LEGISLATIVE COUNCIL

Wednesday 13 August 1980

The PRESIDENT (Hon. A. M. Whyte) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS

RIVERLAND CANNERY

The Hon. B. A. CHATTERTON: I seek leave to make a brief explanation before asking the Attorney-General a question about the Riverland cannery.

Leave granted.

The Hon. B. A. CHATTERTON: The Premier, in his Ministerial statement on the Riverland cannery, said that the task force appointed to investigate the cannery will be looking at the question of the agreement between the cannery and Henry Jones Proprietary Limited. Yesterday, in answer to a question that I put to the Attorney-General, he confirmed that that was one of the task force's major jobs. The Attorney-General also said that it was inappropriate for a representative of a contracting party to undertake investigations into that agreement. Surely not only is Mr. Elliott a contracting party to the agreement but also Mr. Cavill. Will the Government restructure the membership of the task force so that it can undertake proper investigations into the cannery, and will he give the task force clear terms of reference when it does so?

The Hon. K. T. GRIFFIN: The Hon. Mr. Chatterton was referring yesterday to an agreement between Riverland Fruit Products Co-operative Limited and Henry Jones with respect to the plant, and my answer yesterday was directed to that matter. The agreement to which the Premier referred in his Ministerial statement was another agreement between both those parties which dealt with the disposal of products processed by Riverland Fruit Products Co-operative. So far as the agreement with respect to plant is concerned, I indicated yesterday that that was one of the matters that the task force would be looking at. It is a matter to which the newspaper report of last week referred and which caused the Government some concern.

What I did not say yesterday (but it was implicit) was that the Government would come to its own conclusion on the evidence presented to it as to whether or not that agreement should be subjected to any challenge. It seemed rather strange that the Chairman of the South Australian Development Corporation was reported as having said that the plant was not as old as Mr. Colbert had indicated in his press report. I said that it was rather stange also that at a time when negotiations were taking place between the Government, through the South Australian Development Corporation, and Henry Jones, the question of quality and status of the plant had not been subjected to any examination.

I would have thought that, if that did occur, it would not be an appropriate way for the Government of the day to act in relation to the restructuring which it was instrumental in arranging. The Government does not have any intention of restructuring the task force. It has an open mind as to the assessment which needs to be made of all agreements between the various parties. It has its own independent advice, independent of the task force, which will be brought to bear on the report of the task force and on other matters which come to light during the period of the review.

The Hon. B. A. CHATTERTON: I wish to ask a supplementary question. It was reported to me from the Riverland that the Premier had indicated that the task force investigation was merely a holding operation until the South Australian Development Corporation was in fact abolished. Is the Government's refusal to establish a genuine investigation into the cannery a confirmation of this intention?

The Hon. K. T. GRIFFIN: I do not know what the Premier has indicated to the growers in the Riverland. It has already been announced that there is an inquiry into the South Australian Development Corporation, as to its effectiveness and whether it is the right sort of structure to undertake the rescue operations of various companies which in the past have been the subject of Government assistance. It is correct that the task force investigation was something in the nature of a holding operation, but the honourable member has taken that out of context. He has not taken into consideration that, before the scheme of arrangement can be completed, there needs to be an inquiry into the accounting and other activities of the co-operative; there needs to be a proper inquiry as to how the Riverland Fruit Products Co-operative got into difficulty, this all being directed towards rescuing the operation and providing a restructuring basis upon which the co-operative will hopefully recover and will provide a much needed industry in the Riverland. The Premier, in his Ministerial statement, did indicate that the Riverland Fruit Products Co-operative cannery is a vital industry for the Riverland and that the inquiry of the task force was directed towards ensuring that whatever problems it has suffered are overcome and that it becomes a viable continuing enterprise in the Riverland.

NATIONAL TRUST

The Hon. J. R. CORNWALL: I seek leave to make a short statement prior to directing a question to the Minister of Community Welfare, representing the Minister of Environment, concerning the National Trust.

Leave granted.

The Hon. J. R. CORNWALL: Yesterday I was asked by a group of concerned citizens to inspect a house known as "Dimora," situated at 120 East Terrace, in the city. The house was built in 1882 by H. L. Ayers, the second son of Henry Ayers. It is a fine mansion in the best architectural traditions of that time, and is arguably the finest private bluestone dwelling from that period; certainly, we will never see the like of it built again. It adjoins the parklands and adds enormously to the grace and charm of that part of the city. It was purchased by the Adelaide City Council in 1971, and is currently disposed as 15 flats. Last Monday, the building committee of the Adelaide City Council approved an application by a private developer to convert the house to eight strata title units, while retaining its external facade and character. The present tenants are quite graciously accepting the inevitability of this, even though the great majority of them will have to seek alternative accommodation. However, they are outraged by the proposal to surround the house, within its existing grounds, with 19 town houses.

The proposal involves building on three sides. This includes building on the northern side of the grounds which is currently a sunken garden. Although this garden is in a somewhat run-down condition, it could be restored to its original magnificence and grandeur relatively easily. It is an integral and irreplaceable part of the magnificence of the total environment and amenity of the area. It would be a terrible thing if it were to be destroyed by being built on.

A group of concerned citizens, with the assistance of an architect and a town planning expert, have developed an alternative proposal. This proposal would still allow the construction of 18 town houses, but would retain the garden area, the magnificent front fence and most of the character, amenity and environment of the grounds. Tragically, at the moment this idea is not receiving any support from decision-makers.

All of this brings me to the subject of the National Trust. For a long time the trust has performed an outstanding role in South Australia. Many distinguished citizens have worked tirelessly over the years for the good of the trust in order to retain much of our built heritage, and I commend them for that. However, for some time now I have been concerned about the trust's current role and function. In many instances, including those of Portus House and Dimora, the trust seems to have adopted the role of an interested but passive observer. Because of the substantial prestige this organisation carries, it has a clear duty to be an opinion leader in this area, yet it seems to be more concerned with preservation of its high social status and elite connections and avoids controversy as though it were a social disease.

I am well aware that the Heritage Unit of the Department for the Environment, and the Heritage Committee, are performing an excellent role. However, for a variety of reasons they are sometimes involved too late to be effective in preventing demoliton and development. I understand that it is proposed to transfer responsibility for the National Trust of South Australia Act to the Minister of Environment. Will the Minister therefore give an undertaking that the National Trust of South Australia Act will be reviewed and amended? Will he further undertake to review the powers, functions, structure and financial arrangements under which the trust operates to ensure that it is made more representative of, and responsible to, contemporary needs?

The Hon. J. C. BURDETT: I will refer the honourable member's question to my colleague in another place and bring down a reply.

DEBTS REPAYMENT LEGISLATION

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before asking the Minister of Consumer Affairs a question relating to the debts repayment legislation.

Leave granted.

The Hon. C. J. SUMNER: In 1978, a series of Bills was introduced in this Council providing for an orderly system of payment by debtors of debts owing by them and to set up a system of advisers to assist debtors to meet their obligations. Honourable members will recall that the Bill was referred to a Select Committee of this Council which met over a period of about eight months and took a considerable amount of evidence.

Following the recommendations of that Select Committee, the legislation finally passed the Parliament in December 1978. During the early months of 1979 (up until May of that year), a departmental report was ordered on the changes that might be needed within departments to best give effect to this legislation. That report was available to me as Minister in about the middle of last year. At that time I made a copy of the report available to the Minister of Consumer Affairs. The Liberal Government has now been in office for some 11 months. I see that the Hon. Mr. Burdett is getting instructions from his Leader on how to answer this question.

Members interjecting:

The PRESIDENT: Order! The Leader of the Opposition should not try to encourage interjections, but should proceed with his question.

The Hon. C. J. SUMNER: The Government has now been in office for 11 months and should have had time to consider this report. The legislative intention of the Parliament was clearly expressed after extensive debate in December 1978. When is it intended that the Debts Repayment Act and related legislation will be proclaimed and the scheme brought into effect?

The Hon. J. C. BURDETT: As has been acknowledged, the former Government delayed for a considerable time on this matter, and the present Government has also been considering the implementation of the legislation for some time. We were also waiting on changes that were being considered at the Federal level in relation to the Bankruptcy Act. The Government is considering the legislation, and I expect that, within a short time (probably about two months), we will be able to inform the Leader as to our intentions in relation to the Act.

BLUE TONGUE DISEASE

The Hon. M. B. DAWKINS: I seek leave to make a short statement before asking the Minister of Community Welfare, representing the Minister of Agriculture, a question regarding blue tongue disease.

Leave granted.

The Hon. M. B. DAWKINS: I have mentioned this matter before, and I thank the former Minister for his efforts in this regard, because the matter has been before Agricultural Council for some time. At least some honourable members will be aware that non-virulent strains of blue tongue have been in the North of this country for a very long time (I think as long as 21 years), but not in the southern States generally, and not in sheep. However, some countries have used the presence of this non-virulent strain as an excuse to restrict imports.

I have taken up the matter with the Minister of Agriculture, who indicated that Commonwealth officers had kept overseas Governments fully informed and had made clear the non-pathogenic nature of blue tongue viruses 154 and 156. The Minister has also been advised that at present little else can be done to reverse the hard-line attitude of those countries using the disease as an excuse to restrict imports. However, this does affect a number of breeders of various types of sheep in this country in that they are not able to export sheep that otherwise could be sold with advantage overseas. Will the Minister use every endeavour to persist through Agricultural Council with efforts to get hard-line countries to lift their bans on importing Australian stock?

The Hon. J. C. BURDETT: I will refer the honourable member's question to my colleague and bring back a reply.

POLIO

The Hon. C. W. CREEDON: I seek leave to make a brief explanation before asking the Minister of Community Welfare, representing the Minister of Health, a question about polio inoculations.

Leave granted.

