrary to the action subsequently taken by the Minister? The written advice given to the catchment board at the time of its first meeting and when it was considering the levy that had been gazetted, under the heading 'Legal/practical considerations', states:

> If it is accepted that the levy should vary in its rate among different licensee groups, or that the total budget to be raised through the levy should be reduced, this would require an amendment to the section 121 report, and (under section 122(9)) the gazetting of the new levy rates on 25 June 1998 for the levy to be put into effect in the 1998-99 year. This is scarcely achievable, hence consideration of the matters raised below may be somewhat academic. However, it may be that such changes could be achieved later than that date by regulation.

At that meeting the board subsequently recommended that the levy be amended, but the advice given to it was not followed by the Minister. What legal advice did both the board and the Minister receive?

The Hon. D.C. KOTZ: At this stage I have no knowledge at all of the information that was presented to that committee. I have no knowledge at all of the information that was presented to that board for it to assess at the time. Certainly, I will call for that information to see where it came from. Concerning the legal advice that I have been given and have followed, I refer the member for MacKillop to the ministerial statement I made in this House on 1 July.

UNEMPLOYMENT

Ms HURLEY (Deputy Leader of the Opposition): My question is directed to the Minister for Employment. In the light of today's ABS labour force figures which show yet another fall in the number of jobs in South Australia and another fall in the key indicator of jobs confidence, the participation rate, will the Government now consider Labor's plan for jobs outlined at the last election? Labor's plan for jobs at the last election included a comprehensive plan to assist existing businesses and to make the primary focus of Government job creation through the establishment of a jobs commission. Today's ABS labour force figures, while they include a welcome drop in the unemployment rate, show that the fall was due entirely to yet another fall in the participation rate and that South Australia's participation rate is now the lowest since 1985. The ABS figures also show that yet more jobs were lost last month and that 25 700 jobs were lost in South Australia over the past year.

The Hon. J. HALL: I am pleased that at least the Deputy Leader had the courtesy to acknowledge that there has been a welcome drop in the figures, but it never ceases to amaze me that with this Opposition's record it still constantly knocks the achievements that have been made. For more than 30 years South Australia has had an unemployment rate higher than the national average. We have had a lower participation rate than the national average. Who would be surprised at that when so many members opposite knock this State constantly?

When the current Leader was the Minister for Employment, he was responsible for the loss of 34 jobs a day. The constant negativity of this Opposition is causing trouble, and that is outrageous. The attacks on the job network and the work it is doing make it very difficult for people to keep up their hopes, optimism and confidence. I would have thought that today was an opportunity for them at least to say some good things, particularly in relation to the drop in youth unemployment in this State; it has gone down very significantly. There are now 2 600 fewer young people on the unemployment queues than there were last month.

SELF STARTER GRANTS

The Hon. D.C. WOTTON (Heysen): My question is also directed to the Minister for Employment. I am advised that there is considerable interest in the recently announced self starter grants. Will the Minister provide further information about these grants and provide some examples of the people who are likely to be able to gain from them?

The Hon. J. HALL: I thank the member for Heysen for his interest, acknowledging that the honourable member has always been very supportive of all the programs in which the Government is involved, particularly those that affect young people. I think the honourable member would be delighted to know that the self starter grants for 1998-99 awarded last week were very significant. It is a very innovative program aimed at developing the business skills of people between the ages of 18 and 25, and it assists them with developing their business skills in opportunities and initiatives that they themselves have developed. This is quite important because it is a complementary program to the Federal Government's new enterprise incentive scheme (NEIS), and for us to be able to add to that is a very effective employment program.

Last week, I was able to award another 30 young people with their first payments and, in addition to the payments, they are given the services of a mentor who works with them for 12 months to assist them through all the difficulties and ideas that they have with their business progress. Some areas of the 30 self starter grants awarded this year of which we should be supportive, I would have thought, include a young lady who has developed a rather extraordinary form of fashion: she is making great inroads in Sydney, and the product is designed and made from a recycled rubber—I am not sure how comfortable it would be to wear, but I am told it is very popular with young people. There is also a young man who I am told has solved all the problems for chefs, hairdressers, butchers and fabric shops because he has provided a mobile knife sharpening service. I am told that is very innovative also.

Members interjecting:

The SPEAKER: Order! The House will come to order. I caution the member for Elder.

The Hon. J. HALL: The self starter grants—

Members interjecting:

The SPEAKER: Order! The member for Ross Smith will come to order.

Mr Foley: And Hart, Sir.

The SPEAKER: If he keeps that up, I will warn him.

The Hon. J. HALL: The self starter program has been very successful, so much so that in the Premier's recently announced employment statement it was extended to include older and more mature unemployed people. Rather than the constant hilarity from the other side, I would have thought it was important for them to acknowledge when employment programs are very successful.

Members interjecting:

The SPEAKER: Order! Members will come to order.

VEGETATION CLEARANCE

Mrs GERAGHTY (Torrens): My question is directed to the Deputy Premier, representing the Minister for Government Enterprises. When will the Government announce the outcome of the ETSA review into the outsourcing by ETSA Power of the management of the ETSA vegetation clearance program; will that contract be awarded to an interstate firm and, if so, when will the announcement definitely be made; and how many South Australian jobs will be lost?

The Hon. R.G. KERIN: Obviously, I will have to obtain the relevant information from the Minister to answer that very detailed question, but as the Minister who is actually responsible for appeals against vegetation clearance I will also show some interest. I will bring back a reply for the honourable member.

TICKET TO TRAINING

Mr BROKENSHIRE (Mawson): Will the Minister for Education, Children's Services and Training advise the House of a new initiative developed to assist small South Australian businesses?

The Hon. M.R. BUCKBY: I thank the member for Mawson for his question and his interest in training, certainly in the south. The initiative that has been put forward by my department is called Ticket to Training. It is an idea to give small businesses an opportunity to increase their staff skills through training which will benefit their organisation. If you look at bankruptcy records of small businesses, you see that many small businesses fail within the first 18 months of their establishment. It is usually a matter of the small business person with an excellent idea not having the financial expertise to actually operate a small business.

This Ticket to Training initiative to approved businesses will supply up to $500 worth of approved training to those businesses which will have to take into account 50 hours of training to those businesses. It is available to small businesses which have 15 or fewer full-time employees and which do not pay payroll tax in South Australia during 1997-98. Priority will be given to small businesses which require training in management, financial expertise, marketing and business planning, and the business would use the registration training provider of their choice to access those hours of training. The fact that a small business can choose a training provider of its choice allows that training flexibility which small businesses need in these competitive times. The Government is conscious of the importance of small business to the economy of this State and will continue to provide innovative programs and constructive support to ensure their viability and success for the ultimate benefit of South Australia.

INDUSTRY, TRADE AND TOURISM MINISTER

Mr ATKINSON (Spence): I ask the Deputy Premier: is there a ceiling on the cost of taxpayer funded legal advice to the Minister for Industry, Trade and Tourism, and is it a condition of the Crown legal advice that the cost be met by the Minister himself should the Privileges Committee find that he has misled the House?

The Hon. R.G. KERIN: My recollection of the Cabinet submission was that it was 'reasonable costs',which is the normal wording, but I will obtain detail of the wording, because that is what the honourable member wants, and I will happily provide that to him.

KANGAROOS

Mr VENNING (Schubert): My question is directed to the Minister for Environment and Heritage. What is the value to the South Australian economy of the kangaroo harvest, and what action is being taken to manage the kangaroo numbers?

The Hon. D.C. KOTZ: I appreciate this very important question. I think most people would recognise that the proper management of kangaroos in South Australia is a responsibility that this Government takes very seriously. As many members of the House who represent rural areas can testify, in some parts of our State there are very large numbers of kangaroos that cause considerable damage to local agricultural and pastoral enterprises, as well as to the local environment. The Government's kangaroo management program in South Australia integrates kangaroo management with regional, ecologically sustainable development directions and initiatives to address such issues as the management of grazing pressures on pastoral lands.

The Government's program in this area has three objectives: to successfully implement and conserve widespread populations of large species of kangaroos; to develop kangaroos as an economic resource with an ecologically sustainable framework; and to reduce unwanted impacts of high numbers of kangaroos on agricultural and pastoral production and, of, course on our natural biodiversity. The wholesale value of the kangaroo harvest in 1997 to the South Australian economy was some $10 million.

It is important for members to note that this is a sustainable harvest and, as part of the land and wildlife management package, it certainly achieves world's best practice standards and constitutes one of the largest integrated wildlife conservation programs in the world. The cost to Government of managing kangaroo populations and regulation of the kangaroo harvesting industry is largely offset by receipts coming back through the kangaroo industry. Kangaroos are certainly an important biological component of natural habitats in South Australia, but without appropriate population management strategies they can certainly become a threat to their natural environment. By nature of being a very large grazing animal, in high numbers, kangaroos can certainly directly prevent the regeneration of vegetation and the recovery of the threatened species of wildlife.

I assure the honourable member that the Government will continue to monitor kangaroo numbers, and any decision that is made relating to their management is certainly backed by 20 years of standardised monitoring of population levels. I believe that this is a very good example of sustainable management of a natural resource which has benefits for the environment and certainly for the community of our State.

JET SKIS

Mr HILL (Kaurna): My question is directed to the Minister for Human Services, representing the Minister for Transport. Will the Minister legislate to allow local councils to ban the use of jet skis on suburban beaches? On Sunday morning last, 250 residents of Moana and other suburbs in my electorate met in the Moana Pioneers' Hall to consider the City of Onkaparinga's recommendation regarding the use of jet skis on Moana beach. The overwhelming majority of those present opposed the recommendations and supported legislation to give councils the power to ban jet skis on beaches in their area.

The Hon. DEAN BROWN: On behalf of the Minister for Transport in another place, I will certainly refer that question to her. I indicate that the Minister has already taken some action in some areas, including my own electorate, to restrict the speed at least of jet skis, particularly at Goolwa. There are now significant speed restrictions on the use of jet skis close to certain parts of the river bank near Goolwa. That is specifically to protect people who might be swimming or who might be on yachts, sailboards or whatever. Another area where the Minister has taken action is on the Finniss River, where very significant restrictions on the speed of any craft have been imposed, again to protect people, particularly rowers in that case, and particularly rowers from schools who practise on part of the Finniss River.

The Minister has been very aware of the sort of dangers imposed by jet skis, particularly those operating very close to where swimmers might be. I will take up the matter with the Minister to see whether the suggestion of legislation can be looked at or whether or not it could be more quickly done in terms of simply using existing powers under existing legislation.

FORENSIC SCIENCE UNIT

Mr MEIER (Goyder): Will the Minister for Administrative Services advise the House whether the forensic science function of the Government is making optimum use of modern DNA technologies?

The Hon. W.A. MATTHEW: I am well of aware of the member for Goyder's strong interest in this field of science, and indeed in his interest in seeing the progression of science in South Australia—

Mr Meier interjecting:

The Hon. W.A. MATTHEW: The honourable member indicates that his son also happens to be studying in this field as well. The rapid advances in DNA technology is creating significant opportunity to apprehend and identify people who have committed a crime. However, these advances involve substantial equipment and personnel costs—and that is obviously a cost of which Government is mindful. They also require that nationally States work together to maximise data sharing opportunities. I am pleased to advise the House that the South Australian forensic science function is very much at the forefront of this activity. DNA testing equipment has and is being continually upgraded within the centre's ongoing budget allocation. Further, as a result of an intensive business planning process which was undertaken earlier this year, progressive staffing increases are now planned for the area.

It is important that members are aware that the Forensic Science Unit, while it is a science specialist unit, had not been run as a business function, and it was important to apply business procedures to that unit to identify the true nature of its workload and its true staffing needs. Contrary to claims often put in this Parliament by Opposition members, there are times when staffing is increased in sections of the Public Service, and this area, because of the work it is undertaking, has demonstrated that it is an area where extra staffing resources are needed. As a consequence, three additional personnel will be recruited during this year to be trained specifically in state-of-the-art technological applications to ensure the centre can remain abreast of emerging trends in this area.

The South Australian forensic science function is an active participant in the development and implementation of a national DNA database which will allow for the rapid and scientifically sustainable exchange of DNA information between States. The system, which will become operational later this year, will ensure that DNA information collected in one State can readily and easily be shared with another State. The value—

Mr Clarke interjecting:

The SPEAKER: Order!

The Hon. W.A. MATTHEW: I would have thought that the member for Ross Smith would be interested in this important area of technology. It is an important and advancing area of technology, and I would have thought that the member for Ross Smith and other members of the Opposition would be aware of the importance of this work in solving crime in South Australia. I would have thought that the member for Ross Smith particularly would be very interested in this answer.

The Hon. D.C. Kotz interjecting:

The Hon. W.A. MATTHEW: Yes, I know my colleagues are interested, as the Minister says: she particularly is interested, and so are the rest of my colleagues.

Mr Conlon interjecting:

The Hon. W.A. MATTHEW: The honourable member might not be too interested but I would have thought at least his constituents would be. I would have thought someone who is supposedly legally qualified would be particularly interested in the advances in this area. The value and importance of DNA testing methodologies is demonstrated clearly by the pivotal role played by the forensic science function in enabling arrests to be made in three recent South Australian murder investigations. While obviously it is inappropriate for me to identify at this time the specific cases, it is proper that I comment. They reflect the professionalism and standard of work being undertaken by the South Australian forensic science function, and I take this opportunity to commend the professionalism of the officers we have working in that section for their work.

ELECTION MATERIAL

Ms STEVENS (Elizabeth): Why did the Minister for Human Services allow his ministerial office to control a contract let by the Health Commission to DDB Needham for the provision of communication strategies to the Health Commission; and why did the Minister's office fail to keep abreast of work being performed pursuant to the consultancy, to properly monitor accounts rendered and to keep a file on the contract?

The Hon. DEAN BROWN: When I returned from Sydney I read the questions asked in the House yesterday, and I read the answers given by the former Minister for Health, and I would have to say that I was rather amused: I

thought that he covered the question very adequately indeed. The answer to the three questions asked today is 'No.' First, the contract was not and is not administered out of my office. Therefore, the answer to the other two questions is equally 'No.'

Ms Stevens interjecting:

The Hon. DEAN BROWN: The honourable member should listen. The contract administration is being done by the South Australian Health Commission and now the CEO of the Department of Human Services—and she is the person entirely responsible. To my knowledge, nothing on this contract has ever come to me, and I assure the honourable member that the reference in the legal opinion to Terry Anderson being responsible to the Minister for Human Services was not quite correct. He was not responsible to the Minister for Human Services at that stage but was in the same position and responsible to the previous Minister for Health. I have had no-one in my office responsible for this contract whatsoever.

CONSTRUCTION INDUSTRY

Mr SCALZI (Hartley): My question is directed to the Minister for Information Services. What action is the Government taking to assist the construction industry to maintain its viability and contribution to the growth of South Australia, thereby contributing to the State's economic development?

The Hon. W.A. MATTHEW: Thank you, Mr Speaker.

Mr Foley: Oh, no!

The Hon. W.A. MATTHEW: Despite the fact that the member for Hart does not want to hear the answer, the member for Hartley does. I thank him for his question and for his interest in advancing the construction industry in South Australia. The member for Hart is not interested in advancing the construction industry in South Australia; he spends half his time in this place knocking that industry. I am pleased to advise the House that the Government has established two peak industry consultative groups for the construction industry in this State.

Mr Foley interjecting:

The Hon. W.A. MATTHEW: If the honourable member would listen and if he would care to consult with the industry instead of continually bagging it, he would find that the industry has responded well to these groups: the Construction Industry Advisory Council and the Construction Industry Forum. Each of these groups undertakes a different role in assisting the Government to further the growth of the South Australian construction sector. The Construction Industry Advisory Council, which comprises senior representatives of the construction industry, advises the Government on key building and construction industry policy issues and works with the Government to identify opportunities to create an environment for the industry to achieve sustainable growth.

The advisory council is presently developing a State construction industry strategic plan with the objective of achieving an industry that is profitable, able to attract high calibre people (unlike the Labor Party) and derive a significant income from outside South Australia, less dependent upon public sector work, collaboratively positioned with growth industries in South Australia, and increasingly integrated to meet the changing demands of clients.