The Hon. C. W. CREEDON: To explain my question I will read the following part of a report from Sydney that appeared in the *Advertiser* of Saturday 9 August 1980:

> A major study of immunisation among Sydney school-children has found that more than half are not fully protected

against polio. The study which tested the immunity of 12-year-olds at seven Sydney schools, also revealed that many children are not immune to diphtheria—up to 24 per cent at one school. The researchers, who made the study for the Children's Medical Research Foundation, say the Sydney findings are likely to apply to all States. The head of the research team, Dr. Margaret Burgess, said that under present immigration laws, symptomless carriers of the diseases could enter Australia without being detected.

"We are at risk all the time of bringing in carriers from countries where the rates of polio and diphtheria are high," she said. The study also found that many parents were unaware of the recommended immunisation schedule of three triple-antigen injections and three Sabin oral vaccinations in the baby's first year. There have been no cases of polio reported in New South Wales since 1970, but some cases have been reported in other States. The last major epidemic in Australia was in 1957.

There have been occasional cases of diphtheria, including the death of a 12-year-old girl in Sydney in 1978. The study found that only 40 per cent were protected against all three polio virus types, 35 per cent were protected against two types, 17 per cent against one type and 8 per cent had no immunity at all.

First, does the Minister have any figures on the percentage of South Australian children and adults who have not been immunised against polio and diphtheria? Secondly, if he has not, will the Minister have a survey undertaken? Thirdly, assuming that the results in South Australia are as serious as those in New South Wales, what action can the Minister take to make people, especially parents of young children, aware of the seriousness of this disease?

The Hon. J. C. BURDETT: I will refer the honourable member's question to my colleague and bring down a reply.

HOTEL TRADING

The Hon. C. J. SUMNER: Can the Minister of Consumer Affairs say whether the Government intends to amend the Licensing Act to allow for hotel trading on Sundays?

The Hon. J. C. BURDETT: The Government is considering this matter.

FILES

The Hon. FRANK BLEVINS: I seek leave to make a brief explanation before asking the Minister of Local Government, representing the Chief Secretary, a question about Special Branch files.

Leave granted.

The Hon. FRANK BLEVINS: Yesterday I asked a question in this Council about files and case notes that were kept on hospital patients. I pointed out that a report exposed the lack of access to those files by hospital patients and the easy access to those files by other bodies such as insurance companies. Towards the end of the last session, in June, I also asked the Government a question about files held on public servants, and I asked whether the Government would allow public servants to have access to those files in the interests of freedom of information. I have still not obtained a reply to that question, so whilst I am asking this question I would appreciate the Government's noting that I am still waiting for a reply to the question I asked in June.

It is obvious in 1980 that there has been a constant increase in the number of files kept on people by various bodies and agencies, many of them quite legitimately. The keeping of a number of them is professionally necessary, but they all appear to have one thing in common: the person concerned has little access to them, and that situation is quite wrong. All honourable members will recall the case of the Special Branch files, Police Commissioner Salisbury and the events surrounding the issue of his dismissal. I do not want to rehash the whole matter in this brief explanation.

The Hon. L. H. Davis interjecting:

The PRESIDENT: Order! Honourable members must not interject.

The Hon. FRANK BLEVINS: At that time, it was brought out that members of Parliament had files kept on them by the Special Branch of the Police Force. I think that all Labor members, with the exception of the Hon. John Cornwall (I do not know how he escaped the net), had files kept on them, and just to show that they were not completely partisan, there were also files on two Liberal members of Parliament. This matter was brought up recently in Queensland, where it was admitted by the Special Branch that it kept files on all members of Parliament. I refer briefly to the *Australian* of 15 April 1980, under the heading "All M.P.'s are on file, admits Queensland Police Chief", as follows:

> The Queensland Police Special Branch keeps files on all State and Federal M.P.'s, the State's Police Commissioner, Mr. Terry Lewis, said yesterday. His admission came in the midst of controversy over amendments to the Police Act which have been criticised by Government backbenchers, the Opposition, the Queensland Police Union, the Queensland Law Society, the Bar Association, and civil liberty groups.

All Queensland M.P.'s seem to have access to their files. The article continues:

> Mr. Lewis said Special Branch files were open for examination by the politicians concerned. Other members of the community who were the subject of Special Branch files would not have such a right.

So, even in Queensland, which, as every member knows, is probably one of the most undemocratic places in the entire Commonwealth, M.P.'s have access to their files if they wish to see them. In view of this ray of sunshine in Queensland, we will see what this Government's attitude is. First, are files still held by the Special Branch of the South Australian Police Force on any member of Parliament? Secondly, if so, what is the total number of M.P.'s on file? Thirdly, what is the Party affiliation of the M.P.'s on file? Fourthly, who has access to the files; and, finally, will the Chief Secretary give instructions to the Police Commissioner that will permit M.P.'s who wish to examine their files to do so?

The Hon. C. M. HILL: I will refer those questions to the Chief Secretary and bring back replies.

WOMEN'S ADVISER

The Hon. ANNE LEVY: I seek leave to make a brief explanation before asking the Minister of Local Government, representing the Minister of Education, a question about the staff of the Women's Adviser Unit in the Education Department.

Leave granted.

The Hon. ANNE LEVY: A few days ago the Government announced that it was abolishing the position of Women's Adviser in the Education Department, a public announcement on this matter having been made to the press. I may say in passing that I have not received a reply to the question I asked on this topic, although I hope that I may receive such a courtesy at some time. Instead of

the position of Women's Adviser, the Government has stated that it will have a position of Equal Opportunities Adviser, with the person concerned having to be involved with problems relating not only to women but also to minority groups such as handicapped people, Aborigines, ethnic groups, and the like.

I am sure that all agree that this must mean a tremendous increase in the work load of the people concerned, unless the advantages to be gained by the minority disadvantaged groups are to be gained at the expense of the majority disadvantaged group, namely, women in the Education Department. Because of the increased work load that will doubtless be required, I trust that the Government will agree that an increased staff will be necessary to cope with not only the previous work load but also the increased work load now being contemplated. I understand that in the office of the Women's Adviser in the Education Department at the moment, apart from the Adviser herself, there is a staff of five people whose contracts are due to expire in the not too distant future and who have not as yet received any indication as to whether their contracts will be renewed or whether their work will continue.

Will the Minister assure us that the current staff of the Women's Adviser Unit in the Education Department will be retained and permitted to continue with their valuable work? Will the Minister also agree to expand the staff of the unit to cope with its increased responsibilities?

The Hon. C. M. HILL: I will refer those questions to the Minister of Education and ask him whether he will hasten the reply to the honourable member's earlier question. I point out that the notice of change of the Minister's plans in this area did not appear in the first instance in the press: it was made known by way of a Ministerial statement in Parliament.

CLEANERS

The Hon. G. L. BRUCE: I seek leave to make a brief explanation before asking the Minister of Community Welfare, representing the Minister of Industrial Affairs, a question about cleaning in the Public Buildings Department.

Leave granted.

The Hon. G. L. BRUCE: Today I received from the Australian Government Workers Union a circular which states:

> On Monday 11 August a cleaning contractor, Nipper Van Buren, was invited to take over the cleaning of the Local Court and the Magistrates' Court. Government weekly paid staff employed in these buildings were transferred the same night to other buildings cleaned by the P.B.D.

That implies that 10 weekly-paid staff, involving a total of 400 hours, cleaning the Magistrates' Court have been replaced by three contract cleaners who, if they had a comparable work load, would each be working 133 hours. Will the Minister investigate and report back on the exact work done by the previous 10 cleaning people and ascertain whether they have been replaced by three people? Will he also say whether those three people are being exploited, and whether the work done is the same as that done previously by 10 cleaners?

The Hon. J. C. BURDETT: I will refer the honourable member's question to my colleague and bring back a reply.

LOCAL GOVERNMENT REGULATIONS

The Hon. N. K. FOSTER: I seek leave to make a brief explanation before asking the Minister of Local Government a question about parking and traffic regulations under the Local Government Act.

Leave granted.

The Hon. N. K. FOSTER: Recently there was a motion for disallowance before the Council regarding regulations under the Local Government Act involving a complaint placed before the Subordinate Legislation Committee. At that time we had before us a person from the Crown Law Office, Mr. Loftus, who did not recognise or accept a certain responsibility when he gave evidence before that committee. He attempted to brush aside a great amount of written evidence submitted by Mr. Gordon Howie.

Mr. Howie is known to almost every motorist in this State, and he is the most competent person regarding these regulations. During a quick flip through the documents before the Council, I notice that Mr. Howie had made a massive notation of almost 300 items in a document of 11 foolscap pages covering the regulations before the Subordinate Legislation Committee. Mr. Loftus at one stage drew the attention of the committee to one of its Standing Orders. I will not read it, but the Standing Order virtually challenged the right of the committee to hear any evidence which purported to improve the legislation by drafting. In his final report to the Subordinate Legislation Committee, Mr. Loftus states:

> 1. I was requested by the Joint Committee to confer with Mr. Gordon Howie and consider with him certain matters which he had raised touching the contents of the Local Government Act—Control of Traffic—Parking Regulations 1979 (hereinafter referred to as "the regulations") . . .

In that report, Mr. Loftus makes the position clear. It is available for the Minister's perusal, because I do not want to take up unduly the time of other members in giving an explanation.

The Hon. L. H. Davis: That'll be the day.

The Hon. N. K. FOSTER: That is all right. The Hon. Mr. Davis ran down the corridor. He left the committee and chased Mr. Loftus down the corridor, conferred with him, and came back to the meeting. The minutes of the meeting show what he said when he came back. He should shut his mouth.

The PRESIDENT: Order!

The Hon. N. K. FOSTER: Thank you, Sir, for allowing me that aside.

The Hon. J. A. Carnie: Could he have stopped you?

The Hon. N. K. FOSTER: You were not there. You were overseas.

The PRESIDENT: Order! You are not explaining the question. Please proceed with the explanation.

The Hon. N. K. FOSTER: We will seriously question the guidelines which were brought before this Council yesterday because of what is contained in those documents. I wish to ask a question and, although it is a long one, it is not necessarily tedious. It seeks a great deal of information. I spoke briefly to the Minister about the matter yesterday, but I have added to it since then.

The Hon. L. H. Davis: Has he got the answer ready?

The Hon. N. K. FOSTER: No, he has not got the answer ready.

The PRESIDENT: Order!

The Hon. N. K. FOSTER: My questions are these: first, will the Minister inform this Council as to the advice sought by the Adelaide City Council during the drafting and compilation of that council's regulations recently disallowed by both Houses of this Parliament; secondly, has the Adelaide City Council sought further advice from the Minister's department since such disallowance; thirdly, is the Minister aware of any changes to meet the blatant errors and non-compliance with the Act in any future

proposal or any future set of regulations; fourthly, will the Minister appoint Mr. Gordon Howie to a responsible position on the Ministerial staff befitting his expert knowledge and understanding of the Local Government Act in matters of traffic and traffic control?

Members interjecting:

The Hon. N. K. FOSTER: Don't laugh, mate. You will hear the rest of it in a minute. Should the Minister be unable or unwilling to accept such responsible advice from Mr. Howie, since many councils have sought his advice in an endeavour to comply with the Local Government Act, will the Minister make a grant available to the Local Government Association to enable it to employ Mr. Howie in the capacity of providing the expert advice and draftsmanship necessary for the requirements of the Local Government Act? I am amazed that members opposite should laugh at a person who came before the committee and tore the Act to pieces.

The Hon. C. M. HILL: The new regulations are in the course of being prepared. Honourable members will recall that the former regulations were disallowed in the last Parliament. They were regazetted as a holding operation, and the Government undertook to prepare new regulations. It was hoped that that would not take long and that the new regulations would be gazetted and would replace the regulations which the Subordinate Legislation Committee objected to and was instrumental in disallowing. In the preparation of the new regulations, the departments concerned and local government interests, including the Adelaide City Council, have been involved. As I recall some of the honourable member's questions, they dealt with references to the Adelaide City Council and its part in the preparation of these regulations. It is concerned with them and is providing an input into the preparation of them. It is not my intention to go outside those formal instrumentalities and bodies in drafting these new regulations. I am hopeful that they will be ready for Cabinet perusal and approval in five or six weeks time. Then, on gazettal, they come within the ambit of the Joint Committee on Subordinate Legislation, at which point other citizens, including Mr. Howie or anyone else, or any group of citizens, will have the right to give evidence to the committee. I think that it is the proper role for the individual citizen to provide evidence and input into the committee.

Regarding the possible appointment of Mr. Howie, we have no vacancies on our staff at present, and it would not be possible for us to consider him as a potential public servant. Regarding the grant to the Local Government Association so that Mr. Howie's services might be retained to advise local government generally on traffic matters, we are not in a position nor are we in funds to make allocations and provide money for that purpose. If the Local Government Association itself wishes to retain Mr. Howie as a consultant, that is its right, and I would think it is in a sufficiently good financial position to do that.

The Hon. N. K. FOSTER: I have a supplementary question. As the Adelaide City Council has submitted back to the Joint Committee on Subordinate Legislation the set of proposals that was rejected by both Houses of Parliament and by the committee, I consider the Adelaide City Council to be in contempt of this Parliament and a committee of this Parliament. Mr. Howie has already lodged an objection, and I say that anyone out there who pays a traffic fine should not be forced to do so.

The PRESIDENT: Order! The Hon. Mr. Foster wished to ask a supplementary question. I do not want a further explanation. A supplementary question should be a question pertinent to the original one.

The Hon. L. H. Davis: Speaker's corner on Sunday—

The Hon. N. K. FOSTER: I know that. Will the Minister or any of his colleagues—I do not mean his barking backbencher—

The PRESIDENT: The question, Mr. Foster.

The Hon. N. K. FOSTER: Does the Minister consider the Adelaide City Council, in once again proposing the same set of regulations as was rejected previously, to be in contempt of both Houses of this Parliament and the Joint Committee on Subordinate Legislation? Secondly, will the Minister offer the advice to which Mr. Howie is entitled as a citizen in conducting his case before the Subordinate Legislation Committee so as to ensure that the public is protected from the contempt of the Adelaide City Council and all other councils that have followed blindly the regulations of the Adelaide City Council?

The Hon. C. M. HILL: If the Adelaide City Council representatives have recently come before the Subordinate Legislation Committee, and I do not know whether they have or have not, about the regulations that have been gazetted (as I said a moment ago, as a holding exercise), that is their right. Secondly, if they are taking the same attitude that they took previously, then they are simply being consistent.

The Hon. N. K. Foster: Consistent in their contempt.

The Hon. C. M. HILL: I would think that the Adelaide City Council will be represented before this committee when the new regulations are gazetted if it has any queries about those regulations, or if it wants an opinion expressed to the committee.

The Hon. N. K. Foster: What about the public? The Subordinate Legislation Committee is there to protect the public and public witnesses.

The Hon. C. M. HILL: The Subordinate Legislation Committee exists to allow members of the public and institutions such as the Adelaide City Council an opportunity to come forward and make their views known about regulations on the table of the Houses. After the new regulations have been gazetted, the Adelaide City Council may or may not present evidence to the committee. Turning to the honourable member's cause—Mr. Howie—

The Hon. N. K. Foster: I simply say that Mr. Howie has the right to come before that committee at any time regarding any matter.

The Hon. C. M. HILL: Speaking personally, I hope that Mr. Howie does come before the committee, because I am one of those people who have a high regard for him and the interest that he takes in traffic matters generally. However, there is a time and a place when individual citizens, including Mr. Howie, can make their contribution to this legislative machinery process, and that time is when the committee is considering regulations which have been gazetted and have not lain on the table for a period longer than 14 sitting days.

The Hon. N. K. FOSTER: I wish to ask a supplementary question. Will the Minister of Community Welfare advise the Council whether or not the Premier was aware that the illegality of these regulations would be "enforced" (I mean that word to be in quotation marks) for a further period upwards of three months before the new regulations could possibly come before the committee for consideration? In other words, Tonkin was acting illegally and outside his powers.

The Hon. C. M. HILL: I do not know of any illegality regarding the regulations. I say with absolute certainty that the Premier would not know of any illegality whatsoever concerning those regulations. The Premier certainly does not act in any illegal way whatsoever.

IMMIGRATION

The Hon. J. E. DUNFORD: I seek leave to make a statement before asking the Minister of Community Welfare a question about an amnesty for illegal migrants.

Leave granted.

The Hon. J. E. DUNFORD: I received a letter today from Senator Messner. It is seldom that I receive an appeal from a Liberal Party Senator. I am pleased that a Liberal is seeking my assistance in this matter. The letter states, in part:

> As part of this programme, the Minister announced a Regularisation of Status Programme (R.O.S.P.). Most people are calling it an amnesty but it applies to people legally in Australia as well as to those here illegally.
>
> Any person who was in Australia legally or illegally before January 1980 and who was also here on 19 June 1980 (when R.O.S.P. was announced) will be approved for permanent residence provided they are in reasonable health and have no serious criminal convictions and apply to the Department of Immigration and Ethnic Affairs before 31 December 1980. The only exceptions to this are overseas students, people being deported for serious criminal offences and diplomatic staff from overseas countries in Australia.
>
> I should mention that R.O.S.P. also applied to people who came to Australia legally on or after 1 January 1980 provided they were still here legally when R.O.S.P. was announced on 19 June 1980 and had sought permission to remain here permanently.

He has attached copies of the Minister's lengthy press releases about the introduction of the programme. There was a TV segment about this matter. I have not read a great deal about this matter in either the *Advertiser*, the *News* or any other paper. I have some reservations about this matter and am concerned about the Federal Government's present migration policy, which I will not go into now. I would not like to see this happen on a number of occasions: I would not like to see people encouraged to come here illegally knowing that the Federal Government grants an amnesty every two or three years. However, the people are here, and I believe that there is merit in this idea, and on this occasion I am prepared to help Senator Messner by asking this question.

Will the Minister of Community Welfare make a public statement and place advertisements in the newspapers to advertise the details of ROSP? Also, will he contact representatives of the various ethnic communities advising them of the full details of the ROSP scheme?

The Hon. J. C. BURDETT: This is entirely a Federal matter and quite outside my jurisdiction.

APHIDS

The Hon. B. A. CHATTERTON: I seek leave to make a short statement prior to asking the Minister of Community Welfare, representing the Minister of Health, a question about aphids.

Leave granted.

The Hon. B. A. CHATTERTON: Members might be surprised that I am directing a question about aphids to the Minister of Health. However, I asked a question about this matter during the previous session, and received a letter from the Minister of Community Welfare stating that the Minister of Health had an answer to the question I had asked, so I presume that this responsibility, which once rested with the Minister of Agriculture, must have been transferred to the Minister of Health. If that is not the case, I hope that the Minister of Community Welfare will direct my question to the appropriate Minister.

On 30 June, 17 members of the aphid task force were sacked by the Department of Agriculture. Just prior to that time, nine other people working on the aphid problem in that task force resigned because they were told that their jobs would be terminated on 30 June. As a consequence, 26 people who were working on that valuable programme were lost. I now understand that the Department of Agriculture has received funds from various industry research trusts to enable it to fund six additional positions to be involved in aphid control work. It has one other position which is funded from State funds and is vacant. That is a total of seven positions vacant in the aphid research area. I believe that there are two other positions that will be approved because of the availability of further industry trust funds.

Therefore, there seem to be nine jobs available in the aphid area. Before the aphid task force was disbanded and those people were retrenched on 30 June, they drew public attention to the fact that this work was not going to proceed. They made quite an effort to gain publicity, and I believe that they sincerely believed that the work being done was to the State's benefit, and were not just stirring for the sake of their own jobs.