The Construction Industry Forum was established by me in 1996 in my previous ministry to establish a forum for industry stakeholders at which problems and opportunities could be identified and aired and at which a mechanism for those issues to be addressed could be provided. With representation from across all sectors of the building industry, the forum is well placed to deal with these issues in a collaborative way. It provides what I would term a good grass roots voice for the construction industry in South Australia.

A key initiative of the Construction Industry Forum has been the development of the South Australian construction industry web site which I was pleased to launch on 11 June. This web site now acts as a gateway to enable local, interstate and overseas visitors to source specific information from and about the South Australian construction industry. The web site will provide improved communication between the construction industry and its local, national and international clients and act as a marketing medium to promote the abilities and achievements of the South Australian construction industry overseas. I am also pleased to advise that the web site provides information on 100 South Australian companies and organisations. That directory forms an important part of the web site. The Government has also initiated the tenders and contracts web site, which was established in August last year.

Mr Clarke interjecting:

The Hon. W.A. MATTHEW: The member for Ross Smith never seems to be interested in the proceedings of this Parliament. I would have thought that particularly as he has a union background he might acknowledge the way in which the construction industry contributes to this State.

Mr HANNA: I rise on a point of order, Mr Speaker. I believe that it is against Standing Orders to respond to interjections in the manner adopted by the Minister.

The SPEAKER: Order! It is also contrary to Standing Orders to interject in the first place. It is difficult for the Chair to adjudicate when there are interjections and responses to interjections. I would like to make a point based on what the member for Mitchell has said. There is an increasing trend in this Chamber for members to use interjections deliberately to disrupt a Minister's train of thought. That trend is wearing thin, and I warn members generally that the Chair will not tolerate it in the future. I think this trend is totally unhealthy for this Chamber.

The Hon. W.A. MATTHEW: In conclusion, I advise the House that the tenders and contracts web site has been particularly successful. There have been more than 21 000 visits and advertising to those visitors, 1 236 tenders, and 3 046 specifications for supplies have been provided. That web site will be progressively improved and enhanced. I look forward to a further opportunity to advise the House of the improvement in this area of technology and of its benefit for the industry and South Australians.

GRIEVANCE DEBATE

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

Ms KEY (Hanson): My grievance relates to a dispute in the South-East known in industrial relations circles and in the meat industry as 'Patrick Mark II'. It seems to me that in line with the Liberal Party's industrial relations policy we now have another employer—this time in the meat industry—

using the discredited Patrick/Reith strategy for getting rid of unionised meat employees. The owner of this company is Mr Rashad Aziz who I am told resides in Melbourne. His company, Rashad Aziz Investments Pty Ltd, purchased an abattoir in Mount Schank in 1991.

Workers at this abattoir were transferred from the employing company, Mount Gambier Meat Processing Pty Ltd, to four other companies controlled by Mr Aziz. After doing this, Mr Aziz argued that the enterprise agreement, which it had taken a long time for workers and management to negotiate at the Mount Schank Meat Company, did not apply and that, therefore, any of the provisions negotiated and identified under that enterprise agreement were now not appropriate. Much disputation ensued over a period of time, and I am advised that early in 1996 the work force of this abattoir was sent on leave so that the equipment could be maintained. The workers were sent on compulsory leave because it was considered that the abattoir had to close down for this maintenance.

The workers agreed to this proposal. Upon their return to work, they found that Mr Aziz maintained the position that none of the enterprise agreement provisions would apply and neither would the wages that had been struck as part of the productivity measures in the enterprise agreement. The dispute continued. After a considerable period of time, the meat employees union, which represented the workers at this workplace, took the matter to the Federal Court.

After a lengthy hearing, the Federal Court ruled that the enterprise agreement did apply and that these employees should be viewed as any employees that are subject to the transmission of business. The order from the Federal Court also included considerable back pay of about $400 000 because, as I said earlier, the employer decided that he would not honour the productivity wage level that had been set through negotiation.

The employer's next step—and this is shades of the MUA dispute—was to appoint an administrator for two of his companies. These two companies then argued with the employees that because they were different from the employees of the original company named in the enterprise agreement they should not be paid at the enterprise agreement rate and that none of the conditions, rostering arrangements and piecework rates that had been negotiated would apply.

On 1 June this year, administrators were appointed to Mount Schank Meat Processing Pty Ltd, one of the employers that employed these meat workers. The company said that not only did it not have responsibility for the workers in this area but it decided that it would not operate as an abattoir and that, therefore, all the workers would be sacked.

In investigating the companies that had taken over as administrators, it was found that no money was available to pay workers any of their entitlements, including superannuation, long service leave and the back payment of wages, and so on. Another associated company, Select Meat Exports Pty Ltd, notified Centrelink that it had vacancies in its company (this is the company that was not going to exist any more because it did not have any work) and wanted new staff to work at the abattoir. This saddens me the most, because it wanted trainees to come into the company so that it could pay them a subsidised rate and also lower wages.

The SPEAKER: Order! The member for Heysen.

The Hon. D.C. WOTTON (Heysen): In the few minutes available to me, I want to refer to the latest publication of *Home Front*, which has just come from the Office for Families and Children. This is the twenty-first edition of this excellent publication and there is some very good information in it. At the start, I refer to a couple of points made in her column by the Chief Executive of the Department of Human Services. She points out that the Department of Human Services is now responsible for administering about 40 per cent of the total South Australian budget. She goes on to say that there is a need and a requirement in the community for quality services designed to meet immediate needs, particularly in areas of prevention. There is a growing expectation that Governments will make an effort to prevent social and health problems from occurring in the first place, reducing the need for services which, in the health sector in particular, can be very expensive.

Ms Charles goes on to talk about the research that was undertaken recently by the Office for Families and Children and the Australian Institute for Family Studies jointly, which has provided a well argued case for placing a greater emphasis on preventing child abuse in this State. This study is the first of its kind in Australia. It sought to calculate the total cost to South Australia of child abuse and neglect in the 1995-96 financial year. The results of that study are absolutely staggering. The overall cost of child abuse and neglect in South Australia in 1995-96 was conservatively estimated at $354.92 million. This amount is more than the State earned in the same year from wine exports ($318.46 million) or the export of wool and sheepskins ($239.86 million). An analysis such as this clearly demonstrates the economic benefits to be gained from reducing the incidence of child abuse and neglect in our State.

I was also very pleased to learn more of the success of Parenting SA that is so effective under the Office for Families and Children. As I hope members would realise, Parenting SA is a State Government initiative to promote the value of parents and to support them. It was established a couple of years ago and was shown to be successful in the independent evaluation carried out by the University of South Australia. We are talking about a totally independent assessment. The Parent Easy Guides have become the flagship for Parenting SA as the response from the community in this State and around Australia continues to show a never ending thirst for these information sheets. I am delighted that to date about 3 million sheets have been printed. Such is the enthusiastic response that Commonwealth funding has been gained to produce 22 new topics along with Parent Easy Guides in different languages to address 10 different cultures and to address issues facing Aboriginal parents as well.

I am delighted with this. Parent Easy Guides and other parenting information are now also available on the Parenting SA web site, and this will mean that parents or professionals will be able to search for programs on a number of different topics. I am very much aware of the commitment shown by people who work in those areas and I am thrilled that those services are now available, particularly as so many people not just in South Australia but throughout Australia are able to gain from services such as Parenting SA, which I believe is one of the most important areas of information provision for young parents in this State.

The SPEAKER: Order! The member for Reynell.

Ms THOMPSON (Reynell): It saddens me that today I have to talk not about the many achievements of people in my electorate but about some of the difficulties that are experienced in Christie Downs, an area that has been hard hit by the rapid social and economic changes that we have experienced

over the past 20 years. What has happened to cause distress to the Christie Downs community now is that the school counsellor position at Christie Downs Primary School will not be renewed in 1999. This information was conveyed to the school recently and it has caused great concern. The children at Christie Downs and their parents deserve the right of education of the best quality, equal to that provided in any school in the State. The staff of Christie Downs and the parents have big barriers to overcome in providing this in a community which, as I said, has been seriously affected by many forms of disruption.

The school has been advised that there will be only 70 primary school counsellor positions in 1999 and that, despite the fact that the school has had a school counsellor ever since the position was established, it will not get a counsellor in 1999. This is despite the fact that 75 per cent of students in the primary school and 52 per cent of students in the special school are School Card holders, a clear indication of community disadvantage. There is a high level of transience, with one-fifth of the students in the school coming via the local women's shelter. These children are in special need of support.

The Christie Downs school is very complex. Over the past five years, five staff members have had to leave the school because of stress in the workplace. School stress was believed to have played a part in the suicide of one of our teachers in 1996. This is an appalling state of affairs. People working in that situation need specialist help.

About one-fifth of the student population is eligible to receive special education assistance, with 25 additional students being identified as at risk and receiving LAP support. The role of the school counsellor in trying to overcome some of this disadvantage is wide. In the past, she has been involved in teaching programs on anger management, boys in relationships, anti harassment and anti racism, protective behaviours and something called 'Stop, think and do'. She assists in class with discipline and class management. She assists parents to find new ways of managing student behaviour problems and giving the support at home that is required for a student to learn a new way of behaving. She assists in the discipline process with the removal of students displaying inappropriate or unsafe behaviour in class. It is not all bad, though: she assists in the development process to enable students who might be challenged in many ways to have some pride in their community and in themselves.

An important initiative was the 'Adopt a Station' program, where students worked with transport organisations, local council, Trees for Life, media and artists drastically to improve the Christie Downs station. The students, staff and community continue to care for the site, and this program won the KESAB community award in 1997. It is also developing a real sense of community around the school. The school counsellor organises discos and celebrations and helps students to have an input into school rules and negotiating consequences. This is the sort of activity that is needed if children in Christie Downs are to have a fair go; if we are to do something about reversing the fact that at the moment Christie Downs students have three times the likelihood of the State average of leaving school at 15, and have some of the lowest PES and school assessed subject scores in the State. It is our job to help those students and the staff of Christie Downs school, together with the school council, overcome those problems.

Mr HAMILTON-SMITH (Waite): I rise to talk about a great South Australian institution, the Sturt Football Club in my local area. Last weekend Sturt Football Club dealt out a crushing blow to Central Districts Football Club in Elizabeth, pushing them well into the finals danger zone. I understand that that is the member for Taylor's electorate, and I hope she comes back into the Chamber at some stage within the next five minutes, because I will refer to the game later. I would like to draw the attention of the House to the outstanding achievements of the Sturt Football Club. Having gone to school in my electorate at Colonel Light Gardens and Clapham Primary Schools, I well remember the Blues coming out to help us train in the local Tiny Tots footy competition and later at Daws Road High School. At that stage they were an outstanding team, being the premiership winners several years on the trot. They had a tough time in the 1980s but they are now back with a vengeance. It just goes to show what can be achieved when a great club finds its boots and gets out on the field.

There is a real resurrection going on, much of the credit for which should go to the Chief Executive Officer, Matt Benson, who has now moved on to be replaced by the new CEO, Graeme Dunston. They are all doing a great job, along with a whole stack of local people who are in there as strappers, trainers and people working on committees and involved in club activities through and through. People such as Tom Basham from my area are helping out as trainers and assistants. It really is a community effort, fully supported by the Unley and Mitcham councils, and with the wilful and earnest support of the local community.

I happened to stroll over to the other side of the House last week and had a chat with the member for Taylor. The conversation went pretty much along the lines of, 'Well, my boys are going out to your area on Saturday and we're going to give you a thorough whipping; how about having $10 on the game?' She turned around to me and said, 'Well, Centrals are obviously going to win but if I'm going to have a bet I'd like a really good, solid bet.' So, I said, 'All right; how about 100 bucks?' but, unfortunately, she declined the offer. As it turns out, it is just as well that she did, because the final score showed that Sturt defeated Centrals by 113 points to 68—quite a crushing victory. I would encourage the member for Taylor to have a bit more faith.

It was a fantastic game. A five goal avalanche six minutes into the end of the third term stunned the home side and it never really recovered. The dismal fade out annoyed Centrals coach, Peter Jonas, who was still locked away with the Centrals match committee 30 minutes after the final siren. Three goals to strong marking Sturt centre, Steven White, in the first term and a strong mid-field fired by ruckmen Simon Feast, Bruce Lennon and Toby Kennett helped the Blues to an 11 point lead at quarter time. The momentum was with the Blues, and I am sure that it will stay that way right through to grand final time. Tim Weatherald, outstanding all day and winning 28 touches, kicked two goals in three minutes, and Lennon, John Richter and Andrew Geddes also joined the goal kicking list as Sturt turned the three point advantage into a 35 point gap at the last change.

Sturt also added the first two goals of the final quarter to kill off any hope for a Centrals charge backed by the home ground supporters. I was proudly wearing my double blue scarf there, in among all the Bulldogs supporters at Elizabeth, because you have to be there when it really counts. The final score, as I mentioned, was a crushing 113 points to 68. I can only suggest to the member for Taylor that she get out there,

get behind Centrals and try to kick them up so that they have some hope of making the final. Sturt Football Club is on a roll and is doing a fantastic job. It is a great game, a great club and a great area. Watch out on grand final day; it will be a whopper!

Mr FOLEY (Hart): I rise on a very serious, grave matter that I think I must take the first opportunity to bring to the Parliament today. I sat here in the Chamber literally stunned during Question Time today when I heard the Leader of the Opposition quote from secret, high level Government documents that are about creating significant pain and suffering to residents and commuters in my electorate. I was stunned and shocked that this Government would penalise the good people of the Le Fevre Peninsula and my electorate of Hart because they voted for me and the Labor Party at the last State election. It is a shocking revelation, and I must protest as loudly as possible to this Government that it should not penalise the good people of my electorate simply because they have elected me as their local member of Parliament. We should come in here and have our debates, but the Government should not take out its frustrations on me through my electorate, nor should my electors be penalised for having a Labor member of Parliament.

To recap quickly, what the Leader of the Opposition brought to the House today was a leaked document from a body called TransAdelaide. Referring to 'assessment of contract area—competitive position', this document is about outsourcing, contracting out and privatisation of buses and train services in Adelaide. It is dated only 1 June 1998 and states:

> The TransAdelaide Strategic Plan calls for an assessment of our business position in each contract area. . . To assist in prioritising our efforts in preparing bids for the next contract round, an assessment and ranking of each contract area has been made against the following broad criteria:
> · growth potential. . .
> · labour cost structure versus benchmark
> · industrial climate and culture
> · political sensitivity
> Where available data permits, Serco contracts have been included in the assessment.

Sir, when have you ever known political sensitivity to be an issue for the bureaucracy to concern itself with? Under the political sensitivity section, the document goes on to state:

> The attached map overlays contract boundaries on metropolitan electoral boundaries, which in turn are distinguished by Liberal versus ALP elected representatives. Any assessment of political risk associated with winning or losing a contract is highly uncertain. However, we may expect that:
> · a Liberal Government is less likely to introduce a new service provider in contract areas encompassing marginal electorates due to risk of disruption. The most electorally sensitive contract areas are the following, which each include two seats held on a margin of less than 4.5 per cent:
> - East (Hartley—Lib. and Norwood—ALP)
> - Outer Northeast (Wright—ALP and Florey—ALP)
> - Southwest (Elder—ALP and Mitchell—ALP)
> - Outer South (Reynell—ALP and Mitchell—Lib.)

I am not sure how they worked that out; perhaps they need to update their records. I should say to the member for Mitchell that he needs to get onto TransAdelaide; they are not quite with it. The next point is the paragraph which has pained and shocked me and which will stun the good people of my electorate and Le Fevre Peninsula. It reads:

> · based on experience in the previous contract round, a Liberal Government is more likely to introduce a new player in safe ALP held areas. On this basis, the ALP dominated Northwest and Le Fevre areas are the main candidates for outsourcing, while the safe Liberal Inner South and East are least likely to be outsourced.