While drawing attention to the fact that this work was being abolished, these people also pointed to some of the errors made by the Minister of Agriculture in his statements in defence of the retrenchment of these people. It seems obvious, only six weeks later when these vacancies appeared, that there has been some victimisation of the people because of the campaign that they conducted before 30 June. It seems that those people are being taught a lesson because they appeared to be critical of the Government's decision to abolish the task force and run down its valuable work.

Will the Minister say, first, why did not the State carry at least those nine people for the six weeks between 30 June and the present time when the vacancies occurred and, secondly, will the people who were retrenched on 30 June be contacted? Also, as they are the most qualified people to take up those vacancies, will they be invited to apply for the positions that are now available?

The Hon. J. C. BURDETT: I will refer the honourable member's question to my colleague and bring back a reply.

PARLIAMENTARY COMMITTEE

The Hon. N. K. FOSTER: I seek leave to make a statement before asking the Minister of Community Welfare a question about a so-called back-bench Parliamentary committee.

Leave granted.

The Hon. N. K. FOSTER: I will be quick, and the report to which I refer will be available to *Hansard*. The circular, headed "Parliamentary Back-Bench Committee—Access to the Department", states that the Minister has decided that the Parliamentary back-bench committee which discusses with him policy matters on community welfare should have access to the department so that there can be a full understanding of the nature of the way in which services given can be delivered by this committee. This Liberal Party document, which is signed by the Director-General of Community Welfare, refers to Mr. Glazbrook in relation to the Port Adelaide area, Mr. Schmidt in relation to the Woodville area, Dr. Billard the Elizabeth area, Mr. Mathwin the Christies Beach area, and Mr. Davis, M.L.C., the Norwood area. None of those areas are the electorates of the members to whom I have referred, with the possible exception of the Hon. Mr.

Davis. The letter goes on to refer to an understanding by the Director-General of Community Welfare. I take strong offence to the first line of this document, which refers to the Minister and the Parliamentary back-bench committee, because it is not such a committee: it is a Liberal Party back-bench committee. Opposition members have no association with it whatsoever.

The Hon. L. H. Davis: What a quibble.

The Hon. N. K. FOSTER: It is not a quibble. This is not a Parliamentary back-bench committee. You are misusing the phrases of this Council. As this situation must change, I direct my question to the Minister.

The Hon. L. H. Davis: Don't shout.

The Hon. N. K. FOSTER: I must do so in order to get through to dimwits. Will the Minister ensure that the department concerned is told that this is a Liberal Party and not a Parliamentary back-bench committee and, in so doing, will he accord Opposition members of this Parliament the same treatment referred to in the memorandum sent out by the Director-General of Community Welfare, or, alternatively, direct the Director-General to disallow this piece of correspondence?

The Hon. J. C. BURDETT: I am sure that it is already known that the committee in question is a Government back-bench committee. The reply to the second part of the honourable member's question is "No".

FUELS AND ENERGY SELECT COMMITTEE

The Hon. B. A. CHATTERTON: I move:

1. That a Select Committee be appointed to inquire into and report upon—
   - *(a)* action that could be taken (including legislation that could be enacted by the Parliament) to conserve petroleum based fuels and resources in South Australia.
   - *(b)* action that could be taken (including legislation that could be enacted by the Parliament) to encourage the use of fuels which could be substituted for petroleum based fuels in South Australia.
   - *(c)* any other matter related to conservation of petroleum based fuels and the use and encouragement of substitute fuels or alternate energy sources in South Australia.
2. That in the event of a Select Committee being appointed—
   - *(a)* it consist of six members and that the quorum of members necessary to be present at all meetings of the committee be fixed at four members and that Standing Order No. 389 be so far suspended as to enable the Chairman of the Select Committee to have a deliberative vote only.
   - *(b)* this Council permit the Select Committee to authorise the disclosure or publication, as it thinks fit, of any evidence presented to the committee prior to such evidence being reported to this Council.
3. That the evidence taken by the Select Committee on Conservation and Use of Fuels and Energy Resources appointed on 8 November 1978 be referred to the committee.

The purpose of this motion is to appoint a Select Committee with the terms of reference set down in the motion. Honourable members will be aware that this is the Select Committee that was appointed by this Council on 8 November 1978. I have worded this motion in exactly the same terms as were used when the motion to establish this committee was passed previously.

While many people speak loosely of the energy crisis facing the community, that is not, in fact, the case: we are facing a liquid fuel crisis, and that is the matter that the committee was set up to examine. It was intended that the committee should look at the changes that need to occur in Australia to meet this crisis in relation to liquid fuel. At the time that the committee was set up, oil prices had increased very rapidly in preceding years. In 1973, in fact, the first massive hike in oil prices occurred, when oil prices increased approximately four fold. Since this committee was established in November 1978, we have had the Iranian crisis and a further massive increase in oil prices. Indeed, the price is now approximately double what it was when the committee was first established.

It is interesting to note that, during the whole period since 1973 and the first increase in oil prices, there have been constant reports that OPEC is going to go away and that it is on the point of collapse. This is rather like the quotation from Mark Twain, who was reported as saying that reports of his death were premature: it seems that reports of the death of OPEC are also premature. It shows no signs of disappearing, and in fact, is able, by keeping strict control over production levels, to enforce increases in oil prices that are negotiated by member countries.

It is interesting that OPEC has stated on a number of occasions that it intends to increase oil prices in real terms by 5 per cent a year. That statement seems to have been rarely reported outside Europe, and yet it seems, from the price rises that we have had over the past four or five years, that OPEC has been able to achieve this in the past and, indeed, it seems possible that it will continue to achieve it in future. If it does so, certainly the liquid fuel crisis will not go away; in fact, it will get more serious.

It seems appropriate that this committee, which has already collected a considerable amount of evidence, particularly on the question of substitute fuels that might be used to replace the normal petroleum-based fuels in South Australia, should also collect considerable evidence on the conservation of petrol-based fuels. It seems appropriate that the committee should be reconvened so that it can make that evidence available to the Council and to the public, and so that it can complete the inquiries that it started to make on 8 November 1978.

The Hon. C. J. SUMNER seconded the motion.

The Hon. K. T. GRIFFIN secured the adjournment of the debate.

PORTUS HOUSE

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

That in the opinion of this Council any decision by the Government to demolish the property at 1 Park Terrace, Gilberton, known as Portus House, is premature. Portus House is a significant part of the built heritage of South Australia and must be retained while any option exists for alternative transport corridors to meet the needs of the residents of the north-eastern suburbs.

The first question that one must ask is whether Portus House is worth saving. I think I can do no better than to quote some extracts from a report prepared by the Heritage Unit of the Department for the Environment. The report, which was prepared in 1979, states:

> The relationship of Portus House to the surrounding environment is significant. With regard to the immediate streetscape, that is, its position on the intersection of Robe Terrace, Northcote Terrace, Walkerville Terrace, and Park Terrace, and particularly with regard to the latter two terraces, it can be seen that the residence as a whole acts as a key visual element within this intersection and on this corner.

> In this position it provides a strong visual stop, both to the corner and to the intersection, making the distinction between the residential areas, roadway and park lands positively and clearly. Moreover, this position is typical of locations used by large houses and mansions within Walkerville and surrounding suburbs—it is situated both on a prominent corner and facing into the park lands. This characteristic siting of large imposing dwellings in Walkerville and Medindie should be recognised and protected. Portus House also has an important landmark status, both locally and city-wide. Being a large imposing building situated on what is the inner-city ring route and the main north-east arterial road into the city it is natural that it has become an established landmark to both local residents and residents of Adelaide who use these particular roads. It is desirable that the psychological importance of maintaining key visual elements in the urban and suburban city scape is recognised and such landmarks retained and maintained.

Portus House is a quite magnificent mansion, and it is my contention that to think of demolishing it, particularly when all of the north-east transport options are now in a state of great flux and as no final decision has been taken, would be quite ridiculous.

The Hon. J. A. Carnie: Should we keep it for the squatters?

The Hon. J. R. CORNWALL: I want that comment to go on the record. The Hon. Mr. Carnie asks if we want to keep Portus House for squatters.

The Hon. M. B. Cameron: Why was it purchased?

The Hon. J. R. CORNWALL: In 1976 it was purchased from Mr. Portus by the Highways Department. As members opposite know all about it, I do not know why they are taking up my time with such questions, but I am happy to tell them that it was purchased in 1976 by the Highways Department as part of a plan to widen the intersection.

Members interjecting:

The PRESIDENT: Order! You asked the honourable member a question and none of you will give him a chance to answer it. The Hon. Dr. Cornwall.

The Hon. J. R. CORNWALL: That it was purchased in 1976 by the Highways Department is a matter of record. There is no question about why it was purchased: it was purchased because the department at that time had a firm programme to widen the intersection, and the plan involved the demolition of Portus House. I would have thought that any idiot could have looked that up.

In 1978 the Department for the Environment did look at it and made certain recommendations to the Highways Department, but it is significant to note that those recommendations and the public display concerning Portus House occurred in April 1978. Some time later in that year the South Australian Heritage Act was passed. That is the important thing. The fact is that the Heritage Unit of the Department for the Environment did not get to assess Portus House and report on it until May 1979. That is the critical factor.

The Hon. L. H. Davis: What did your Government do?

The Hon. J. R. CORNWALL: That is the last interjection to which I will respond from the puerile one opposite. I was Minister of Environment at the time, and I never saw that report. Whether it was the result of inter-departmental hanky-panky or not, I do not know but, as Minister of Environment, I can assure the honourable member that I never saw the report by the Heritage Unit concerning Portus House.

The Hon. L. H. Davis: It does not say much for your communication.

The Hon. J. R. CORNWALL: The honourable member does not understand how Government operates. He is a very new member, a back-bencher, and I doubt that he will ever progress very far. The fact is that that report was not only not seen by me as Minister but, in fact, it never got to the register subcommittee and, therefore, it never got to the heritage committee. What was its fate subsequent to 15 September I do not know, but the fact is that the report never got from the Heritage Unit to the register sub-committee.

The Hon. C. M. Hill: No wonder the people threw them out.

The Hon. J. R. CORNWALL: Even the Minister of Local Government does not seem to know how departments work, and that is inexcusable. The recommendations of the Heritage Unit are as follows:

> The Heritage Unit considers that Portus House is an item of significant heritage value and should be retained and protected by being included on the Register of State Heritage Items. The unit considers Portus House to be:
>
> Primarily
>
> a contributing item within an admirable landscape, townscape and group;
>
> a typical and representative structure in a class of structures which has some architectural or building significance;
>
> and also
>
> a structure admirable in itself, considered independent of context.
>
> This item will be put to the register subcommittee for it to be recommended for inclusion on the register. Portus House is a significant part of the heritage of both Walkerville and South Australia. It would be unfortunate if this residence were to be substantially altered or even demolished.

The time that that recommendation should have gone to the register subcommittee was after the change of Government. There is little doubt from that report that Portus House certainly is worth saving, and the answer to that first question would have to be "Yes".

The second question is whether there is sufficient concern in the local and general community to demand that it be saved. Following the initial publicity, the residents and supporters of Portus House, and the rescue committee that was formed rapidly, held an open day, and during the course of that Saturday afternoon 1 000 people were sufficiently concerned to turn up and inspect Portus House.

Subsequently, some two weeks later almost 200 people attended an open forum at which the pros and cons of the retention or demolition of Portus House were discussed. It is significant that not one member of the Government was there—not even a back-bencher.

The Hon. M. B. Cameron: We don't go to Labor Party meetings.

The Hon. J. R. CORNWALL: That is an interesting comment. I point out that 75 per cent of the people there were residents of Walkerville. Members opposite must really be going bad as a Government if they think that 75 per cent of the people of Walkerville at that meeting were Labor supporters.

The Hon. Frank Blevins: They will be now.

The Hon. J. R. CORNWALL: Indeed. The Minister of Transport, the man primarily responsible at the moment for handling the question of demolition and road-widening in that area, also happens to be the local member. He did not turn up because of the standard excuse; he had a previous engagement. I can understand that with his heavy work load that may well be so. The Minister of Environment did not turn up, either; he also had a previous engagement and, given his work load, that may also have been so. However, I would have thought that it would be possible for them to send a back-bench member,

however lowly and humble. They could have sent the Hon. Mr. Davis, for instance, or the Hon. Mr. Carnie, who lives in the area and knows it well.

The Hon. M. B. Cameron: Did you tell them that your Government had purchased it for demolition and your department didn't know it was going to be abolished?

The Hon. J. R. CORNWALL: I have already outlined the history. I am not trying to indulge in any shilly-shallying. There was no report on the house until 1979, and whether that report ever got to the present Minister of Environment I am unable to say. However, it never came to me.

The Hon. L. H. Davis: This story is history, like your Government.

The Hon. J. R. CORNWALL: There is little doubt from the overwhelming community response that has occurred to date that certainly the great majority of local residents want Portus House saved, and there is no doubt that there is a significant number of people in the community who are concerned about our heritage and who have not got dollar signs in their eyes, unlike the puerile Mr. Davis. They are concerned to save some of our built heritage for future generations.

Members interjecting:

The PRESIDENT: Order! Honourable members have all had a fair crack of the whip.

The Hon. M. B. Cameron interjecting:

The PRESIDENT: Order! The Hon. Mr. Cameron has been most consistent with his interjections. The Hon. Dr. Cornwall.

The Hon. J. R. CORNWALL: The third matter we have to consider is the competing interests of improved road transport versus a very significant part of our heritage. We can examine the case for rerouting traffic and encourage the ring route, looking at the alternatives available to us. The obvious alternative under consideration at the moment is the demolition of Portus House. What would that achieve? It would perhaps cut down the waiting time at that intersection by two or three minutes. That intersection is busy for about 30 minutes in the morning and 30 minutes in the evening.

The Hon. J. A. Carnie: You obviously don't know it very well.

The Hon. J. R. CORNWALL: I have stood on the intersection and monitored the traffic flows frequently in the past 10 days. It is certainly a busy intersection but, in terms of getting a significant bank-up of traffic, that occurs only for a relatively short period twice a day. We are also told that it would create a more open intersection, thus providing more safety. Two facts ought to be pointed out here. First, at the moment it is not a dangerous intersection. This is conceded quite freely by the Highways Department. Presently, the accident rate at that intersection is very low. Secondly, opening up an intersection and getting these improved traffic flows, apart from going through all the performances that road traffic engineers are so keen on, would not necessarily cut down on the accident rate, anyway. In that respect, I would ask honourable members who have been to Canberra to look at the statistics. Canberra is the most highly planned city in Australia, having the best planned intersections in Australia in terms of what road engineers like to see, and yet it has one of the highest accident rates at intersections of any capital city in Australia.

The Hon. D. H. Laidlaw: Look at the idiots that live there.

The Hon. J. R. CORNWALL: I will accept that as the most honest and intelligent interjection yet. The third consideration is whether there will in fact be this increasing demand on the intersection which the Highways Department tells us about. Is this demand going to increase regardless of the light rapid transit system, the O'Bahn system, or whatever other options might be adopted to improve the transport of residents from the north-eastern suburbs of Adelaide?

I put to the Council that in 1980 it is a form of madness to be expediting the flow of private vehicles, for a variety of reasons: first, the average number of persons in each private car passing through that intersection is 1·8—less than two people for every private car. Secondly, all we are doing is encouraging significantly more air pollution in the Adelaide air shed. I have said many times, both inside and outside this Chamber, that, because of our location—the geography of Adelaide and the air inversions that occur—we are rapidly getting towards crisis point. Anybody who thinks that what has happened in Los Angeles and Sydney is not going to happen here if we continue to increase traffic flows does not know what he is talking about. We are also looking more and more towards energy conservation and, again, it is a form of lunacy in those circumstances to be expediting traffic flows at this or any other intersection and encouraging people to use their private vehicles to get into the city. Thirdly, by expediting the flow of private traffic into the city, one is simply adding more and more to inner city congestion. For these three significant reasons, we should be rethinking what we want to do at that intersection.

The other reason why it is said that the intersection should be upgraded as part of the ring route is that it would reduce traffic flows through secondary streets in Walkerville. I appreciate that there is a problem with traffic passing through those streets, but surely there are other ways for engineers to stop traffic using such streets than simply knocking down a valuable part of our heritage and encouraging traffic to use that intersection more and more. There are many significant ways available to traffic engineers that would not only reduce the traffic flow in secondary streets but would also improve the amenity of those streets. Several alternatives are available. The first is to upgrade the intersection by other means but I will not canvass that as I am not an expert in the area. However, I do not accept that the present plan is the only one or that it represents the ultimate wisdom.

The second and more intelligent course of action would be to leave the intersection as it is and improve public transport. There is no question at all that urban public transport will have to be upgraded significantly. At the moment there is a great debate as to how this should be done, using what I prefer to call a tram system with electric traction, using the mysterious and unproved O'Bahn system, or simply increasing the number of buses in the north-east area (which I think would be a cheap and nasty way of doing it).

Several options are still being canvassed, and no firm decision has been taken, so it would be ridiculous to knock over this magnificent mansion and then find that such actions had not been necessary, anyway.

The second thing which we should be doing actively is to provide car-pooling programmes. This was tried as some sort of advertising gimmick in Adelaide some years ago by Bowden Ford, but it was never taken seriously, and at that time it did not have the backing of Government departments or the Government of the day. Car-pooling programmes work very effectively, and I have seen them in operation in countries overseas. In Portland, Oregon, significant incentives are given for both off-street and on-street parking for people who go into pooling programmes, and they work well. Certainly, it would require the use of the considerable facilities of departments such as the Highways Department, and it would require

positive incentives and public education, but there is no doubt that, in general, we should be moving now into car-pooling programmes.

The average number of persons per private vehicle passing through the intersection is 1·8. It is simple arithmetic to work out that, if we were to get four people per private vehicle passing through the intersection, plus an upgraded transport service from the north-east, we could reduce very substantially the traffic pressure on the intersection and get a reduction in air pollution, an energy saving, and a reduction in inner-city congestion.

On balance, Portus House should be saved because of its sound heritage value. It seems to me that far more sensible solutions are available, based on sound practical environmental considerations, and I appeal to honourable members to support the motion.

The Hon. K. L. MILNE: I second the motion. I agree that it is at least premature, because I do not think all the options available to us today have been considered. New options have emerged since the original decision was made. I doubt very much whether the Highways Department could do a great deal to improve the corner for peak hour traffic, which is all it is, by the demolition of Portus House. This matter was considered a long time ago by the Walkerville council, of which I was a member at the time; in fact, I was Mayor of Walkerville. From memory, we looked at this problem then. What we suggested, and what I do not think was taken seriously enough, was that there should be a large roundabout. I do not think the corner will improve. These five-way corners are very difficult to handle, and the best way I have seen it done is at the outlet near the Victoria Park racecourse.

I should like to see a report on a proper study of what a large roundabout would be likely to produce. It seems to me that the traffic flow from all five roads meeting there is reasonably even, and that it occurs properly. The corner as it stands is hideously complicated, and the problem has not been overcome; in fact, it seems to some people that it has been made worse. I ask that really serious consideration be given to a large roundabout. We are not used to them in Australia, but in other countries, and especially in London, roundabouts handle an immense amount of traffic, far more than is likely to occur on this corner. For that reason alone, I think this is premature.