That is a disgrace. On behalf of my electors, I say that we will not stand idly by and be persecuted and have our transport services ripped away from the people who need buses and trains in my electorate because some bureaucrat in TransAdelaide says that my electors are expendable. I will fight for my electors, and I will stand with my electors. The campaign to save Le Fevre Peninsula is launched today by me. I will not allow this heartless Liberal Government to pick on the people of my electorate just because they have a Labor member of Parliament. I could not sleep at night if I did not fight for my electors against this disgraceful political decision by the Government.

Mr SCALZI (Hartley): I raise a matter of interest for all South Australians. I congratulate the West Torrens council on its intention to build a replica cottage and interpretive centre to honour the Surveyor-General who planned the City of Adelaide, Colonel William Light. The council plans to reconstruct the original cottage at Thebarton which was demolished in 1926. Members will note that it is not in my electorate. As a former South Australian history teacher, I was pleased to see this plan today. It saddens me that the founder of Adelaide, the great Colonel William Light—and the supporters of One Nation should realise that he was half Malay, so multiculturalism started long ago in South Australia in 1836—was not acknowledged by One Nation. All members of this Chamber should be pleased with a proposal such as this, and I congratulate the West Torrens council.

Mr Koutsantonis interjecting:

Mr SCALZI: It is amazing that the member for Peake interjects on such an important project. South Australia has a long tradition of multiculturalism. When some people talk about multiculturalism, they make it sound as though the word was just invented. Not many know the difference between multiculturalism and multi-racism—and there is a big difference. When we talk about culture, we mean those human aspects that enrich human conditions—language, food, dancing, literature and so on. I note that, in my electorate of Hartley and the adjacent electorate of Torrens, the first German settlement in South Australia was at Klemzig, Felixstow and Happy Valley, which is in Hartley.

According to *Gibbs: The History of South Australia*, a number of Germans decided to emigrate. Pastor Augustus Kavel, from the Prussian town of Klemzig, went to London, where he was able to get the help of George Fife Angas. Angas assisted the emigrants by providing them with money and arranging transport for them. They were taken from Hamburg to London, and then to South Australia, to settle on land which he sold to them. So they were able to buy land. This was in 1836. As I said, they settled in Klemzig.

The book further states that the German settlers showed one characteristic valuable in a new colony—the ability to work hard. In the main, success came to those colonists who were prepared to toil long hours, especially on the land. That is no different from the successive waves of migrants. I am pleased to say that the foreparents of South Australia had a lot more tolerance than have some of the people who are running around Canberra today, particularly the spokesperson, Mr Oldfield, who does not know the difference between multiculturalism and multi-racism: he is just trying to instil fear into the Australian community. That is an important difference to note. We know that the German

settlers are responsible for the prosperity of one of South Australia's biggest exports, the wine industry, which accounts for 70 per cent of Australian exports. Much of our prosperity depends on that, let alone other factors. In 1910, 11 per cent of the South Australian population spoke German. So, multiculturalism is not new: it has been with us over time.

SOUTHERN STATE SUPERANNUATION (MERGER OF SCHEMES) AMENDMENT BILL

The Hon. M.R. BUCKBY (Minister for Education, Children's Services and Training) obtained leave and introduced a Bill for an Act to amend the Southern State Superannuation Act 1994; to make a related amendment to the Superannuation Funds Management Corporation of South Australia Act 1995; and to repeal the Superannuation (Benefit Scheme) Act 1992. Read a first time.

The Hon. M.R. BUCKBY: I move:

That this Bill be now read a second time.

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

Leave granted.

This Bill seeks to merge the non-contributory scheme established under the *Superannuation (Benefit Scheme) Act 1992*, with the contributory scheme established under the *Southern State Superannuation Act 1994*.

Currently, if public sector employees wish to contribute towards their future retirement income, they must cease membership of the non-contributory scheme and join the contributory scheme. This creates unnecessary and additional administrative work, and confusion amongst employees of the Government and agencies. This Bill will establish a single accumulation scheme available to all public sector employees who are not active members of one of the closed contributory schemes.

The revised scheme will be available to employees irrespective of whether or not they wish to contribute toward their future retirement income. The non-contributory members of the merged scheme will be those who prefer to receive only the Superannuation Guarantee benefit paid for by the State.

This Bill will have no impact on those Government employees who are members of one of the closed contributory schemes.

The provisions of the Bill provide that members of the revised Triple S scheme will obtain a rate of return based on the actual investment earnings achieved by FundsSA. As a consequence, former members of the non-contributory State Superannuation Benefit Scheme can expect to receive enhanced earnings on their accounts under the merged arrangements as the interest paid on member account balances in that scheme is currently based solely on the South Australian Government Financing Authority long term bond rate.

In addition, the Bill provides for the introduction of choice by members of an investment strategy that best suits their needs and investment expectations. Based on actual investment experience over the last 15 years, members who chose a more diversified growth portfolio than the typical balanced portfolio could have accrued a 50 per cent higher return on invested funds. Under the proposed investment choice option to be made available in the Triple S scheme, members will have the opportunity to elect to have their funds invested in more diversified growth portfolios. They will also have the opportunity, to choose a lower risk portfolio or to switch from one to the other. I should make it clear however, that there is no plan to provide inappropriate high risk options to members of the Triple S scheme. Furthermore, for those members who do not wish to choose their own investment strategy, the rate of return on their funds will be based on a traditional balanced portfolio.

In an environment where members have the ability to choose the investment strategy that best suits their personal circumstances and preferences it is unnecessary for the Government to continue to offer also a guaranteed investment return as was previously available in the Triple S scheme.

The Bill provides for the introduction of a temporary disability benefit for members who have elected to contribute toward their future retirement income. The benefit will provide an income benefit of two-thirds of a member's salary, where through sickness or injury before age 55, the member is unable to work for an extended period of time, and is not receiving or entitled to receive weekly workers' compensation payments. The benefit may be payable for a period of up to eighteen months.

The provisions of the Bill also provide for a common level of insurance benefit on invalidity or death irrespective of whether a member contributes. Members will also have the ability to purchase additional levels of insurance cover, subject to prescribed limits. The amount of insurance available to members will be prescribed in regulations and will be in line with that currently available to members of the Triple S scheme. The insurance arrangements will however be revamped so that they are easier for employees to understand. In general terms the death and invalidity insurance cover will be based on specific dollar amounts, with limits related to age and salary.

The Bill also provides a facility that at some future time, the Superannuation Board may in conjunction with FundsSA, offer to invest lump sums on behalf of persons who have received a benefit from the Triple S scheme or one of the other superannuation schemes established and maintained by the Government. Such a facility will primarily assist beneficiaries of State Government superannuation schemes in managing their finances in retirement.

Certain transitional provisions which are considered necessary as a consequence of the merger are also incorporated in the Bill. One of these provides that for a period of one year, members will not receive a lesser benefit on invalidity or death, than the benefit which they would have received on death or invalidity had the Superannuation (Benefits Scheme) Act 1992 not been repealed on 1 July 1998, and this legislation not come into operation from that date. This transitional provision is considered appropriate to ensure that no person is disadvantaged as a result of the merger. It is considered most unlikely that any person will be disadvantaged by the merger provided they take up an equivalent level of supplementary insurance cover under the new arrangements. The office of the Superannuation Board will assist members to move over to the new arrangements by ensuring that they are adequately advised of the proposed new insurance arrangements.

The majority of the provisions of this Bill are of an administrative nature to ensure that the provisions of the Superannuation (Benefit Scheme) Act 1992, which will be repealed upon the merger, are adequately and efficiently accommodated under the Triple S scheme.

The Superannuation Board and the unions have been fully consulted in relation to the proposed merger of the two schemes. The unions have indicated their support for the Bill, which represents a move to simplify and improve our current superannuation arrangements.

Explanation of Clauses

The provisions of the Bill are as follows:

Clauses 1 and 2

These clauses are formal.

Clause 3: Amendment of s. 3—Interpretation

This clause makes amendments to the definitions of terms in the principal Act that are consequential on, or related to, the merger of the two schemes. New subsection (6) removes from the ambit of subsection (5) (dealing with casual work) work where the periods to be worked in the future are predetermined pursuant to an arrangement between the parties. New subsection (7) is designed to make the operation of subsection (5) more flexible.

Clause 4: Amendment of s. 4—The Fund

This clause amends section 4 of the principal Act to make specific provision for the rollover of money to the Triple S scheme.

Clause 5: Amendment of heading

This clause amends the heading to Division 2 of Part 2 to include reference to rollover accounts.

Clause 6: Amendment of s. 7—Members' contribution accounts and rollover accounts

This clause amends section 7 of the principal Act to provide for rollover accounts to be maintained in the names of members.

Clause 7: Insertion of ss. 7A and 7B

This clause inserts new sections 7A and 7B. Section 7A replaces subsections (4), (5), (6) and (7) of section 7 and adds provision for members to select the class of investment in which they want their contributions and rollover money to be invested (subsection (3)). New section 7B provides for rolled over money to be paid to the Treasurer.

Clause 8: Amendment of s. 9—The Southern State Superannuation (Employers) Fund
This clause is consequential on clause 4 of new Schedule 3.

Clause 9: Amendment of s. 11-Determination of rate of return
This clause makes consequential amendments to section 11.

Clause 10: Amendment of s. 12—Payment of benefit
This clause is consequential.

Clause 11: Insertion of s. 13A
This clause inserts new section 13A which requires the Minister to obtain a report every three years on the cost of future service benefits under the scheme.

Clause 12: Substitution of Division 1 of Part 3
This clause replaces the provisions dealing with membership of the scheme. The membership provisions of the Benefit Scheme are much wider than those of the Triple S scheme and consequently, on merger of the two schemes, the new membership provisions of the Triple S scheme must become those of the Benefit Scheme.

Clause 13: Amendment of s. 22—Acceptance as a supplementary future service benefit member
This clause amends section 22 of the principal Act which deals with acceptance as a supplementary future service benefit member. New subsection (1a) restricts access of casual employees to supplementary future service benefit membership. New subsection (1b) prevents access of section 14 (4), (5) and (6) members to supplementary future service benefits. New subsection (8) entitles a member who has moved across from the scheme under the *Superannuation Act 1988* to acceptance as a supplementary future service member without the need to establish the member's health status.

Clause 14: Amendment of s. 23—Variation of benefits
Clause 14 makes an amendment to section 23 of the principal Act to provide that a variation in the level of supplementary future service benefits must operate from the commencement of a financial year.

Clause 15: Amendment of s. 25—Contributions
This clause makes consequential amendments to the section of the principal Act dealing with contributions.

Clause 16: Insertion of new section
This clause inserts a provision that will enable contributors to make additional contributions. The amount of each additional contribution must be at least the amount prescribed by regulation.

Clause 17: Substitution of s. 27
This clause replaces section 27 of the principal Act. This is a much simpler provision made possible by the new approach which is to provide that a member's employer account is equivalent to the amount paid or payable by the member's employer to the Treasurer under section 26.

Clause 18: Repeal of s. 28
This clause repeals section 28 of the principal Act.

Clause 19: Substitution of s. 30
This clause replaces section 30 of the principal Act with a new definition section. The new definitions of 'employee component' and 'employer component' leave out that part of the former definitions that guaranteed a rate of return on members' contribution accounts and employer contribution accounts of the Consumer Price Index plus 4 per cent.

Clause 20: Amendment of s. 31—Retirement
This clause makes consequential amendments to section 31 of the principal Act.

Clause 21: Amendment of s. 32—Resignation
This clause makes amendments to section 32 of the principal Act that are consequential on the inclusion of rollover components in benefits. In addition paragraphs *(a)*, *(b)* and *(c)* remove the requirement to comply with criteria prescribed by regulation when carrying over components to other schemes. This requirement is no longer required because of Commonwealth legislation. Paragraph *(d)* reduces the maximum amount that can be paid out immediately on resignation (see subsection (3)*(a)* of the principal Act) to $200 for consistency with Commonwealth requirements. Paragraph *(g)* replaces subsection (6)*(b)* with a provision that defines more accurately what degree of incapacity is required before benefits are paid. New subsection (6a) recognises that the payment of a rollover component, or part of a rollover component, may be affected by requirements of the *Superannuation Industry (Supervision) Act 1993* of the Commonwealth.

Clause 22: Amendment of s. 33—Retrenchment
This clause makes consequential changes to section 33 of the principal Act.

Clause 23: Insertion of s. 33A
This clause inserts new section 33A into the principal Act. This section provides for the payment of a disability pension in certain circumstances. It is similar to section 30 of the *Superannuation Act 1988*.

Clause 24: Amendment of s. 34—Termination of employment on invalidity
This clause makes amendments to section 34 of the principal Act consequential on the inclusion of rollover components in benefits. New subsections (2) to (3b) include some of the provisions of existing subsections (2) and (3) and provide for the value of basic and supplementary future service benefits and the value of the future service benefit factor to be provided for by regulation. New subsection (5) provides that section 14 (4), (5) and (6) members are not entitled to future service benefits. New subsection (5a) ensures that a former member whose employment terminated on the ground of invalidity and who received a future service benefit cannot receive such a benefit again if he or she subsequently returns to the public sector work force.

Clause 25: Amendment of s. 35—Death of member
This clause makes amendments to section 35 of the principal Act that are similar to those made by clause 24 to section 34 of the Act.

Clause 26: Substitution of s. 36
This clause replaces section 36 of the principal Act with a provision that is relevant to the merged scheme.

Clause 27: Amendment of s. 38—Exclusion of benefits under awards, etc.
This clause removes a definition which has been inserted in section 3 of the principal Act.

Clause 28: Amendment of s. 40—Review of the Board's decision
This clause amends section 40 of the principal Act to provide that the District Court and not the Supreme Court will in future review the Board's decisions.

Clause 29: Amendment of s. 41—Power to obtain information
This clause replaces the old divisional penalty in section 41 of the principal Act.

Clause 30: Insertion of ss. 47A, 47B and 47C
This clause inserts new sections 47A, 47B and 47C. Sections 47A and 47C are similar to sections 55 and 52 respectively of the *Superannuation Act 1988*. Section 47B is designed to enable a public sector superannuation beneficiary to invest in the Superannuation Funds Management Corporation of South Australia. The money that may be invested is not limited to money received from a public sector superannuation scheme.

Clause 31: Amendment of s. 49—Regulations
This clause replaces the divisional penalty in section 49 of the principal Act.

Clause 32: Insertion of schedule
This clause inserts a schedule of transitional provisions required on the repeal of the *Superannuation (Benefit Scheme) Act 1992* and the merger of the two schemes.

Clause 33: Amendment of Superannuation Funds Management Corporation of South Australia Act 1995
This clause makes a consequential change to the *Superannuation Funds Management Corporation of South Australia Act 1995*.

Ms HURLEY secured the adjournment of the debate.

MOTOR VEHICLES (CHEQUE AND DEBIT OR CREDIT CARD PAYMENTS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. DEAN BROWN (Minister for Human Services): I move:

That this Bill be now read a second time.

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

Leave granted.

The purpose of this Bill is to provide the Registrar of Motor Vehicles with the power to recover amounts owing where a payment made by merchant card is subsequently dishonoured. The Bill also provides for the payment of a level 3 administration fee ($20) to recover the administrative costs of dealing with dishonoured cheques and merchant cards.

The Registrar is responsible for the collection of fees and charges associated with the licensing of drivers and the registration of motor

vehicles, which includes compulsory third-party insurance premiums and stamp duty.

Section 138B(1) of the Motor Vehicles Act provides that where a cheque tendered for the payment of a Registration and Licensing account is dishonoured by a bank the transaction is void and of no effect.

However, section 138B also empowers the Registrar to suspend the operation of that subsection, for a period at the discretion of the Registrar, to allow the person who tendered the cheque to complete payment and to pay any bank charges incurred by the Registrar.

On becoming aware that a payment has been dishonoured, the Registrar will forward a notice to the person concerned. If the person does not complete payment within the specified period, the transaction is void and the person is required to surrender any licence, permit, label, certificate, plate or other document issued to the person.

Subject to the completion of the whole of Government contract for the provision of merchant card facilities, Transport SA will install Electronic Funds Transfer at Point of Sale (EFTPOS) facilities to allow for the payment of Registration and Licensing accounts by credit cards and debit cards.

There is currently no provision within the Motor Vehicles Act to enable the Registrar to recover amounts owing, where a payment made by merchant card is dishonoured. The Bill therefore seeks to extend the provisions of section 138B of the Motor Vehicles Act to encompass payments made by merchant cards.

Although section 138B provides for the Registrar to recover the amount owing from the person, together with any bank charges required to be paid by the Registrar, the person is not required to pay any fee to cover the administrative costs of dealing with dishonoured cheques. Approximately 2 400 cheques are dishonoured each year.

The introduction of a level 3 administration fee for the processing of dishonoured cheques and merchant cards will raise an additional $50 000 per year for the Highways Fund.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Amendment of s. 138B—Effect of dishonoured cheques, etc. on transactions under the Act

This clause provides for transactions in relation to which payment is purportedly made by cheque or debit or credit card to be void where the cheque is dishonoured on presentation or the amount payable in respect of the transaction is not paid to the Registrar by the body that issued the card or is required to be repaid by the Registrar. It also enables the Registrar to recover the amount owing for the transaction and to charge an administration fee for dealing with dishonoured cheques or non-payment or repayment of amounts purportedly paid by debit or credit cards. Consequential amendments are made to the section to ensure that if an amount is recovered it includes the additional administration fee and charges payable under the section.

Ms HURLEY secured the adjournment of the debate.

POLICE (COMPLAINTS AND DISCIPLINARY PROCEEDINGS) (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 3 June. Page 1067.)

Mr CONLON (Elder): I shall make a contribution to this Bill which will not last for as long as my contribution to the Police Bill yesterday but which is necessary. Consistent with the Police Bill that the House debated yesterday, one section of this Bill is a continuation of the problems that we identified at such length yesterday with the Police Bill, that is, the further erosion of the position of police as employees in South Australia and the increased ability, basically, to pot the police for disciplinary matters, and this is consistent with those changes in the Police Bill. The particular section to which I refer is section 4, which would amend section 39 of the Police (Complaints and Disciplinary Proceedings) Act by striking out from subsection (3) 'beyond reasonable doubt' and substituting 'on the balance of probabilities'. In terms of complaints against police heard by the Police Complaints Authority having to be proved beyond reasonable doubt, it would import the civil onus of proof, namely, the balance of probabilities.

Again, just like the Police Bill yesterday, there is very little justification for this. We make the same complaint about this as was made about the Police Bill yesterday. It is a radical change, but no persuasive reason has been put forward for it. No circumstances have been provided to us or to anyone to justify the change. We do not have an explanation for it at all; in fact, the only words we have are, 'It will not do much harm.' The Opposition has a great number of difficulties with the current processes of the Police Complaints Authority. Were we to identify a difficulty, it probably would not be this one. Member after member could get up in this House and refer to the difficulties that they have getting a matter before the Police Complaints Authority brought to a conclusion for their constituents. In terms of the processes of the Police Complaints Authority, the police themselves are extremely unhappy about it.

As a former lawyer who represented defendants in criminal matters, I have noted a number of the authority's failings. For reasons that I will not go into here, it is extremely unwise to initiate a police complaint while a criminal matter is still being dealt with. There is a whole parcel of matters that should be improved. Quite rightly, the Attorney-General has acceded to the views of many in the community and in the Police Association by launching an inquiry, headed by Ms Iris Stevens, into the operations of the Police Complaints Authority. This is one reason why I find it most remarkable that a Bill to change a very important part of the process of hearing police complaints should be foisted upon us prior to the conclusion of that inquiry.

To this stage, we have not been given any undertaking that Ms Iris Stevens' report will be made public. I hope that some day soon either the Minister for Police or the Attorney-General will give us that undertaking, because unless it is made public it will be a farce. We have not been given any reasons why it is necessary to change the onus of proof; it has not been the subject of any report. No circumstances have been laid before us to show why the current onus of proof is failing: all we have as justification for it is the old High Court case of *Briginshaw v. Briginshaw*, which states that a civil standard of proof will have the necessary protections. The conclusions drawn in the report on this Bill about the protections of *Briginshaw v. Briginshaw* are most misleading. The report draws words directly from that High Court case, heard some 60 years ago, and states:

> The issues will have to be proved to the reasonable satisfaction of the tribunal—

and then uses words that are almost directly drawn from *Briginshaw v. Briginshaw*—

> bearing in mind the seriousness of the allegations made, the inherent unlikelihood of an occurrence of a given description, or the gravity of consequences flowing from a particular finding.

It says that that would justify the reduction. In the case of *Briginshaw v. Briginshaw*, Justice Dixon, as he then was, provided a leading judgment, part of which states:

> Fortunately, however, at common law no third standard of persuasion was definitely developed. Except upon criminal issues to be proved by the prosecution, it is enough that the affirmative of an allegation is made out to the reasonable satisfaction of the tribunal.

It goes on to refer to the 'matters that are set out in the report of the Minister'. But that is the very same passage. The

passage that is relied upon by the Minister to justify this is preceded by the comments:

> Fortunately, however, at common law no third standard of persuasion was definitely developed. Except upon criminal issues to be proved by the prosecution, it is enough that the affirmative of an allegation is made out to the reasonable satisfaction of the tribunal.

You can talk about *Briginshaw v. Briginshaw* saying that the civil standard of proof—because this a very serious matter—is higher, but it is not. The High Court judge on whom the Minister relies says that very same thing in the passage immediately preceding the passage on which the Minister relies. Another passage from Justice Dixon states:

> This does not mean that some standard of persuasion is fixed intermediate between the satisfaction beyond reasonable doubt. . . and the reasonable satisfaction which in a civil issue may, not must, be based on a preponderance of probability.

It is quite clear that there are only two standards of proof. The law is settled. There is proof beyond reasonable doubt and proof on the balance of probabilities. Given the dearth of factual evidence provided to support this, we can only assume that someone somewhere wants to make it easier to pot the police for disciplinary matters. This is very consistent with the Bill we discussed yesterday. Yesterday, the Bill was redolent of the attitude of control, discipline, order, making it easier to pot the police, and of giving the Commissioner control over the police. All of this is not about a set of circumstances: it is about a mind set, namely, that someone wants a tighter rein on the police whether or not they need it. If that is not the case, the Minister will be able to tell us what circumstances have led to the need to change the onus of proof and why it should precede any findings from the inquiry the Attorney-General has established.

The simple truth is that complaints against police have been dealt with by this test because it is not like an ordinary civil or administrative matter. It is not like an ordinary disciplinary matter in regard to another employee for two reasons; first, people expect different standards of behaviour from the police. Standards of behaviour found against a police member will have far more serious ramifications than against an ordinary member of the community. When a member of the police force is charged with an offence that would go unnoticed by an ordinary member of the community, they are paraded before the media—like members of Parliament. They occupy a different place in the community. A finding against them has a far more serious consequence than it does against ordinary members of the community.

Secondly, and importantly, the police in their occupation are highly susceptible to false and malicious complaints. The police force employs 12 people to take complaints against the police. The vast majority of those complaints are malicious. It is not simply like a false complaint against someone else. As a lawyer, I have represented people, and I will let members in on a secret: when people are charged with a crime which they have committed and for which they do not want to get potted, they tell lies. If a number of people are charged with the same crime, they get together to work out a set of lies to tell.

They are the very same people who might well bring a complaint against a police officer. So, you will have a group of people who have decided, for their own reasons, to tell lies. To make the test in those circumstances on the balance of probabilities is extremely dangerous. There is great temptation in the community, through malice and self-interest, for any number of reasons, to make up allegations about the police—and it is not simply those people to whom I referred. Members will know that it comes from people from all callings of life.

I remind members that the former Police Minister came into this House and made outlandish claims about the police. He claimed that the police had run his wife off the road at high speed. That complaint went to the Police Complaints Authority and the finding was that not even the Minister's wife had claimed that. It was a bit of hyperbole from the former Minister. Mr Wainwright found that not even the Minister's wife had claimed that: she claimed that the police had made a rude gesture as they drove past her.

I offer this as an illustration of how even the most respectable people might be tempted to say outlandish things about the police sometimes—not with the courage to do it outside this House but, rather, with the benefit of parliamentary privilege. That is what occurred on that occasion, and that is why I say that, if there is some reason for this, give it to us. On the face of it, it seems to us to be very dangerous; on the face of it, it exposes officers and members of the police force to malicious and false complaint. If there is good reason for it, give it to us. On the basis of what has been provided to us, we will not support it.

Mr CLARKE (Ross Smith): My contribution will not last long because the member for Elder has succinctly summed up the Opposition's case. In relation to the change in the onus of proof from beyond reasonable doubt to the balance of probabilities, the points that the honourable member makes are exceedingly valid and all members should take careful note of them.

The police do serve in a difficult position. Every day they are confronted with situations where people, who would wish them ill because they are thwarted in carrying out what they regard as their livelihood, might seek to impugn the integrity of police officers and to incriminate them and be able to do so on the lessening of the onus of proof from beyond reasonable doubt to the balance of probabilities.

As the member for Elder quite rightly points out, members of the police force, members of Parliament and others figure significantly in the public eye. They figure significantly with respect to media attention and to what is perceived as any infraction of the law, and enormous damage can be done to individuals who can ultimately be found innocent of charges simply because people with malice will take them to court or seek to do them in. The police are confronting those types of real situations every time they go out on the job. Every time they go out on the job, when they are trying to sort out a dispute, arrest somebody or protect the public at large, they can be involved in a physical fracas or whatever and then be subjected to a police complaint, which can, if a finding goes against them, jeopardise their entire future career from an early age.

I am not saying that police officers who break the law should be beyond the law but, at the same time, we have a responsibility as members of Parliament, when we represent the public of South Australia, to say to these special people, 'We are giving you powers because we want you to protect us from the worst elements of our society. We want you to be able to protect us from those worst elements and, if those worst elements in our society want to try to wreak vengeance on you, we will give you a decent, fighting chance to protect yourself against that sort of maliciousness.' To reduce the onus of proof to the balance of probabilities makes it that much easier for the darker side of our community, those who

have more criminal intent, to be able to malign innocent police officers and to make their job that much harder.

The Minister must take into account that police officers in the carrying out of their duty will be very mindful of that fact if we change the onus. Before they engage in some action to protect members of the public, what will be uppermost in their mind? 'If I am subjected to a complaint by this malicious person, what protections do I have?' If this Parliament reduces the onus of proof, it significantly lessens the chances of that person defending himself and their livelihood and future career prospects within the police force.

The Minister will encourage timidity on the part of members of the police force, rather than having them chance their arm—which they have to do on occasions—to weigh up circumstances that are before them. Should they intervene? How far should they intervene in certain circumstances? At the back of their mind is, 'If I am charged, if I am subjected to a complaint, will it be the end of my career?' Foremost in their mind should be, 'I am a sworn officer of this State with special powers entrusted to me by the people of this State, and I will act to protect their interests first and foremost.' Instead, it will be, 'I have to protect myself first before I protect others because of what might happen to me.'

Later this afternoon we will be debating a resolution of the Minister to rescind the third reading of the Police Bill on which we have spent so much time during the past couple of days. I commend the Minister for that because it would appear that he has recognised that a number of the arguments put forward by the Opposition in relation to that Bill were valid and he wants an opportunity to rethink his position. He is not to be criticised for being strong enough to say, 'I could be wrong and I will rethink that position'.

I do not criticise the Minister for that, but he should also learn from that. In relation to the Bill currently before the House, the Minister would do well to rethink his position and not make life more difficult for a police officer to carry out their duty, because, if the Minister reduces the burden of proof to those who complain about police officers, he will open the floodgates to litigation. In my view, over the years the department has already been negligent in the financial support it offers those police officers with respect to the crippling legal costs that can be incurred by ordinary officers in carrying out their duty, the overwhelming majority of whom are acquitted of any wrongdoing.

If the Minister reduces the burden of proof, he is sending a signal to our police officers that they will largely be on their own and, if they decide to intervene where they have to make a decision, a split second decision in many cases to defend the rights of other citizens, their first thought will be, 'How does it impact on me?' instead of 'What I can do to protect the citizenry?'. I urge the Minister to rethink his position on this Bill and in particular not to reduce the onus of proof.

Ms WHITE (Taylor): I will speak only briefly on this Bill. I support the comments made by my two Labor colleagues. As my colleague the member for Ross Smith said, we spent much time debating another police Bill in this House about which the Minister showed great determination to have it pass through this House unamended and in a great hurry. He rushed it through this House only to find less than 24 hours later that he has to bring the Bill back to this House, rescind the third reading and reconsider it. Looking at the Police (Complaints and Disciplinary Proceedings) Bill which is before us today, we would have to say that surely this Bill needs to be reconsidered. We know a review is being conducted—and it has not yet reported—yet the Minister is trying to rush this Bill through as well.

Surely most members of this House, if they looked at the Police Complaints Authority, would find more things wrong with the Police Complaints Authority than perhaps the Minister. By virtue of his Bill, the Minister obviously is saying that the most urgent reform necessary for the Police Complaints Authority is to change and decrease the burden of proof requirements for disciplining police members. I say that much more urgent reform is needed of the Police Complaints Authority on a number of fronts—and I will not go into those. However, I would be interested in hearing the Minister's explanation to the House of why this reform is so urgent and necessary and why he did not consider it necessary to look at other reforms. He might like to comment on the time it takes the Police Complaints Authority to examine a case and the size of the backlog of cases to be considered. From my own experience—and perhaps in my electorate we have a lot of complaints about police; there is certainly a lot of interaction with police in my electorate—I am aware of a great number of police complaints that are taking an awfully long time to be reviewed.

From my experience and knowledge of some of the cases that have recently been before the Police Complaints Authority, one other matter that bothers me greatly is the ability of the authority to lose documents or files and not to care too much about it. That is a great problem and, if the Minister is unaware of that sort of thing, I ask him to investigate it—and I can point the Minister in the right direction in that regard. There is need for reform of the Police Complaints Authority. The Bill contains five clauses, but the most important of those—and upon which the Minister has picked—relates to a decrease in the burden of proof; that is, changing the burden of proof from proof beyond reasonable doubt to proof on the balance of probabilities. Why is it necessary to do that?

I read the Minister's second reading explanation, and the only justification for making such a change is his declaration that, in all other jurisdictions, that is the degree of proof. Is that the Minister's sole justification for changing the burden of proof or is there another? I would be interested to hear his response. My questions to the Minister are: will he comment on all the other things that are not working well within the Police Complaints Authority; and why has he chosen to address the burden of proof issue rather than the issues which, to my mind, are far more important and necessary changes? I do not support the change in the burden of proof, but I am willing to listen to the Minister's arguments as to why it is necessary.

Mr SNELLING (Playford): I believe that police more than any other occupation have the highest incidence of false and often malicious complaints made against them. In particular I refer to traffic police where complaints are often made against the police in the hope that by making a successful complaint the motorist will not have to pay the infringement fine. Often it is the case, particularly in the case of traffic police, that it is simply the word of the police officer and the person who made the complaint against them. It is simply one person's word against the other. Whilst I believe it is important that all complaints be investigated thoroughly, it is also important that, when enforcing the law, police are not dismissed or disciplined purely on the balance of probabilities, as is proposed under this Bill.

As I said in my contribution to the previous Bill last night, why is it that throughout the Public Service and other areas checks and balances are being made more stringent, yet in this Bill and the other police Bill with which we have dealt the checks and balances are being taken away and it is becoming more likely that an innocent police officer can have their career destroyed and their life ruined merely on the balance of probabilities? If this Bill is passed, we will find that police will be disciplined merely on rumour. I will relate to the House a story contained in the journal of the Police Association. It is the story of Constable Jackie McDonald who was falsely accused of assault in the police cells at Elizabeth police station. After a couple of years the matter finally went to court. She was charged with assault. The matter was thrown out almost immediately by the magistrate. In the article the barrister representing Constable McDonald, Mr Bill Morris, said that he remembers his task was a 'walk-in, walk-out job' in which he 'virtually had nothing to do'. The article continues:

> The prosecution case was damned by the very same videotape on which it had so heavily relied as proof of the alleged assault.