Another thing, which may sound a bit odd but to which I do not think any consideration has been given, is putting the road behind Portus House. I do not know what that would mean to other residents, but in other countries one sees instances of a road being put behind such a building, with the building itself made a memorial.

The Hon. J. A. Carnie: It would be sitting there on a little island.

The Hon. K. L. MILNE: It could be a museum, or something like one sees in London. It would not be so difficult, because there would be access from the back. I support the motion, and I ask the Council to give the matter serious consideration.

The Hon. K. T. GRIFFIN secured the adjournment of the debate.

CRIMES (OFFENCES AT SEA) ACT AMENDMENT BILL, 1980

The Hon. K. T. GRIFFIN (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Crimes (Offences at Sea) Act, 1980. Read a first time.

The Hon. K. T. GRIFFIN: I move:

That this Bill be now read a second time.

The Crimes (Offences at Sea) Act and the Crimes at Sea Act, 1979, of the Commonwealth together form a comprehensive scheme for applying criminal law to areas off the coast of the State. When the first drafts of the State Act were prepared, it was assumed that the Commonwealth Act would be passed in 1978. In fact it did not pass until 1979. The State Act contains two references to the Commonwealth Act drafted on the assumption that it would pass in 1978. Unfortunately, these references were overlooked when the Crimes (Offences at Sea) Bill was before the Council earlier this year. The purpose of the present Bill is to correct references to the Commonwealth Act in the State Act. Clause 1 is formal. Clauses 2 and 3 substitute references to "1979" for existing references to "1978" in the principal Act.

The Hon. J. R. CORNWALL secured the adjournment of the debate.

THE BANK OF ADELAIDE (MERGER) BILL

The Hon. K. T. GRIFFIN (Attorney-General) obtained leave and introduced a Bill for an Act to provide for the transfer to Australia and New Zealand Banking Group Limited of the undertaking of the Bank of Adelaide and for the transfer to Australia and New Zealand Savings Bank Limited of the undertaking of the Bank of Adelaide Savings Bank Limited and for other purposes. Read a first time.

The Hon. K. T. GRIFFIN: I move:

That this Bill be now read a second time.

Its purpose is to facilitate the merger of the Bank of Adelaide and its subsidiary the Bank of Adelaide Savings Bank Limited with Australia and New Zealand Banking Group Limited and its subsidiary Australia and New Zealand Savings Bank Limited.

Following substantial losses by its wholly owned subsidiary, Finance Corporation of Australia Limited, it was necessary for the Bank of Adelaide in May 1979 to obtain the support of the other Australian Trading Banks and the Reserve Bank of Australia. Flowing from this situation, the Bank of Adelaide was directed by the Reserve Bank of Australia to merge with another Australian bank. Arrangements were then made by Australia and New Zealand Banking Group Limited to acquire the share capital of the Bank of Adelaide by a scheme of arrangement under section 181 of the Companies Act, 1962-1980, of South Australia. The scheme was subsequently agreed to by the necessary majority of members of the Bank of Adelaide, approved by the Supreme Court of South Australia and became effective from 30 November 1979. The Bank of Adelaide is now a wholly-owned subsidiary of Australia and New Zealand Banking Group Limited.

The merger has the approval of the Treasurer of the Commonwealth of Australia, who has given his consent pursuant to section 63 of the Banking Act 1959, on the understanding that steps will be taken as soon as practicable to bring the operations of the two banks into a single entity and for the Bank of Adelaide then to cease carrying on banking business. This understanding with the Federal Treasurer is one of the principal reasons for introducing this legislation. To complete the merger, it is necessary to amalgamate the business and undertaking of the Bank of Adelaide and its Savings Bank with the business and undertaking of Australia and New Zealand Banking Group Limited and its Savings Bank respectively. It is hoped that the necessary arrangements will have been

made to enable completion by 30 September 1980 so that the merger will become effective from 1 October 1980.

In practical terms, the merger of these banks will involve the transfer of over 260 000 accounts and the transfer of borrowing arrangements of more than 46 000 customers. By far the majority of this business is in South Australia. The time and effort involved in carrying out the merger by means of separate transactions with each customer would be unduly onerous and would involve not only the staffs of the Banks but also the customers themselves and officers of Government departments such as those in the Stamp Duties Office and the Lands Titles Office. It would be necessary to obtain an authority from each customer to transfer accounts from one bank to the other, new mandates for the operation of a variety of types of account, new authorities for periodical payments and new indemnities for various purposes connected with the accounts.

New securities (guarantees, mortgages, liens, etc.) would be required from borrowing customers and their sureties, or else authorities would need to be taken for transfer of existing securities, where practicable. The work involved in preparation of documents, obtaining signatures, stamping and registration would be totally unproductive, at the expense of, and with delays to, new transactions. The legislation will minimise the volume of paper work to be handled by customers and others, bank staff and Government officers, and to preserve the rights of the more than 1 100 staff involved and give them continuity of employment. While it is possible to do this by renewal of contracts, a more effective and expeditious way to do it is through the form of this legislation.

The saving in documentation which would be achieved by the proposed legislation is not intended to deprive the State of any revenue which might have been derived from the stamping of such documentation. The Government is negotiating with Australia and New Zealand Banking Group Limited as to the payment in lieu of stamp duty that will properly compensate the State for the loss of revenue which would otherwise have occurred. This follows the precedent set by the merger by legislation of Australia and New Zealand Banking Group Limited with The English Scottish and Australian Bank Limited in 1970.

Because the Bank of Adelaide has branches in each State, legislation similar to this Bill is being sought by Australia and New Zealand Banking Group Limited in each State. The Bill before you is similar in principle to Australia and New Zealand Banking Group Act, 1970, which was enacted for the purpose of implementing the 1970 merger referred to in the preceding sentence. However, on this occasion the Act in South Australia will be the principal Act in the legislative scheme throughout Australia because the Bank of Adelaide is incorporated in this State. In the 1970 merger an Act of the Parliament of the United Kingdom was the principal Act and the South Australian Act of 1970 was supplementary to it. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

The preamble recites the present situation regarding the relationship between the banks and savings banks, the proposals for the merger and the aims of the legislation, and is generally self-explanatory. Clause 1 formally provides for the short title and citation of the proposed Act. Clause 2 is the interpretation clause and provides definition of a number of terms used in the Bill. Notes on the principally defined terms are as follows:

"appointed day". For the purposes of the Act the Governor of the State will appoint a day termed the appointed day upon which the transfer of the undertakings of the Bank of Adelaide and the Bank of Adelaide Savings Bank Limited will take place.

"excluded assets". Lands constituting bank premises or bank residences are to remain in the ownership of the Bank of Adelaide or the Bank of Adelaide Savings Bank Limited. The purpose of this definition is to exclude from the transfer of assets land held by the Banks otherwise than by way of security, and also to exclude from the transfer any records required to be kept by the Bank of Adelaide or the Bank of Adelaide Savings Bank Limited under the Companies Act, 1962-1980. Also included in this definition are certain investments in companies which are not now, and after the appointed day, will not be involved in the business of banking.

"liabilities" is defined as including duties and obligations.

"property" is widely defined to include real and personal property. When excluded assets are not intended to be covered by the use of the general term "property" it is so provided in the operative clauses of the Bill.

"undertaking" in relation to the Bank of Adelaide or the Bank of Adelaide Savings Bank Limited in each case covers all of the property rights and liabilities of those Banks on the appointed day with the exception of excluded assets and rights and liabilities relating to excluded assets.

The remaining definitions are self-explanatory.

Clause 3 declares that the Act binds the Crown. This clause covers the need to ensure that the benefits of Government guarantees given in respect of certain securities held by the Bank of Adelaide will continue with Australia and New Zealand Banking Group Limited. It would also ensure that any accounts which a Government department might have with the Bank of Adelaide or the Bank of Adelaide Savings Bank Limited would be transferred in the same fashion as accounts of private customers. Clause 4 is a key provision of the Bill. Under subclause (1), on the "appointed day", the undertakings of the Bank of Adelaide and the Bank of Adelaide Savings Bank Limited are to be vested in Australia and New Zealand Banking Group Limited and Australia and New Zealand Savings Bank Limited, respectively.

By this simple enactment, Australia and New Zealand Banking Group Limited succeeds to the whole of the property assets and liabilities of the Bank of Adelaide (except the excluded assets and liabilities relating to those assets) and the position with the Savings Bank is the same. It is desired that the appointed day be 1 October 1980. Subclause (2) provides that on and after that day reference to the Bank of Adelaide or the Bank of Adelaide Savings Bank Limited in documents executed on or prior to that day are to be read as references to Australia and New Zealand Banking Group Limited or (as the case may be) Australia and New Zealand Savings Bank Limited unless the document relates to an excluded asset or unless the context otherwise requires. Subclause (3) enables the Registrar-General to register Australia and New Zealand Banking Group Limited or Australia and New Zealand Savings Bank Limited as the proprietor of land under the Real Property Act, 1886-1980, which becomes vested in them under the Act. This will relate to securities on land.

Subclause (4) provides that an instrument relating to land under the Real Property Act, 1886-1980, which has vested in Australia and New Zealand Banking Group

Limited or Australia and New Zealand Savings Bank Limited under the clause shall, if the instrument is duly executed and is otherwise in registrable form, be registered by the Registrar General notwithstanding that Australia and New Zealand Banking Group Limited or Australia and New Zealand Savings Bank Limited has not been first registered as proprietor of the land. This will avoid the necessity for multitudinous formal applications in connection with releases of mortgage securities. Subclause (5) provides that where part of the undertaking of the Bank of Adelaide or the Bank of Adelaide Savings Bank Limited is situated outside South Australia and the Act does not operate of its own force to give Australia and New Zealand Banking Group Limited or Australia and New Zealand Savings Bank Limited a perfect title to that property, then the Bank of Adelaide or the Bank of Adelaide Savings Bank Limited is to take all necessary steps as soon as practicable to ensure that title to the property is transferred to Australia and New Zealand Banking Group Limited and Australia and New Zealand Savings Bank Limited.