The article goes on to describe how Constable McDonald had been charged on the basis of a videotape of the supposed assault in the Elizabeth police station but that, when that videotape was properly reviewed frame by frame, it showed that she had not committed the assault. The police department had been so convinced that she had that it charged her and, as a result, she had to appear before the Magistrates Court.

Constable McDonald was put through a tremendous amount of personal trauma with having to go through this rigmarole. It was so bad that her health was affected severely. Under a regime of the balance of probabilities, there is no doubt that Constable McDonald unjustly would have been found guilty of an assault that she had not committed.

This Bill has implications not only for police officers but also for community safety. As the member for Ross Smith alluded, we need a police force which will not have to think twice before it acts, particularly if, where a complaint is made against an officer, there will simply be that officer's word against the complainant. Police officers need to know that they can enforce the law reasonably and that, if they are subject to a malicious complaint, the burden of proof will be on the complainant beyond a reasonable doubt rather than on the balance of probabilities.

I hope that, if ever I am in a situation where I require police assistance, the officer who assists me does not step back and think twice before providing such assistance because they are concerned about a possible malicious complaint being made against them and of its perhaps being accepted as proved merely on the balance of probabilities.

The Hon. I.F. EVANS (Minister for Police, Correctional Services and Emergency Services): I thank members for their contribution. In relation to the Ira Stevens review and the other concerns that the member for Taylor raises, if she gives me details I am happy to try to follow them through. Obviously, the Ira Stevens review is due to report in the near future. If there are further amendments to the Act, we will bring them forward at that time. The Government felt at the time that there was some sense in bringing together the major reforms in the two Bills so that the debate could be conducted as one. It is part of a major workplace reform, so it was felt that there was some sense in putting all the Bills through together. That will not prevent us from bringing forward other reforms later if necessary.

Regarding the member for Ross Smith's comments about police officers rethinking their actions in a split second because of the burden of proof, I think the police are professional in the way they go about their job and that they will take whatever action is required to protect the public at that point in time. Every other jurisdiction in Australia has police officers operating under this burden of proof. I have no evidence—I do not know whether other members have—of police officers not taking a certain action because of that. This is something that members need to think about.

The Government's view is that, if this burden of proof works in every other jurisdiction in Australia, there is no reason why it cannot work here and still offer police officers an appropriate level of protection. In other areas of the work force in disciplinary proceedings the burden of proof is at the lower end—the balance of probabilities. The ramifications of allegations made against individuals in other workplaces are just as serious in that they can lead to a person losing their job or having their name blackened. The Government feels that this provision will bring the burden of proof for police into line with other burdens of proof that exist in the area of disciplinary proceedings.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4.

Ms WHITE: During the second reading debate, I flagged a question for the Minister which has not been addressed in his reply. I refer to a fundamental question about this clause. The Minister has stated that if this provision works in other jurisdictions it might work here as an explanation for reducing the burden of proof, but so far he has failed to cite one instance of a problem with having proof beyond a reasonable doubt as the criterion. Will the Minister cite examples of instances—without mentioning names or situations—where having this higher burden of proof has led to inefficiency or an inappropriate action within the police department?

The Hon. I.F. EVANS: The member for Taylor is probably chasing a news story and wants me to state whether there are any corrupt officers because this might be a way of lowering the burden of proof to remove corrupt officers. I have answered this question in broad terms.

Mr Conlon interjecting:

The Hon. I.F. EVANS: The Commissioner certainly has a view on this. If it works in other States and provides an appropriate level of protection, the Government sees no reason why the police should not be brought into line with other professions in respect of disciplinary proceedings.

Ms WHITE: I take offence at the Minister's trivialisation of my question by claiming that I want a news story. I simply ask the basic question that every member of this Committee should ask: what is the Minister's justification for this change? So far, the Minister has only said that if it works in other States he cannot see why it will not work here. He has failed to point to any instance where the higher burden of proof has been a hindrance to the aims of the police or himself. I simply ask the Minister to justify this clause. Why is this change necessary?

The Hon. I.F. EVANS: I have already indicated the Government's reason in reply to the previous question, and I also referred to the matter in my second reading reply.

Mr CONLON: A guide to statutory interpretation permits a court to try to look at the mischief to which the law was addressed. At what mischief is this provision addressed? I assume that the answer is 'None whatsoever.'

The Hon. I.F. EVANS: If on the odd occasion there was a corrupt police officer—I emphasise 'odd occasion'; and we have had them here occasionally but not to the extent, the evidence shows, as in other States—who was protected by the higher level of proof, this will provide the opportunity to rid the force of a corrupt officer who is protected by the higher level of proof but who may be picked up by the lower level of proof.

Ms WHITE: Have you had any cases where the higher burden of proof has meant that justice has not been done?

The Hon. I.F. EVANS: Certainly, disciplinary proceedings have failed against police officers because the reason given is that they cannot reach the higher level of proof. I cannot say on a case by case basis whether they involved corrupt officers, but I make the point that tribunals have certainly failed to prove a case on the higher level of proof.

Ms WHITE: How many times?

The Hon. I.F. EVANS: I do not know how many times off the top of my head, but I will bring back a report.

Mr CONLON: Would the Minister concede that one possible explanation for the complaint failing is that the burden of proof is too high but that the other possible explanation is that the complaint was not well made?

The Hon. I.F. EVANS: If a case is not well made, it will not get up under either burden of proof. I accept the point the honourable member makes and ultimately it comes down to the judgment of those at the time as to whether it meets whichever burden of proof applies. Just as I would accept the point that occasionally they will fail because the case is poorly made, you would also accept that occasionally there will be a corrupt officer who may be protected by the higher level of proof.

Mr CLARKE: Following from what the Minister has said, it seems to me that every member here and the Minister himself has said that, in terms of police officers in South Australia being generally corruption free, there will always be the odd exceptions. As the Minister has already alluded to, there have been some highly publicised cases where some officers have been caught at being corrupt and have been charged and sentenced.

In South Australia our police force is generally regarded—the Minister himself said this—as being comparatively corruption free compared with our Eastern States brethren. In terms of the organised and systematic corruption in the police force which we witnessed in Queensland and New South Wales, thankfully it seems to be absent in the South Australian police force. If we have this higher burden of proof with respect to police complaints, what benefit is there to the community in reducing that onus of proof when it would seem that our police force is generally free from corruption, particularly the organised, systematic corruption that occurred in the Eastern States which flourished under the balance of probabilities—not beyond reasonable doubt—in Queensland and New South Wales? Why should we now put a stain on the character of our police force which we all agree is generally regarded as the best in Australia and the most corrupt free? Why should we now place police in a position, on an equivalent scale, so to speak, and treat them as if they were suspect, like the Queensland and New South Wales police forces?

The Hon. I.F. EVANS: The member for Ross Smith answers his own question in a sense. In States where corruption has been flushed out, they have the lower burden of proof. A case can be made that, if the burden of proof was higher, some officers who have been flushed out as corrupt might not have been flushed out as corrupt. That is exactly the point we make. We are not saying that the South Australian police is full of corrupt police officers. We are not saying that at all. We are simply saying that in those jurisdictions, as the member for Ross Smith rightly points out, where the burden of proof is the balance of probability, they have flushed out the corrupt officers and they have not been protected by the higher burden of proof.

Mr CLARKE: That is an absolute nonsense. The corruption in the Queensland Police Force was exposed because of a television *Four Corners* report and had nothing to do with the balance of probabilities being in place to protect the public interest.

Mr Conlon interjecting:

Mr CLARKE: That is exactly the point. The member for Elder interjects, and quite rightly so. One of the problems in the Eastern States where corruption flourished is that those in positions of authority who were corrupt would use the lower burden of the balance of probabilities to fit out the honest copper. It strikes me that the lower burden of proof in the other States did not flush out systematic corruption in those States. It was journalists' investigations and the like which exposed it and brought it to light. It forced certain powers that be to examine themselves.

Secondly, on your own admission, in this debate and in the debate on the Police Bill generally, you agreed that the police force in this State is generally corruption free. What you are alluding to in part in your answer to my last question involves backtracking on your original stated position. What is it? Are you actually accusing the South Australian police force of being corrupt in the sense that we cannot get at it because we have too high a bar, or are you going to stick by your original statement and give us some real hard facts as to why we should reduce the burden of proof with respect to the South Australian police force?

The Hon. I.F. EVANS: With respect to the matters that the honourable member raises in relation to Queensland, we all know that some of the corruption was flushed out by the media. In the end the media do not judge on the burden of proof. It is for disciplinary proceedings and others to use that burden of proof to judge whether the person whom the media think is corrupt is indeed corrupt. What did the Fitzgerald inquiry do about the burden of proof in Queensland? I do not recall Mr Fitzgerald coming out and saying it was the reason they had corruption in Queensland. It was a significant review, which has been thrown down my throat over the past few days concerning the previous Bill and quoted *ad nauseam* by the member for Mitchell. He did not increase the burden of proof. I put to the member for Ross Smith that, if the lower burden of proof had led to police corruption, Mr Fitzgerald would have addressed it.

Mr CONLON: Is this one of the matters on which the Minister is prepared to further negotiate with the Police Association?

The Hon. I.F. EVANS: I have answered the question today under much protest. I made a statement last night that the burden of proof is one of the issues being discussed with the Police Association.

The Committee divided on the clause:

AYES (21)

Brokenshire, R. L.	Brown, D. C.
Buckby, M. R.	Condous, S. G.
Evans, I. F. (teller)	Gunn, G. M.
Hall, J. L.	Hamilton-Smith, M. L.
Ingerson, G. A.	Kerin, R. G.
Kotz, D. C.	Matthew, W. A.
Maywald, K. A.	McEwen, R. J.
Meier, E. J.	Oswald, J. K. G.
Penfold, E. M.	Scalzi, G.
Such, R. B.	Venning, I. H.
Williams, M. R.	

NOES (17)

Atkinson, M. J.	Bedford, F. E.
Clarke, R. D.	Conlon, P. F. (teller)
De Laine, M. R.	Foley, K. O.
Hanna, K.	Hill, J. D.
Hurley, A. K.	Key, S. W.
Koutsantonis, T.	Rankine, J. M.
Rann, M. D.	Snelling, J. J.
Stevens, L.	Thompson, M. G.
White, P. L.	

PAIR(S)

Armitage, M. H.	Breuer, L. R.
Brindal, M. K.	Ciccarello, V.
Lewis, I. P.	Geraghty, R. K.
Olsen, J. W.	Wright, M. J.

Majority of 4 for the Ayes.

Clause thus passed.

Clause 5 and title passed.

Bill read a third time and passed.

ROXBY DOWNS (INDENTURE RATIFICATION) (ABORIGINAL HERITAGE) AMENDMENT ACT

The Hon. R.G. KERIN (Deputy Premier): I lay on the table the ministerial statement relating to the Roxby Downs (Indenture Ratification) (Aboriginal Heritage) Amendment Act 1998 made earlier today in another place by my colleague the Attorney-General.

BARLEY MARKETING (DEREGULATION OF STOCKFEED BARLEY) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 1 July. Page 1224.)

Ms HURLEY (Deputy Leader of the Opposition): The Opposition has carefully considered this Bill which follows on from a previous Bill and which relates to a review in 1997 under the national competition policy of legislative restrictions on competition jointly by the South Australian Government and the Victorian Government. This review recommended that the barley industry be deregulated. At the time, the Opposition voiced serious concern about this deregulation and the problems that it causes in the industry, particularly with export. The previous Bill provided that the export barley marketing single desk would be retained for now but that the domestic market would be deregulated, and this is the first of the Bills to put that deregulation in place. As I understand it, this relates purely to the deregulation of stock feed barley, and legislation relating to malting barley will come at a later date. One of the reasons for this is negotiations with the Victorian Government and the Victorian industry, which is allied closely with the South Australian barley marketing system.

I will briefly reiterate the comments I made at that time about the dangers of deregulation for the industry. I understand that the stock feed barley market is not so tightly regulated as are other sectors of the barley market, but it nevertheless follows that the Government is introducing this legislation when serious concerns are raised about the viability of the industry, which is strong and profitable and very important to South Australia. I say once again how important it is that the Government insists on having industry representatives and a strong voice for industry on this review. This is critical, because the economic modelling done by these reviews and the assumptions they have made can all be challenged by submissions to that review or by submissions after the review.

However, it is really important that there be an industry representative on that review process at all times, to challenge assumptions and to correct mistakes and misunderstandings by the economists and bureaucrats on that review. It is important not only for the barley industry but also for every other industry that will come under review under the competition policy principles. While both Labor and Liberal Governments supported competition policy, really the devil is in the detail. We need to stand up to the bureaucrats in the system occasionally and say, 'No, this industry is really important to us. This is why you shouldn't proceed in this way.' The New South Wales State Government and its agricultural Minister have been particularly strong in this respect, and we need to see a little of this in South Australia as well. We need to see a little challenging of what the Federal bureaucrats are trying to impose upon us. That having been said, the Opposition will support this Bill, recognising that it flows on from the previous Bill and understanding, we are informed, that the stockfeed barley market by and large is operating in an unregulated environment. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

POLICE BILL

His excellency the Governor, by message, recommended to the House the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

SOUTHERN STATES SUPERANNUATION (MERGER OF SCHEMES) AMENDMENT BILL

His excellency the Governor, by message, recommended to the House the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

The Hon. I.F. EVANS: Mr Speaker, I draw your attention to the state of the House.

A quorum having been formed:

POLICE BILL

The Hon. I.F. EVANS (Minister for Police, Correctional Services and Emergency Services): I move:

That the vote on the third reading of the Police Bill taken in the House on Wednesday 8 July 1998 be rescinded.

Motion carried.

The Hon. I.F. EVANS: I move:

That this Bill be now read a third time.

Bill read a third time and passed.

BARLEY MARKETING (DEREGULATION OF STOCKFEED BARLEY) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 1436.)

Ms HURLEY (Deputy Leader of the Opposition): In conclusion, I point out that the barley industry is critical for South Australia. It forms an important part of our economy, and it is vital for every South Australian—not only those in the country who derive their living directly from the barley market but those in the city also, as the health of the South Australian economy so much depends on primary industries, the barley industry being a significant one of those industries. It is critical to the South Australian economy that this market is not destroyed. I urge the Government to tread very warily down this deregulation path and, if necessary, to stand up to the Federal bureaucrats or even take a reduction in competition payments in order to protect this vital industry for South Australians and the South Australian economy.

Mr VENNING (Schubert): I support the Bill. Before I say anything, I declare my interest in this legislation as I have been a barley grower all my life. I commend and support what the Deputy Leader said about the industry. It is a very significant industry to South Australia. We lead the world in much of this technology, and many people around the world have said that the best malting barley they can get is grown in specific areas of South Australia. Some prefer the plains near Brinkworth (and the Minister would be fully aware of where that area is), but there is also the world-famous large barley growing area of Yorke Peninsula. I thank the Deputy Leader for her comments.

This Bill formalises a process that has been undertaken for some time. Growers needed a permit, which was quite easy to obtain, to sell their feed barley on the domestic market. The Minister would know about this, because when he worked for the barley board in those days I used to ring him to obtain a permit. So, it is like old times here this afternoon. I congratulate the Minister on his promotion to the deputy premiership, because the Minister's roots are in a very significant industry—the barley industry.

As the Minister would know, we had only to complete an application, submit it and then the whole process was rubber stamped. It also enabled the Australian Barley Board to keep a record of the production, its distribution across the State, who was buying it and what they were buying. This Bill does away with that red tape, which was not a great problem, and I encourage that wholeheartedly. It removes the restrictions on who may sell or deliver stockfeed barley, who may transport feed barley for sale and delivery and who may buy feed barley from a grower. Another initiative being undertaken is the restructuring of the Australian Barley Board so that it becomes a grower-owned company. This will lead to deregulation of the domestic malting barley market, which is a big move, on 1 July 1999.

I am totally in support of the move to keep the export grain market in a regulated environment via the single desk marketing policy. I have been very consistent on this ever since the then Federal Liberal Government started the domestic wheat debate some years ago. I have always been against deregulation in this area. If we dismantle our barley board, it will be at some peril, because it would destroy many barley growers in terms of single desk export sales. Since the 1940s, we in Australia have taken orderly marketing for granted. That is before the Minister or I can remember, but I have certainly heard what it was like before we had orderly marketing. We do not want to go back to that, because we have done very well. We would put our growers in serious jeopardy if we removed the single desk from our export authorities.

Australian grain growers are marketers who deal in what could be described as a 'corrupt' market, that is, the Government provides subsidies to our export opponents. As we know, many other countries give their industries export inducements. The Federal Minister of Agriculture has recommended that the Australian Wheat Board's single desk policy for the export market be allowed to stay in place for the next five years. The Australian Barley Board was to follow the Australian Wheat Board in terms of deregulation; however, it would appear that the Federal Government realised that complete deregulation of the export market is fraught with danger.

It has been put to me, other members and the Minister by senior industry sources that it is members of a committee in Brussels who really determine the price of grain in the world market. This is due to the European Union subsidising its growers. According to the Chairman of the Australian Grain Marketing Federation, Mr Robert Sewell, the European Union has forced barley prices to their lowest levels in more than a decade. Mr Sewell has condemned the current level of subsidy activity by the EU. On 13 March the EU Commission awarded subsidies to the equivalent of $US50 a tonne, or $A80 per tonne. This is the difference in the price—not the actual price. Members can see that $80 a tonne represents a massive reduction which makes it impossible to sell against. This difference could price our growers out of the market and put them in a non viable position. Mr Sewell went on to say that the EU disregarded the rest of the world and that this is not an acceptable long-term strategy.

The larger European Union barley stocks obviously increase the pressure on world barley prices and leave heavily unsubsidised producers such as us with little reasonable return for this year's harvest. Growers have to make a profit but, when they are up against an $80 foreign Government subsidy, how can they compete, particularly when they target our markets? Recently, a prominent grain analyst in Europe commented that this is a complete break with former policies and public statements and almost a declaration of war against international competition. The EU's stance on its barley stocks has caused very real concern among feed buyers, and this has now flowed onto the malting market. Buyers in China are reluctant to place orders until the price situation is clarified, and members can understand why. Obviously, this places the malting barley market at risk, depending on how long it takes buyers to recover confidence, depending on the level of export subsidies that the EU offers on processed malt and depending on just how large the gap between feed and malting barley prices becomes.

Good malting barley is always a maltsters' preference in terms of quality but, when the feed barley prices fall so significantly, the risk of malsters in some countries being prepared to wear the production and performance loss from using feed barley instead usually drags down these malting prices. This example is a graphic illustration of why it is so vital that Australia keeps raising concerns about subsidy programs at various international trade forums and international Government communications. I stress again: Australian grain growers do not receive one subsidy in their

industry. The EU farmers receive what is called 'set aside payments' for land taken out of production and also compensatory payments for producing grain. So, they get it twice. They receive payments for not growing it and also for growing it. If our growers received similar consideration, they would all be millionaires instead of struggling under financial duress. These types of subsidies work against true market forces and convey all the wrong messages.

I have endeavoured to explain the great chasm that exists within the world grain producers and regulators. Deregulating the domestic feed barley market will not be to the detriment of South Australian growers. As I have already mentioned, it only formalises a practice that has been carried on for some time. I support the Bill, but I have some grave concerns, and I will always have a lot to say about any Bill which comes before the House and which attempts to deregulate the export market. I am a strong believer in forming a national grain marketing authority where all grains are sold by one single desk for the whole country.

As we all know, the Australian Barley Board covers only South Australia and Victoria, while the other States look after themselves. Western Australia and Queensland, in particular, do their own thing in their own States and have their own single desk policy. It is therefore a pity to see these various barley boards competing against each other overseas, which is what happens. I have spoken about the national marketing authority concept in the House before and I will do so again in the future. I sincerely believe that it should be given serious consideration in the future.

In closing, I indicate that I am pleased that the Australian Barley Board retains its export single desk and the national competition policy and that Mr Fels and the ACCC are not forcing too rapid a change on this very important and successful industry. I congratulate the Australian barley board, Mr Michael Uimula and the board members. They work under a newer system now, and it appears to be working very well. I offer my services and thanks to the board. Finally, I support this Bill before the House today.

Mr KOUTSANTONIS: I rise on a point of order, Sir, and draw your attention to Standing Order 170. Given the comment of the member in his opening remarks declaring his interest, if there is a division on this Bill will you rule that the member is unable to participate in the division?

The SPEAKER: The honourable member is responsible for his vote in this House, and the honourable member stands by his vote in this House.

The Hon. R.G. KERIN (Deputy Premier): At the outset, I thank both the Deputy Leader and the member for Schubert for their contributions in which they point out the significance of the barley industry in South Australia. It is a large industry and probably, as far as grains go, our second most important industry.

It is important to note the difference between malt and feed barley. They are at two different ends of the market and need to be treated in isolation from each other. As members would understand, this Bill is about domestic feed barley, and the industry is right behind what we are doing. It only formalises what is current practice with farmers and buyers.

The Deputy Leader raised the issue of industry representation on reviews. That is important. There are different types of reviews and different ways of conducting reviews, but each has its own significance. In relation to the barley review, the report was done by consultants. Stage 2 of that review involves industry representation. The National Competition Council would prefer that we did not get to stage 2, but it is our intention to go to stage 2. There is industry representation at that stage, and we have already invited industry to comment on the report and to put forward any complaints it has as to the accuracy of that report.

The Deputy Leader also mentioned the strong stand of New South Wales. The New South Wales Government's stance in relation to competition policy was in respect of the dairy issue, and I have seen its response to that issue. It concerns me that there are issues of competition within the dairy industry in New South Wales, and I do not know that they have been totally addressed at the moment. An important qualification in the press release I saw stated that it will not do it unless threatened with loss of competition payments.

I think we all have concerns about the National Competition Council and the power of its bureaucrats. We need to be careful that we get these things right and that there is truly a public benefit in any changes which are made. I share some of the concerns of other members about Federal bureaucrats' imposing their will upon us, and we will work down that line.

At present, we continue to work with the Victorian Government to find common ground for terms of reference for stage 2 of the review. At the moment we are trying to keep the decision made in the future on any deregulation of export barley in line with the industry's attitude to the report that has been brought down. As I said, this Bill is not contentious. It only formalises what we are currently doing. I thank members for their support and realise that, when we come to debate export in the future, it might be a different story. I thank members for their support of this Bill.

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

NON-METROPOLITAN RAILWAYS (TRANSFER) (BUILDING AND DEVELOPMENT WORK) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 30 June. Page 1179.)

Mr ATKINSON (Spence): When all railways in South Australia were owned by the Government, they were exempted from many of our laws by the shield of the Crown. Whether the railways were owned by the Crown in right of the State or the Crown in right of the Commonwealth, they were immune from many obligations of statute law that would have applied to private railways. For instance, they would not have had to pay payroll tax to the State or company tax to the Commonwealth. Therefore, Australian National Railways did not have to comply with the State Development Act 1993 or its predecessors when building on Commonwealth owned land.

Intergovernmental immunities were thought appropriate within a federation. These immunities avoided litigation between the States and the Commonwealth, and they were thought to promote efficient rule by liberating the Commonwealth and the States from transactions that were circular or of little net value. Now that the land of Australian National—formerly Australian National Railways, South Australian Railways and Commonwealth Railways—has been transferred by lease to the privately owned Australasian Southern Railway and Great Southern Railway, it may be that the exemption on immunity of the Crown no longer applies. So, it is possible that the buildings on railway land in South

Australia are now subject to the State Development Act and the new owners have to comply afresh.

The Minister uses the example of section 67 of the Development Act which forbids occupation of a building unless a certificate of occupancy has been issued for it after work was completed. The private rail companies worry that, because certificates of occupancy were neither sought nor obtained by Australian National for buildings constructed on railway land after the commencement of the Development Act 1993, they may be turfed out of those buildings. I do not think their fear is warranted because, first, the operation of that provision would relate to past events or transactions and therefore would be of a retrospective nature; secondly, the private railways are tenants of the Crown in right of the State; and, thirdly, I do not see who would have legal standing or motive to bring an action evicting railway personnel.

Be that as it may, the Opposition is prepared to acquiesce in a Bill that allays the private railways' fears and requires them for the future to comply with the Development Act. I hope there will be Committee consideration of the Bill because I have a couple of questions for the Minister. The first question relates to the permanent way on which the track rests. We know that the track is owned by the Commonwealth owned Rail Track Corporation, but what about the permanent way on which it rests? Who owns that? Is it the Rail Track Corporation or will the permanent way revert to the State? Secondly, how will this legislation operate in the future? I know that the member for Gordon is concerned that local government via the Development Act still will not be able to regulate a building on land now leased by private railways. So, I am interested in how this Bill operates in respect of past events and how it will operate in respect of future events, and I must say that this is not clear from debate in another place.

Mr VENNING (Schubert): I support this Bill. Sir, as you know and as other members know, no railway Bill comes before this House without my making some comment about it. As the honourable member said, this Bill is as a consequence of the sale of AN to Great Southern Railways. GSR has drawn attention to the fact that no provision was made for compliance with the Development Act 1993 and, unless a declaration of compliance is provided, it can be prohibited from occupying formerly exempt AN buildings and thus from operating its services. Buildings and development works by AN, the Commonwealth and the State prior to the sale of AN were not covered by the State's regulatory and statutory requirements. Now that they have been taken over by GSR, the new owners, the buildings and works are no longer exempt.

I have no problem in supporting this Bill. It seeks to amend the Non-Metropolitan Railways (Transfer) Act to add a section that was left out previously declaring that buildings erected by AN, the Commonwealth or the State on rail land—and I stress on rail land—comply with the statutory and regulatory provisions covering buildings and development works at the time that they were carried out. I have no problem with supporting this legislation because it covers the gap inadvertently left in the sale negotiations and the 1997 Non-Metropolitan Railways (Transfer) Rail Act. I pay tribute to GSR because it has got its operations off to a very good start. We live alongside the railway line, so we can keep a good check on progress.

I was concerned to hear from a constituent of mine who raised a serious problem. He was very concerned that the track from Broken Hill to Parkes was to be upgraded to a new high speed standard but that now he has been informed by Mr Charles Ulm from Rail Access Corp that this will not occur. Apparently, he has also been advised that the Indian Pacific has a licence to run only until 1998. I am very concerned about that—and I hope he is not correct—and therefore I have written to the Minister this day to clarify that point. If they have done that—and it would not surprise me, knowing the politics of National Rail's networks—and they do not upgrade the Broken Hill to Parkes section, it will isolate us and we can only connect to the network through Melbourne and, hopefully later on, through the Darwin link. Certainly, I am very concerned about that and I hope it is not true.

I also raise the point whether any other buildings on railways property come under this Act. I know of one building in Nuriootpa, the old railway station, which is now currently occupied having been restored by the youth of the Barossa. I hope this does not mess or muddy the waters in relation to that building, because it was derelict and I know that GSR is happy to renew the arrangement—and I will certainly keep a watch on that. I also note in recent days that GSR has upgraded much of the rail infrastructure. Last week I observed the replacing of the wooden points with cement points and now we are seeing trains—what you would call super trains—with pallets stacked three high and containers two high. This is the way to move freight. This is what should have been done many years ago. At last we are seeing rail do what it is able to do best, that is, cart heavy freight and get it off our roads, making them safer and protecting them from wear and tear. This should have been happening years ago and I am so pleased it is happening now. I wish GSR all the best. With that short speech, I support the Bill.

The Hon. DEAN BROWN: I was going to adjourn this debate very shortly so that I could answer questions. I thought the member for Gordon was going to ask questions. I take a point of order rather than speak at this stage so that the honourable member understands that I was going to report progress. If there are questions to be answered, they should be asked as part of the second reading debate and I will obtain a considered reply from the department.

The SPEAKER: With the indulgence of the House, I call on the member for Gordon to speak to the second reading.

Mr McEWEN (Gordon): Thank you, Sir, and I appreciate the Minister's guidance. I would have thought another way to do it was to move into Committee so I could ask questions. I will now briefly speak to the Bill and allude to the fact that I still have some concerns. I am not convinced that the Bill totally achieves what it sets out to achieve and, by the same token, protects the interests of local government. I appreciate the fact that at the time these assets were in the hands of the State or Commonwealth Governments, obviously those Governments were exempt from the then Planning Act, because you need to be exempt from your own Act. However, these buildings are now being transferred to private ownership.

The one thing we do not want to happen is for someone to invoke protection from the Development Act in relation to past wrongs. So, if something has not been constructed to a satisfactory standard or whatever, we do not want local government going to the new owners and saying, 'You have not complied with particular building codes or whatever, therefore you will have to do something about the buildings', and finding there is nothing they can do.

I accept that that is the intent of this Bill but in my mind there is still some doubt about whether or not this also exempts the new owners of those assets from future liabilities in relation to them. If those assets are deteriorating, particularly the amenity, I cannot see how under this amendment local government powers under the Development Act can be invoked to request the new owners to do something about the deteriorating buildings.

The last thing we want is a key building in the main street of Peterborough or somewhere else which happens to be on railway land to be a deteriorating eyesore and, because we have now exempted the owners from the Development Act in relation to those buildings that were built prior to this Act, we can no longer do anything about it. It is my wish to be convinced that, in the interests of local government and the community in relation to future eventualities, they can invoke the Development Act and force the new owners of these buildings to comply. I register those concerns, because they will have to be answered before I will be confident in supporting the Bill before us.

The Hon. G.M. GUNN (Stuart): I just want to raise—

Mr Atkinson interjecting:

The Hon. G.M. GUNN: I would not believe any contribution you had to make in relation to this, anyway. The comments that I want to make—

Mr Atkinson interjecting:

The SPEAKER: Order! The member for Spence will come to order.

The Hon. G.M. GUNN: We know that the honourable member is a miserable and unhappy fellow and has never done anything constructive in his life. So we leave him in his ignorant bliss—and he can stay there as long as he likes. My comments will be brief because I am concerned about a considerable amount of property, which, currently, is occupied by the Railways Institute, and there is some considerable debate in relation to what will happen to that land. Some of it relates back to land and property which originally was owned by the South Australian Railways, some of it has been owned by the Commonwealth and there is some dispute in regard to some other property. Therefore, in the interest of those members of the Railways Institute, this is a matter which needs resolving quickly and efficiently. It has gone on for too long—

Mr Koutsantonis interjecting:

The Hon. G.M. GUNN: I suggest that the honourable member probably does not know a great deal about the subject or the land in question. I take it that some of the holiday accommodation, Mr Speaker, is in your electorate and other holiday accommodation is scattered around the State. My appeal to the Minister in relation to this matter is to have her officers finalise these arrangements as soon as possible so that the indecision and unnecessary bureaucracy can be brought to an end and the Railways Institute can get on with doing what it has done very well, that is, assist its members.

The Hon. DEAN BROWN (Minister for Human Services): I thank members for their contributions to this debate. A number of specific questions have been asked during the debate and, to be fair to members, I need to ensure that, through the Minister for Transport in another place, I obtain an appropriate detailed response to those questions.

I therefore intend to seek leave to conclude my remarks later so that I can secure answers to those questions and bring back a reply. The debate will be resumed and the matter finalised when the Parliament next sits. The issues raised by members specifically relate to ongoing development rights, so it is important that a considered response, possibly even a Crown Law opinion, be provided. I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

ADJOURNMENT

At 5.21 p.m. the House adjourned until Tuesday 21 July at 2 p.m.

Corrigendum

Page 1287—Column 1, line 7—After ‘do’ insert ‘not’.

HOUSE OF ASSEMBLY

Tuesday, 7 July 1998

QUESTIONS ON NOTICE

EDUCATION, ENTERPRISE BARGAINING

126 **Ms WHITE:** Which schools have received grants in 1998 under the $18 million Flexible Initiatives Program, as agreed in sections 9.1.12 of the 1996 Department for Education and Children's Services Enterprise Bargaining Agreement, and how much was allocated to each school?