Clause 5 amplifies clause 4 and provides in some detail for the continuation between Australia and New Zealand Banking Group Limited and the customers, and other persons dealing with the Bank of Adelaide, of exactly the same relationship as already exists with the latter bank. By paragraph *(a)* all existing instructions or authorities given by a customer will be deemed to have been given to Australia and New Zealand Banking Group Limited. By paragraph *(b)* existing securities will be available to Australia and New Zealand Banking Group Limited as security for the debts or liabilities thereby secured at the appointed day which are transferred under the Act. Where the security extends to secure future debts and liabilities, it will be available in the hands of Australia and New Zealand Banking Group Limited for debts and liabilities, which the customer may incur after the appointed day with that Bank; and Australia and New Zealand Banking Group Limited is given the same rights and priorities and is made subject to the same obligations and incidents as applied to the Bank of Adelaide.

Under paragraph *(c)* the rights and obligations of the Bank of Adelaide as bailee (e.g. for safe custodies) are transferred to and assumed by Australia and New Zealand Banking Group Limited. Paragraph *(d)* provides in effect that any negotiable instruments drawn on, given to, accepted or endorsed by, the Bank of Adelaide will have the same effect on and after the appointed day as if they had been drawn on, given to, accepted or endorsed by Australia and New Zealand Banking Group Limited. Paragraph *(e)* preserves all legal proceedings commenced by or against the Bank of Adelaide before the appointed day. Clause 6 applies between the Bank of Adelaide Savings Bank and Australia and New Zealand Savings Bank Limited exactly the same provisions as clause 5 enacts between the two trading banks.

Clause 7. The purpose of this clause is to ensure that where the Bank of Adelaide or the Bank of Adelaide Savings Bank Limited was occupying premises under a lease, licence or other agreement which is not transferred (because it would be classed as "excluded assets") nevertheless Australia and New Zealand Banking Group Limited or Australia and New Zealand Savings Bank Limited may exercise the rights of the Bank of Adelaide or the Bank of Adelaide Savings Bank Limited thereunder. Further, the exercise of those rights by Australia and New Zealand Banking Group Limited or Australia and New Zealand Savings Bank Limited does not constitute parting with possession of the land by the Bank of Adelaide or the Bank of Adelaide Savings Bank Limited for purposes of the lease, licence or agreement. The purpose of the latter provision is to avoid any problem which otherwise might arise under a provision of a lease prohibiting transfer of the lease or parting with possession of the land without the landlord's consent in writing.

Clause 8. The purpose of clause 8 (1) is to facilitate service of documents (which includes summonses and other legal processes), continuation of legal proceedings and enforcement of judgments against either of the merging trading banks. Clause 8 (2) achieves the same result as regards the merging savings banks. Clause 9 relates to evidence and has the effect that any document which before the appointed day could have been used as evidence for or against the Bank of Adelaide or the Bank of Adelaide Savings Bank Limited, may after the appointed day be similarly used for or against Australia and New Zealand Banking Group Limited or Australia and New Zealand Savings Bank Limited.

Clause 10 deals with the position of the Bank of Adelaide staff. They become employees of Australia and New Zealand Banking Group Limited on the same terms and conditions as applied to them as Bank of Adelaide employees. The section preserves any right which at the appointed day had accrued in respect of the employment. The Bank of Adelaide Provident Fund will continue in existence for the benefit of those employees and their dependants until it is terminated under applicable rules governing that Fund. The Australian and New Zealand Banking Group Limited intends to assume responsibility for the fund under a provision of the rules dealing with amalgamation of the Bank of Adelaide.

Since the Bank of Adelaide Fund is preserved, the Bank of Adelaide staff transferred to Australia and New Zealand Banking Group Limited do not acquire a right to enter an existing Australia and New Zealand Bank Provident Fund. A person who held office as a Director, Secretary or Auditor of the Bank of Adelaide or the Bank of Adelaide Savings Bank Limited does not become a Director, Secretary or Auditor of Australia and New Zealand Banking Group Limited or Australia and New Zealand Savings Bank Limited by virtue of the Bill. Neither the Bank of Adelaide Savings Bank Limited nor Australia and New Zealand Savings Bank Limited employs any staff but the work of both is carried out by the staff of the trading banks.

The Hon. J. R. CORNWALL secured the adjournment of the debate.

SOUTH AUSTRALIAN ETHNIC AFFAIRS COMMISSION BILL

The Hon. C. M. HILL (Minister of Local Government) obtained leave and introduced a Bill for an Act to establish the South Australian Ethnic Affairs Commission, to prescribe its powers and functions, and for purposes incidental thereto. Read a first time.

The Hon. C. M. HILL: I move:

That this Bill be now read a second time.

Its purpose is to establish an Ethnic Affairs Commission in South Australia. In accepting the need to promote the concept of a multi-cultural society, the Government has undertaken the establishment of such a body, which is in accordance with initiatives in ethnic affairs which have been taken at the Federal level and elsewhere in Australia.

In formulating its attitudes in this area, the Government has reviewed the present administrative and legislative approaches to ethnic affairs that have been adopted in the other States and assessed their strengths and weaknesses.

In particular, it has found the experience of New South Wales particularly relevant, and has adopted some aspects of the legislation of that State in this Bill.

In putting forward this proposal, the Government acknowledges the usefulness of the interpreter, translation and information services to the ethnic communities that have been provided by the Ethnic Affairs Branch, which was established by the previous State Government. While these services will continue, the Government feels there is a need for a more broadly based and authoritative body through which people from ethnic communities can work out their problems and become involved in the social and economic life of South Australia. A body of this kind is also needed to provide sound advice to the Government and its agencies on matters relating to ethnic communities from an independent position.

This Bill, then, establishes a corporate body to undertake these and other operations. It will be known as the South Australian Ethnic Affairs Commission, and will consist of one full-time member, who will be the Chairman and Chief Executive Officer and seven part-time members. These will be appointed on the basis of their knowledge of, and involvement in, the affairs of the ethnic communities in this State. The functions of the Commission will include carrying out research and reporting in the field of ethnic affairs, providing approved services to the ethnic communities of South Australia and co-ordinating initiatives in ethnic matters. The Commission will receive its funds from the Government and will be required to operate within a financial framework approved by the Minister. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading them.

Leave granted.

Explanation of Clauses

Clauses 1, 2 and 3 are formal. Clause 4 defines certain expressions used in the Bill. The most important definition is that of "ethnic affairs". This is defined so as to include any matter relating to the language, traditions and culture of an ethnic group, i.e. a group of persons within the community who share a common language, traditions or culture. Clause 5 establishes the commission and sets out its basic corporate powers.

Clause 6 provides for the constitution of the commission, which is to consist of one full-time member, who will be the Chairman and Chief Executive Officer, and seven part-time members. The Governor will appoint members of the commission on the nomination of the Minister, who, in selecting nominees, will be required to take into account the knowledge, sensitivity, enthusiasm and personal commitment in the field of ethnic affairs of those who come under consideration. This clause also provides for the appointment of a Deputy Chairman, and deputies for other members of the commission. Members of the commission will not, as such, be public servants.

Clause 7 empowers the Governor to determine the salaries and other allowances payable to members of the commission. Clause 8 sets out the provisions relating to the removal of commission members from office, and the filling of vacancies, and clause 9 provides for the procedure to be adopted at meetings of the commission. Clause 10 provides that acts or decisions of the commission shall not be invalid because of any vacant office on the commission, or the defective appointment of a member. This clause also provides that no personal liability attaches to members of the commission in the *bona fide* exercise of powers and functions, or discharge of duties, under the proposed Act; rather, any such liability that might arise, attaches to the Crown.

Clause 11 provides that the commission shall be subject to the control and direction of the Minister and clause 12 sets out the objects of the commission. These are to promote greater understanding of ethnic affairs within the community, to assist and encourage the full participation of ethnic groups in the community in the social, economic and cultural life of the community, to promote co-operation between the various ethnic groups within the community, and to promote co-operation between bodies concerned in ethnic affairs.

Clause 13 defines the functions of the commission, which are to investigate problems relating to ethnic affairs and to advise the Minister and make reports and recommendations on the basis of those investigations, to undertake research and compile data relating to ethnic groups, to advise on the allocation of funds available for promoting the interests of ethnic groups, to provide services approved by the Minister to ethnic groups, to consult with other bodies and persons to determine the needs of ethnic groups, and the means of promoting their interests, and to co-ordinate initiatives in the field of ethnic affairs. In carrying out these functions, the commission is to encourage participation by voluntary organisations and local government bodies wherever possible.

Clause 14 empowers the commission to delegate its powers or functions to committees, commission members, or commission officers and clause 15 enables the commission to appoint advisory committees, with the approval of the Minister. Clause 16 empowers the commission to appoint staff, who are to be public servants, and also, to utilise the services of other public servants where this can be arranged satisfactorily. In addition, clause 17 enables the commission to make use of the gratuitous services of voluntary workers.

Clause 18 provides that the funds required for the purposes of the proposed Act shall be paid out of moneys provided by Parliament for that purpose, and clause 19 sets out the banking procedures required of the commission. Clause 20 requires the commission to present an annual budget to the Minister for his approval. The commission will be unable to make any expenditure which is not approved. Clause 21 requires the commission to keep proper accounts, which are to be audited by the Auditor-General each year, and laid before each House of Parliament.

Clause 22 requires officers of the State Public Service or any public authority to provide the commission with any assistance and information that it may reasonably require, and clause 23 provides that the commission present the Minister with a report of its operations each year and that this report be laid before each House of Parliament. Clause 24 empowers the Governor to make any necessary regulations under the proposed Act.

The Hon. J. R. CORNWALL secured the adjournment of the debate.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 12 August. Page 203.)