The Hon. M.R. BUCKBY: Allocations under Flexible Initiatives Resourcing are expressed in Full Time Equivalent (FTE) teacher salaries and are made to two decimal places. Schools are given flexibility in the utilisation of this resource as prescribed for in the Agreement.

Attachment 1 details allocations to Child Parent Centres and Attachment 2 details allocations to schools.

School	FIR (Teacher FTE)
Aberfoyle Hub JPS	0.38
Aberfoyle Hub PS	0.76
Aberfoyle Park HS	3.14
Abfyle Pk—Heysen P	0.55
Abfyle Pk—Spence P	0.59
Adelaide HS	2.45
Adelaide Sec Sch Eng	0.36
Airdale JPS	0.19
Airdale PS	0.36
Alberton PS	0.31
Aldgate PS	0.51
Aldinga JPS	0.50
Aldinga PS	0.78
Alford PS	0.05
Allenby Gdns PS	0.46
Allendale East AS	0.67
Amata Anangu S	0.16
Andamooka PS	0.10
Angaston PS	0.44
Angle Vale PS	0.53
Ardrossan AS	0.54
Ardtornish PS	1.05
Ascot Park PS	0.65
Ashford Sp S	0.20
Athelstone JPS	0.28
Athelstone PS	0.56
Auburn PS	0.09
Augusta Park PS	0.71
Balaklava HS	1.19
Balaklava PS	0.54
Banksia Park HS	2.28
Banksia Park PS	0.49
Barmera PS	0.61
Basket Range PS	0.09
Beachport PS	0.09
Belair JPS	0.31
Belair PS	0.58
Bellevue Heights PS	0.23
Berri PS	0.55
Birdwood HS	1.52
Birdwood PS	0.35
Black Forest PS	1.04
Blackwood HS	2.79
Blackwood PS	0.71
Blair Athol PS	0.42
Blakeview PS	0.99
Blanchetown PS	0.07
Blyth PS	0.07
Booborowie PS	0.05
Booleroo Centre HS	0.37
Booleroo Centre PS	0.17
Bordertown HS	0.75
Bordertown PS	0.81
Bowden-Brompton CS	0.34
Braeview JPS	0.35
Braeview PS	0.58
Brahma Lodge PS	0.41
Bridgewater PS	0.23
Brighton PS	0.96
Brighton SS	2.99
Brinkworth PS	0.11
Broadmeadows PS	0.27
Brompton PS	0.31
Brown's Well Dist AS	0.13
Burnside PS	0.93
Burra Community AS	0.61
Burton PS	0.95
Bute PS	0.10
Cadell PS	0.08
Callington PS	0.18
Caltowie PS	0.00
Cambrai AS	0.22
Camden PS	0.05
Campbelltown PS	0.41
Carlton PS	0.20
Ceduna AS	1.29
Challa Gardens PS	0.59
Charles Campbell SS	2.74
Christie Downs PS	0.32
Christie Downs Sp S	0.07
Christies Beach HS	2.96
Christies Beach HS U	0.05
Christies Beach PS	0.48
Clapham PS	0.72
Clare HS	1.11
Clare PS	0.73
Clarendon PS	0.17
Cleve AS	0.70
Clovelly Park PS	0.41
Cobdogla PS	0.24
Col Light Gdns PS	0.96
Compton PS	0.13
Coober Pedy AS	0.86
Cook AS	0.03
Coomandook AS	0.50
Coonalpyn PS	0.11
Coorara PS	0.95
Coromandel Valley PS	0.72
Cowandilla PS	0.33
Cowell AS	0.39
Crafers PS	0.41
Craigburn PS	0.93
Craigmore HS	2.29
Craigmore PS	0.27
Craigmore South JPS	0.35
Craigmore Sth PS	0.67
Croydon HS	0.82
Croydon Park PS	0.03
Croydon PS	0.02
Crystal Brook PS	0.40
Cummins AS	0.94
Curramulka PS	0.06
Darke Peak PS	0.05
Darlington PS	0.50
Davoren Park JPS	0.30
Davoren Park PS	0.40
Daws Road HS	1.31
Dernancourt JPS	0.31
Dernancourt PS	0.62
Devitt Avenue PS	0.39
Devitt Avenue Unit	0.02
Direk JPS	0.43
Direk PS	0.62
Dover Gdns PS	0.32
East Adelaide JPS	0.40
East Adelaide PS	0.60
East Marden PS	0.47
East Murray AS	0.14
Eastern Fleur R-6 S	0.97
Eastern Fleur 7-12 S	1.07
Eastern Fleurieu-AC	0.09
Eastern Fleurieu-LCC	0.15

School	FIR (Teacher FTE)
Eastern Fleurieu-MC	0.11
Echunga PS	0.30
Eden Hills PS	0.27
Edithburgh PS	0.14
Edward John Eyre HS	0.92
Edwardstown PS	0.68
Elizabeth Downs PS	0.46
Elizabeth Dwns JPS	0.28
Elizabeth East JPS	0.21
Elizabeth East PS	0.46
Elizabeth Grove PS	0.33
Elizabeth Grv JPS	0.21
Elizabeth Nth PS	0.58
Elizabeth Park JPS	0.22
Elizabeth Park PS	0.39
Elizabeth Sp S	0.13
Elizabeth Sth JPS	0.23
Elizabeth Sth PS	0.31
Elizabeth Vale PS	0.45
Elliston AS	0.15
Enfield HS	1.48
Enfield PS	0.36
Ernabella Anangu S	0.19
Ethelton PS	0.31
Eudunda AS	0.55
Evanston Gdns PS	0.39
Evanston PS	0.58
Fairview Park PS	0.28
Ferryden Park PS	0.37
Findon HS	0.97
Fisk Street PS	0.58
Flagstaff Hill JPS	0.35
Flagstaff Hill PS	0.73
Flaxmill JPS	0.32
Flaxmill PS	0.47
Flinders Park PS	0.50
Flinders View PS	0.51
Forbes PS	0.73
Frances PS	0.09
Fraser Park PS	0.33
Freeling PS	0.40
Fregon Anangu S	0.12
Fremont-Elizabeth HS	2.28
Fulham Gardens PS	0.37
Fulham Nth PS	0.66
Gawler East PS	1.06
Gawler HS	2.15
Gawler PS	0.46
Georgetown PS	0.07
Gepps Cross Girl HS	1.36
Gepps Cross PS	0.36
Gepps Cross Senior	0.14
Geranium PS	0.13
Gilles Plains PS	0.38
Gilles Street PS	0.45
Gladstone HS	0.40
Gladstone PS	0.16
Glen Osmond PS	0.58
Glenburnie PS	0.18
Glencoe Central PS	0.21
Glenelg JPS	0.50
Glenelg PS	0.72
Glenunga Internat HS	2.30
Glossop HS	1.87
Glossop PS	0.20
Golden Grove HS	3.06
Golden Grove PS	1.09
Goodwood PS	0.41
Goolwa PS	0.68
Gordon Education Cnt	0.09
Grange JPS	0.39
Grange PS	0.74
Grant HS	2.25
Greenock PS	0.18
Greenwith PS	1.02
Gumeracha PS	0.39
Hackham East JPS	0.26
Hackham East PS	0.47
Hackham Sth PS	0.48
Hackham West JPS	0.36
Hackham West PS	0.49
Hahndorf PS	0.50
Hallett Cove East PS	1.26
Hallett Cove School	3.22
Hallett Cove Sth PS	0.46
Hamilton SC	3.05
Hamilton Unit	0.05
Hamley Bridge PS	0.29
Hampstead PS	0.38
Happy Valley JPS	0.28
Happy Valley PS	0.62
Hawker AS	0.14
Hawthorndene PS	0.42
Heathfield HS	1.59
Heathfield PS	0.46
Hectorville PS	0.21
Hendon PS	0.85
Henley Beach PS	0.33
Henley HS	2.07
Hewett PS	0.38
Highbury PS	0.75
Highgate JPS	0.52
Highgate PS	0.71
Hillcrest PS	0.31
Hincks Avenue PS	0.47
Holden Hill Nth PS	0.25
Houghton PS	0.11
Indulkana Anangu S	0.14
Ingle Farm East PS	0.49
Ingle Farm PS	0.71
Iron Knob PS	0.00
Jamestown HS	0.43
Jamestown PS	0.35
Jervois PS	0.16
John Pirie SS	1.87
Kadina Mem HS Unit	0.02
Kadina Memorial HS	1.36
Kadina PS	0.88
Kalangadoo PS	0.13
Kangarilla PS	0.19
Kangaroo Inn AS	0.37
Kapunda HS	1.05
Kapunda PS	0.50
Karcultaby AS	0.24
Karkoo PS	0.05
Karoonda AS	0.35
Karrendi PS	0.60
Kaurna Plains School	0.11
Keith AS	0.90
Keithcot Farm PS	0.78
Keller Road PS	0.25
Kenmore Park An S	0.05
Kensington Centre	0.12
Kersbrook PS	0.10
Keyneton PS	0.09
Kidman Park PS	0.58
Kidman Park Unit	0.03
Kilburn PS	0.34
Kilkenny PS	0.39
Kilparrin T & A Unit	0.06
Kimba AS	0.49
Kingscote AS	1.03
Kingston C S	0.99
Kingston O M PS	0.08
Kirton Point PS	0.77
Klemzig PS	0.37
Kongorong PS	0.12
Koolunga PS	0.07
Koonibba Ab S	0.07
Kulpara PS	0.05
Kybybolite PS	0.04
Lake Wangary PS	0.16
Lameroo Regional CS	0.55
Largs Bay JPS	0.41
Largs Bay PS	0.62
Largs North PS	0.32

School	FIR (Teacher FTE)
Laura PS	0.20
Le Fevre HS	1.24
Le Fevre Pens PS	0.53
Leigh Creek AS	0.55
Lenswood PS	0.10
Light Pass PS	0.12
Lincoln South PS	0.22
Linden Park JPS	0.53
Linden Park PS	1.01
Littlehampton PS	0.48
Lobethal PS	0.24
Lock AS	0.21
Lockleys Nth PS	0.73
Lockleys PS	0.39
Long Street PS	0.55
Lonsdale Heights PS	0.40
Loveday PS	0.06
Loxton HS	1.15
Loxton North PS	0.18
Loxton PS	0.69
Lucindale AS	0.52
Lyndoch PS	0.21
Lyrup PS	0.06
Macclesfield PS	0.27
Madison Park JPS	0.31
Madison Park PS	0.68
Magill Education Cen	0.14
Magill JPS	0.55
Magill PS	1.05
Maitland AS	0.84
Mallala PS	0.41
Mannum HS	0.34
Mannum PS	0.49
Manoora PS	0.08
Mansfield Park PS	0.54
Marden S C	1.53
Marion PS	0.49
Marla PS	0.01
Marree Ab S	0.06
Marryatville HS	2.55
Marryatville PS	0.54
McDonald Park JPS	0.41
McDonald Park PS	0.61
McLaren Flat PS	0.19
McLaren Vale PS	0.85
McRitchie Cres PS	0.01
Meadows PS	0.36
Melrose PS	0.10
Memorial Oval PS	0.41
Meningie AS	0.62
Mil Lel PS	0.10
Millbrook PS	0.06
Millicent HS	1.12
Millicent North PS	0.68
Millicent South PS	0.27
Miltaburra AS	0.15
Mimili Anangu S	0.16
Minlaton AS	0.13
Mintabie AS	0.07
Mintaro/Farrell F PS	0.10
Mitcham Girls HS	1.82
Mitcham JPS	0.46
Mitcham PS	0.76
Moana PS	0.70
Moculta PS	0.05
Modbury HS	2.29
Modbury S CPC-7	0.46
Modbury Sp S	0.17
Modbury Sth PS	0.34
Modbury West JPS	0.38
Modbury West PS	0.66
Monash PS	0.28
Moonta AS	0.97
Moorak PS	0.18
Moorook PS	0.09
Morgan PS	0.13
Morphett Vale E JPS	0.38
Morphett Vale HS	1.58
Morphett Vale Sth PS	0.19
Morphett Vale W PS	0.47
Morphett Vale-E PS	0.69
Mt Barker HS	1.87
Mt Barker PS	0.59
Mt Barker South PS	0.52
Mt Bryan PS	0.05
Mt Burr PS	0.11
Mt Compass AS	1.02
Mt Gambier East JPS	0.25
Mt Gambier East PS	0.47
Mt Gambier HS	1.90
Mt Gambier North PS	0.59
Mt Pleasant PS	0.09
Mt Torrens PS	0.13
Mulga Street PS	0.63
Mundulla PS	0.10
Munno Para PS	0.57
Murputja Anangu S	0.05
Murray Bridge HS	2.08
Murray Bridge JPS	0.44
Murray Bridge PS	0.67
Murray Bridge Sp S	0.06
Murray Bridge Sth PS	0.64
Mylor PS	0.19
Mypolonga PS	0.13
Myponga PS	0.26
Nailsworth PS	0.51
Nairne PS	0.62
Nangwarry PS	0.08
Napperby PS	0.14
Naracoorte HS	1.10
Naracoorte PS	0.72
Naracoorte Sth PS	0.66
Narrung PS	0.03
Netley PS	0.02
Newton PS	0.16
Nicolson Avenue JPS	0.34
Nicolson Avenue PS	0.57
Noarlunga Downs PS	0.58
Noarlunga PS	0.20
North Adelaide PS	0.41
North Haven JPS	0.44
North Haven PS	0.58
North Ingle PS	0.32
Northfield PS	0.62
Norton Summit PS	0.17
Norwood Morialta HS	4.02
Norwood PS	0.48
Nuriootpa HS	2.28
Nuriootpa PS	0.69
O B Flat PS	0.05
O'Sullivan Beach PS	0.39
Oakbank AS	1.03
One Tree Hill PS	0.41
Oodnadatta Ab S	0.08
Open Access College	1.71
Orroroo AS	0.44
Owen PS	0.09
Padthaway PS	0.14
Palmer PS	0.07
Para Hills East PS	0.69
Para Hills HS	1.91
Para Hills JPS	0.32
Para Hills PS	0.50
Para Hills West PS	0.74
Para Vista PS	0.73
Para West Adult C	1.50
Paracombe PS	0.09
Paradise PS	0.34
Parafield Gdns HS	2.03
Parafield Gdns JPS	0.40
Parafield Gdns PS	0.80
Paralowie S	2.73
Paringa Park PS	0.59
Parkside PS	0.22
Parndana AS	0.49
Paskeville PS	0.05

School	FIR (Teacher FTE)
Penneshaw AS	0.10
Pennington JPS	0.38
Pennington PS	0.60
Penola HS	0.43
Penola PS	0.32
Penong PS	0.09
Peterborough HS	0.38
Peterborough PS	0.35
Pimpala PS	0.45
Pinnaroo PS	0.15
Pipalyatjara An S	0.12
Plympton PS	0.59
Point Pearce Ab S	0.04
Poonindie PS	0.17
Pooraka PS	0.63
Price PS	0.06
Prospect PS	0.68
Pt Adelaide PS	0.28
Pt Augusta Sp S	0.04
Pt Augusta SS	1.54
Pt Augusta West PS	0.40
Pt Broughton AS	0.40
Pt Elliot PS	0.38
Pt Germein PS	0.07
Pt Kenny PS	0.03
Pt Lincoln HS	1.97
Pt Lincoln JPS	0.56
Pt Lincoln PS	0.96
Pt Lincoln Special S	0.03
Pt Neill PS	0.07
Pt Noarlunga PS	0.65
Pt Pirie Sp S	0.07
Pt Pirie West PS	0.56
Pt Vincent PS	0.07
Pt Wakefield PS	0.10
Quorn AS	0.53
Ramco PS	0.20
Rapid Bay PS	0.08
Raukkan AB S	0.06
Redwood Park PS	0.63
Regency Park School	0.22
Reidy Park PS	0.78
Rendelsham PS	0.14
Renmark HS	1.42
Renmark JPS	0.36
Renmark North PS	0.33
Renmark PS	0.68
Renmark West PS	0.32
Reynella East HS	2.51
Reynella East JPS	0.40
Reynella East PS	0.92
Reynella PS	0.98
Reynella South PS	0.43
Richmond PS	0.30
Ridgehaven JPS	0.20
Ridgehaven PS	0.40
Ridley Grove PS	0.61
Risdon Park PS	0.84
Riverdale PS	0.65
Riverland Sp S	0.09
Riverton and Dist HS	0.58
Riverton PS	0.28
Robe PS	0.18
Robertstown PS	0.10
Rose Park PS	0.79
Rosedale PS	0.05
Roseworthy PS	0.14
Ross Smith SS	1.70
Roxby Downs AS	1.29
Saddleworth PS	0.18
Salisbury Downs PS	0.83
Salisbury East HS	2.18
Salisbury Hts JPS	0.37
Salisbury Hts PS	0.67
Salisbury HS	2.08
Salisbury JPS	0.40
Salisbury N-W JPS	0.27
Salisbury N-W PS	0.44
Salisbury North R-7	0.73
Salisbury Park PS	0.61
Salisbury Park PS U	0.02
Salisbury PS	0.74
Salisbury S-E PS	0.41
Salisbury Unit	0.10
Salt Creek PS	0.02
Sandy Creek PS	0.11
Scott Creek PS	0.08
Seacliff PS	0.51
Seaford PS	0.66
Seaford Rise PS	0.84
Seaford 6-12 School	1.49
Seaton HS	1.50
Seaton Park PS	0.58
Seaview Downs PS	0.56
Seaview HS	2.49
Sedan PS	0.05
Semaphore Park PS	0.30
Settlers Farm JPS	0.69
Settlers Farm PS	0.87
Sheidow Park JPS	0.27
Sheidow Park PS	0.57
Smithfield Plns HS	0.96
Smithfield Plns PS	0.52
Smithfield PS	0.28
Smithfld Plns JPS	0.32
Snowtown AS	0.36
Solomontown PS	0.37
South Downs PS	0.49
Spalding PS	0.10
Springton PS	0.13
St Agnes PS	0.36
St Leonard's PS	0.43
Stansbury PS	0.13
Stanvac PS	0.46
Stirling East PS	0.74
Stirling North PS	0.48
Stradbroke JPS	0.54
Stradbroke PS	0.77
Streaky Bay AS	0.48
Stuart HS	1.11
Surrey Downs PS	0.54
Suttontown PS	0.17
Swallowcliffe JPS	0.28
Swallowcliffe PS	0.36
Swan Reach AS	0.20
Tailem Bend PS	0.36
Tantanoola PS	0.11
Tanunda PS	0.56
Taperoo HS	1.34
Taperoo PS	0.24
Tarlee PS	0.09
Tarpeena PS	0.10
Tea Tree Gully PS	0.53
Terowie RS	0.04
The Heights S	3.24
The Pines JPS	0.55
The Pines PS	0.88
The Thebarton SC	1.75
Thorndon Park PS	0.27
Tintinara AS	0.26
Torrensville PS	0.57
Townsend School	0.09
Truro PS	0.10
Tumby Bay AS	0.59
Two Wells PS	0.74
Underdale HS	1.28
Ungarra PS	0.06
Unley HS	2.90
Unley PS	0.74
Upper Sturt PS	0.11
Uraidla PS	0.38
Urrbrae Agric HS	2.09
Vale Park PS	0.51
Valley View S S	1.89
Victor Harbor HS	1.60
Victor Harbor HS U	0.01

School	FIR (Teacher FTE)
Victor Harbor JPS	0.45
Victor Harbor PS	0.95
Victor Harbor PS U	0.02
Virginia PS	0.45
Waikerie HS	0.93
Waikerie PS	0.65
Walkerville PS	0.80
Wallaroo Mines PS	0.18
Wallaroo PS	0.31
Wandana PS	0.40
Warooka PS	0.18
Warradale PS	0.40
Warramboo PS	0.04
Warriappendi Alt S	0.11
Wasleys PS	0.10
Watervale PS	0.11
West Beach PS	0.45
West Lakes Shore JPS	0.46
West Lakes Shore PS	0.83
Westbourne Park PS	0.65
Wharminda PS	0.06
Whyalla HS	0.65
Whyalla Sp S	0.04
Whyalla Stuart JPS	0.26
Whyalla Stuart PS	0.51
Whyalla Town PS	0.45
William Light R-12 S	1.39
Williamstown PS	0.53
Willsden PS	0.35
Willunga HS	1.93
Willunga PS	0.80
Wilmington PS	0.12
Windsor Gardens HS	1.12
Winkie PS	0.13
Wirrabara PS	0.09
Wirreanda HS	2.90
Woodcroft PS	1.47
Woodend PS	0.57
Woodside PS	0.35
Woodville HS	2.03
Woodville PS	1.10
Woodville Sp S	0.13
Woomera AS	0.38
Wudinna AS	0.48
Wynn Vale JPS	0.39
Wynn Vale PS	0.72
Yahl PS	0.13
Yalata Ab S	0.19
Yankalilla AS	0.84
Yorketown AS	0.67
Yunta RS	0.04
School Total	371.83

Child Parent Centre	FIR (Teacher FTE)
Alberton	0.02
Allenby Gardens	0.03
Amata	0.01
Broadmeadows	0.02
Brompton Parent/Child Centre	0.05
Brown's Well	0.01
Cambrai	0.01
Campbelltown Children's Centre	0.03
Challa Gardens	0.03
Coober Pedy	0.03
Cowandilla	0.02
Cummins	0.03
Devitt Avenue	0.02
Direk	0.06
East Murray	0.01
Echunga	0.02
Elizabeth Downs	0.05
Elizabeth North	0.04
Elizabeth Park	0.04
Elizabeth Vale	0.03
Ernabella	0.02
Fairview Park	0.01
Ferryden Park	0.03
Flaxmill	0.04
Flinders View	0.02
Fraser Park	0.04
Freeling	0.02
Fregon	0.01
Gerard/Winkie	0.01
Gilles Plains	0.04
Goodwood	0.03
Hackham South	0.03
Hahndorf	0.02
Hallett Cove Sth	0.02
Hendon	0.04
Holden Hill North	0.01
Houghton	0.01
Indulkana	0.01
Kangaroo Inn	0.01
Karoonda	0.01
Kilburn	0.03
Kilkenny	0.02
Kongorong	0.01
Koonibba	0.01
Littlehampton	0.03
Lonsdale Heights	0.03
Mallala	0.03
Mansfield Park	0.05
Mimili	0.02
Modbury	0.02
Modbury South	0.02
Moorak	0.01
Morphett Vale Sth	0.01
Morphett Vale West	0.02
Mount Burr	0.02
Mt Gambier East	0.02
Mulga Street	0.03
Nairne	0.04
Nangwarry	0.01
Napperby	0.01
North Ingle	0.02
Northfield	0.02
One Tree Hill	0.03
Oodnadatta	0.01
Padthaway	0.01
Para Hills	0.03
Para Vista	0.05
Parndana	0.01
Pipalyatjara	0.01
Point Pearce	0.01
Port Adelaide	0.03
Redwood Park	0.04
Renmark North	0.02
Reynella East	0.03
Reynella South	0.01
Ridgehaven	0.03
Salisbury Nth West	0.04
Semaphore Park	0.01
St Agnes	0.02
Swallowcliffe	0.04
Tantanoola	0.01
Tarpeena	0.01
The Heights	0.04
The Pines	0.07
Tintinara	0.01
Virginia	0.03
Wandana	0.03
Warooka	0.01
Williamstown	0.02
Wynn Vale	0.06
Yalata	0.01
Child Parent Centre Total	2.18

DAWS ROAD REPATRIATION HOSPITAL

132. **Ms STEVENS:**

1. What agreements were negotiated for the handover of the Daws Road Repatriation Hospital from the Commonwealth to South Australia and what are the key points in those agreements?

2. On what basis are annual grants from the Commonwealth for the operation of the Daws Road Repatriation Hospital calculated?

3. Is there any agreement between the Commonwealth and the

State concerning the maintenance of emergency services at the Daws Road Repatriation Hospital, and if so, what are the details?

The Hon. DEAN BROWN:

1. There are two agreements and one arrangement which were negotiated for the handover of the Daws Road Repatriation Hospital from the Commonwealth to the State.

An agreement between the Repatriation Commission and South Australia was established for the purpose of transferring to the State all the rights, title and interest of the Repatriation Commission in the Repatriation General Hospital including land, buildings and other assets as agreed from 9 March 1995.

An agreement between the Commonwealth and the State was also established relating to offers of employment to be made by the State to officers and employees of the Department of Veterans' Affairs working at the hospital, such employment to be at the hospital or, by agreement, at other sites in the State.

An arrangement was established between the Commonwealth of Australia and the Repatriation Commission and South Australia, operational from 9 March 1995 for the treatment of eligible persons under Part V of the Veterans' Entitlement Act 1986 at the Repatriation General Hospital (RGH) and other public hospitals throughout the State.

This arrangement, unless extended by the parties prior to 31 March 2005, shall cease on 30 June 2005.

Key elements of the arrangement are:

- The State will provide for at least 11 700 acute public hospital separations across the full casemix range each financial year in the first four years of this arrangement. If the State provides less than 11 050 separations in any financial year, Commonwealth funding will be reduced by an amount determined on the basis of a formula as specified in the arrangement.
- RGH designated unit services should be provided at no charge (other than where provided for under Commonwealth legislation) to eligible persons and should include outpatient services as previously provided prior to transfer, psychiatric, rehabilitation, aged and extended care and hospice care.
- Community relationship arrangements and a treatment monitoring committee will continue as detailed in the arrangement.
- Arrangements for hospital statistics reporting and ensuring protection of personal information are set out.

2 .For the first four years of the arrangement, there are annual block funding grants to cover all hospital and outpatient services other than in designated units (as defined in the arrangement). These annual block funding grants apply to eligible veteran treatment at any public hospital including RGH. Annual block payments are calculated taking into account the level of activity expected and the costs associated with that activity. These annual block payments cover the provision of at least 11 700 acute public hospital separations across the full casemix range. If the State provides less than 11 050 separations in any of those four financial years, funding will be reduced by an amount determined on the basis of a formula as specified in the arrangement.

The level of annual block payments is specified in the arrangement.

In addition to the annual block funding grants, the Commonwealth funds the State on a cost recovery basis for designated unit activity, as defined in the arrangement. The State will assume financial responsibility over the first four year period for the existing level of community patients in the units and full financial responsibility for any additional community patient load following transfer providing continued funding for the four years as specified in the arrangement.

Any annual activity increases are paid at the end of the financial year following an acquittal process. These amounts are paid based on specified rates in the arrangement and are inflated by the Medicare Index.

The funding arrangements for inpatient activity for the following six years (1999-2000 to 2005-06) are to be determined on a casemix classification basis. For designated units, if the cost recovery approach continues to be applicable after the initial four year period, the State will fully fund community patients utilising these. Should no successor financial arrangements be agreed for the designated units, they will cease to be designated units for the purpose of this arrangement.

3. The arrangement between the Commonwealth of Australia, the Repatriation Commission and South Australia stipulates that, from the commencement of the arrangement (9 March 1995), the State will continue to own and operate the RGH on the Daws Road site for at least five years.

The State has agreed to provide the same range and level of outpatient services as operated by the RGH before transfer. Although some recent changes to outpatient services have taken place following consultation with the veteran community (and endorsed by the Council of Veteran's Organisations on 10 December 1997) the hospital is continuing to maintain the range of outpatient services agreed with the Commonwealth and the Repatriation Commission.

In the event that any hospital service is ceased due to non-viability, the State is required to give the Repatriation Commission a minimum of six months notice.

MODBURY HOSPITAL

135. **Ms STEVENS:** Following the release on the 8 July 1998 of the summary report of the Modbury Public Hospital Contract by the Auditor General will the Government now comply with the undertakings given to the Parliament to report on this contract by preparing a second report for presentation to the Parliament detailing changes to the Modbury Hospital Management Agreement and changes to the Modbury Private Hospital Agreement negotiated in 1997?

The Hon. DEAN BROWN: Since the Member for Elizabeth asked this question, all of the relevant Modbury Hospital contract documents have been released, including the original contracts and the amended contracts for both the management of the public hospital and the development of a private hospital on the campus.

COPLEY, Mr V.

137. **Mr ATKINSON:** On what basis was the assessment made by the Committal Unit that Mr Victorio Copley's confession to police of breaking into Marney Pearce's home was unlikely to be admitted into evidence at his trial?

The Hon. M.H. ARMITAGE: The Attorney-General advises that the assessment made by the Committal Unit was reached because of the accused's psychiatric/intellectual disability. It is likely that a court would exclude the evidence as being obtained when the will of the accused was overborne. (*Cleland v R* (1982) 151 CLR 133).

HENLEY BEACH POLICE STATION

140. **Mr KOUTSANTONIS:** Is the Henley Beach Police Station to be closed or relocated and if relocated, what will be the re-defined role of the Police Station?

The Hon. I.F. EVANS: The Police have advised that no decision has been taken yet as to the future of the Henley Beach Police Station.

As part of the announcement of the redeployment of police resources in May 1997, it was proposed in the short term that the Henley Beach and Parks Sub-Divisions amalgamate to the Parks Police Complex to form the Parks Division. It was proposed that this would take affect after 31 March 1998, subject to the outcome of consultation with key interest and community groups.

Following extensive community consultation and in view of the recent development of the proposed new Local Service Areas by Focus 21 relating to the delivery of police services, the Commissioner of Police has placed on hold any further action concerning Henley Beach, pending the outcome of the implementation of the new Local Service Areas.

Under the new Local Service Area model, Henley Beach will for the foreseeable future, either remain a police station and patrol base or the police service will be provided from a police station facility, similar to the new Firle and Malvern Community Police Stations. However, this will not be determined until the implementation of the Local Service Area structure, which will take place over the next 6 to 9 months.

AUTOGAS

144. **Mr KOUTSANTONIS:**

1. Does the Government intend introducing a mandatory 10 year inspection of autogas cylinders fitted to motor vehicles and, if not, why not?

2. What mandatory inspections of autogas cylinders currently occur?

The Hon. M.H. ARMITAGE:

1. In South Australia the autogas function is addressed in the Dangerous Substances Act and Regulations. This legislation provides for the licensing of the person fitting gas to the vehicle, prescribes the quality of the components used in the conversion and the location of components fitted to the vehicle. These controls are clear and quite precise and are designed to ensure that the initial fitting of LPG as a fuel is done correctly.

Regulation 21(2) states:

'A person must not use an installation for the operation of an internal combustion engine on liquefied petroleum gas unless the installation, and all associated equipment and fittings comply with the relevant requirements of:

(a) Australian Standard 1425 'SAA Automotive L.P. Gas Code'; or

(b) (i) A.G. 801—1979 'Interim requirements for L.P.G. Automotive Vaporiser-Regulators (Converters)', or

(ii) A.G.802-1979 'Interim Requirements for L.P.G. Automotive Fuel Lock-Off Valve (Solenoid or Vacuum)',

Both published by the Australian Gas Association and Liquefied Petroleum Gas Association Limited.'

Persons who fail to comply with this Regulation commit an offence and are liable to a maximum fine not exceeding $4 000 should a prosecution be undertaken.

Section 5 of Australian Standard 1425 is titled 'Periodic Inspection' and a number of items are listed for annual inspection. Included in this list is a requirement (clause 5.2(b)) to check the date stamp on the fuel container. Further to this, the clause requires the person to initiate the procedure for reinspection and restamping of the fuel container if the fuel container will be more than ten years old before the time of the next periodic test.

Accordingly, persons are liable for prosecution under regulation 21(2) of the Dangerous Substances Regulations if the annual checks and initiation of the ten year test are not undertaken.

The question refers to a 'mandatory' ten year inspection. Whilst a ten year test is prescribed by Regulations, it is not mandatory since the Registrar of Motor Vehicles will not refuse to register the vehicle. However, failure to conduct the test does amount to a breach of the Regulations which leaves a person liable to a fine not exceeding $4 000.

The legislation establishes the generally accepted level of safety and it is the responsibility of each individual to arrange their affairs accordingly.

The Government considers the current regulatory system for autogas to be adequate.

2. Issues about 'mandatory' inspections have been addressed above.