The Hon. J. R. CORNWALL: During their period in Opposition, members of the present Government had a particular preoccupation with denigrating the South Australian Land Commission. With a minimum of fact but a great deal of extravagant huffing and puffing, they

decried it as one of the truly dreadful socialist monuments of the Dunstan era. Their logic was simple to the point of being childish. Because it was a public enterprise, it had to be bad. Facts and figures were the first casualties in their hyperbolic harangue. They made a firm commitment to its abolition.

Today, I would like to examine their actions against the commission and the commissioners since gaining office 11 months ago. One of their first decisions as a Government was to appoint a committee of review, with the Under Treasurer as its Chairman, to inquire into the operation of the Land Commission. The committee was expected to report on what a dreadful condition the Land Commission was in, how many tens of thousands of taxpayers' dollars were being wasted and what enormous sums of money it was costing the beleaguered South Australian taxpayer each week, and to recommend how the new, efficient money managers who were running the State could solve the problems by dismantling the monster.

Early this year, after the committee of review had been on the job for about three months, it became apparent to the Government that it was in trouble sustaining its myths. The interim report from the committee of review produced clear evidence that the commission was being run in an extremely efficient manner. It was meeting its obligations within the financial agreements. It was subdividing and selling land for residential purposes in a highly competent businesslike way. It was well liked, indeed admired, by local councils because the commission's subdivisions were serviced and sold in such an orderly way that council services and maintenance could be readily supplied. It was able to provide community facilities in its subdivisions ahead of demand. It had an excellent working relationship with the majority of builders and certainly with a great majority of purchasers.

True, it was moving into the difficult middle years that any land banking and development operation encounters, but, of course, it is well known that land banks, whether urban or agricultural, run into a stress period during the seventh to the twelfth or thirteenth years of their operation. The degree, timing and period of stress depend on a number of variable factors. These problems have been well documented overseas and, of course, they were taken into account when the original and subsequent Financial Agreements were negotiated with the Commonwealth.

This is not to suggest that in 1979 or 1980 the commission was in any financial difficulty. The cash flow generated from sales was such that at the time the Government took office the commission had cash liquidity of approximately $13 000 000. It is interesting to note that, by the end of this financial year, this sum had risen to $18 000 000. The committee of review reported these facts to Cabinet early in the new year, and naturally this caused considerable consternation. It was too dreadful for the Liberals, after all those years of denigration, to admit that they had been wrong and that, besides that, their commitments to private developers were too heavy, anyway. Accordingly, the committee's terms of reference were altered. It was sent away in a hurry to produce an amended summary of recommendations as to how the commission could be wound down.

The recommendations (and this was a specific instruction) were not to contain any supporting evidence or argument for or against the decisions. There was to be no public debate. The whole thing was to be presented as a cut and dried simple series of recommendations. The recommendations that were produced were never even shown to the members of the commission for comment. Following receipt of this emasculated report or summary of recommendations, the Minister of Planning issued a press release in April full of reinforcing rhetoric but very short on truth, giving sketchy details as to how and why the commission would be dismantled.

Several facts should be made very clear. The first (and this is an undeniable fact) is that the commission was operating effectively within its terms of reference, within the South Australian Land Commission Act, and within the Financial Agreements. The second very important consideration relates to the Financial Agreements themselves. Briefly, the Commission operates using Loan funds made available as a result of agreements between the Commonwealth and State Governments. Under these agreements, provided that the commission operates within its terms, and provided that it operates in accordance with the development and acquisition programmes agreed between the two Governments annually, the commission may declare book losses from time to time, but this will not make demands on the finances of the South Australian Government. That is a very important point to note, and it should be repeated again and again. The South Australian Land Commission never did or could have cost the South Australian taxpayer 1c. I now refer to the infamous April press release by the Minister which stated:

> Mr. Wotton said the changes were necessary because the Land Commission faced financial difficulties through over-development.

I have already shown the Council that the commission did not face immediate financial difficulties. As a matter of fact, the commission was relatively so flush with funds that it had asked the Government to relieve it of some of its liquidity to allow the State to employ the funds elsewhere in its operations rather than have them on the short-term money market.

Concerning so-called over-development, neither the Minister nor the Government appeared to understand that it was necessary for the commission under its charter to hold a stock of developed land to control boom or bust conditions. Indeed, that was one of the principal reasons why the Land Commission was set up in the first instance. The Minister, in the same press release, said:

> The commission could not trade out of its financial difficulties without lifting land prices beyond reasonable levels.

That was an outrageous statement. It demonstrated quite clearly that either the Minister did not know or did not want to know how market prices were set. It also accepted as fact the oft-repeated assertion by the Liberals that the commission was in financial difficulties which any reading of the accounts or the Financial Agreements would have provided clear evidence to refute. It further implied that the commission had attempted to manipulate prices. This was a disgraceful public smear on the Commissioners, and even at this late stage it is not too late for the Government to do the decent thing and withdraw it. The truth is that the commission's pricing policies, its list of prices, and the way in which they were arrived at were available to the Minister at all times. Clearly, in that press release the Minister deliberately misled the people of South Australia, and he did that, of course, with the full support of the Cabinet.

In his April statement, the Minister also directly implied that the commission had not been under the general direction and control of successive Ministers under the Labor Administration. That was a blatant lie. The commission had always acted under the control of its Minister. Moreover, in terms of the agreements between the Commonwealth and State Governments, it had been specifically required to act within the terms of land acquisition and development programmes laid down by

the annual agreement of the two Governments. In other words, it was subject not only to Ministerial direction but also to the agreements that were drawn up and renewed annually by the State Government and the Commonwealth Government.

The Minister in that infamous April statement also gratuitously and quite disgracefully insulted both the existing members of the commission and the Finance and Sales Managers. He implied that the commission had been mismanaged and that the staff had been incapable of discharging their responsibilities. That was a malicious slur.

The statement again repeated the Liberal myth that the commission had mismanaged its affairs. The Minister did this quite deliberately, despite the fact that the draft report of the committee of review into the SALC, to which I referred earlier, said quite the opposite. This leads me to examine the role now being played by our huffing and puffing Premier and Treasurer.

The Hon. R. J. Ritson: Have some respect.

The Hon. J. R. CORNWALL: I will have some respect when the man earns and deserves it. When I publicly raised the question of the Land Commission in June the Premier responded by saying that he expected to negotiate a good deal for South Australia. He is always going to negotiate a very good deal for South Australia. To date, he has not been able to produce any deal, and there are some very good reasons for this. The truth is that his heroic pursuit and destruction of the SALC for blinkered ideological reasons could cost the State of South Australia something like $40 000 000 if followed to its logical conclusion. Let me explain that figure to the Council.

When the Premier asked to be relieved of the imagined "debt burden", the Commonwealth no doubt asked about the possibility of the immediate repayment of the $18 000 000 cash held on 30 June. This was entirely reasonable, because the South Australian Government had already stated publicly that the South Australian Urban Land Trust "will not have a role in the subdivision and development of land". There is therefore no need for it to have this development capital.

Furthermore, the Government has decided that the South Australian Urban Land Trust should not acquire lands for the land bank in the foreseeable future, either in the metropolitan or country areas. The Commonwealth can therefore reasonably request that the funds raised by the sale of the 2 800 lots now in SALC stock should also be paid to it. At a conservative estimate, the sale of these lots would raise $22 000 000. The two amounts together total a staggering $40 000 000. I have been told from an extremely reliable source—

The Hon. C. M. Hill: You have a pretty reliable source in that department, haven't you?

The Hon. J. R. CORNWALL: Indeed, I have been told from very reliable sources—I will not name the Federal Treasury official involved, but I could certainly do that if pressed hard enough. I have been told that Federal Treasury officials can hardly wait to get hold of the money. Our Under Treasurer, on the other hand, will be asked to negotiate wearing a blindfold and a gag.

It is interesting to compare our position with the other States. The New South Wales Land Commission, which was established under similar conditions, has been extremely successful because of continuing buoyancy of land prices into the stress period, to which I referred earlier. On the other hand, Victoria and Western Australia are in deep trouble with their urban land councils set up under the scheme. The embarrassment which has accompanied the Victorian Government's activities in the public land development field is well known. It hardly needs to be detailed again today. It has been revealed in the Gowans inquiry and during the litigation involving the Urban Land Council.

The political jobbery surrounding the original land purchases by the Urban Land Council in Western Australia is not so well known in this State. As a precondition for his initial participation in the Land Commission programme, Sir Charles Court insisted on several specified major land purchases. These included 900 hectares of developed land owned by Allan Bond at Yanchep.

It was a wellknown fact that the Sun City Development at Yanchep had been bad for years. Nonetheless, Sir Charles Court for reasons best known to him decided that that was a good area to purchase. At that time the Bond empire was teetering on the brink of collapse but, of course, this massive infusion of cash from Sir Charles Court saved the Bond hide. Unfortunately, however, the blocks are quite unsaleable (as everyone knew at the time of purchase) and will remain so for at least a decade.

The other major purchase was from the wellknown Western Australian financier, who has been much in the news lately, Robert Holmes A'Court. The 1 400 hectares purchased from him is likewise unsaleable. Two devious purchases bailed two well-known financiers out of difficulty.

It will be a tragedy if South Australia, which has run the Land Commission responsibly and successfully, is now disadvantaged because of our premature and puerile negotiations with the Commonwealth. At the very least, the Tonkin Government should have waited until Victoria or Western Australia had their cases reviewed. Instead, we may well be used to provide the cover-up for Victorian indiscretion and mismanagement and good old fashioned political favouritism and corruption in Western Australia. Perhaps Mr. Tonkin and the South Australian Cabinet may think that it is proper to return $40 000 000 to Mr. Fraser on a plate. I would not have thought so, but then again I fortunately do not share the thought processes of Mr. Tonkin and his Cabinet colleagues. On the other hand, I can think of many ways in which it could be sensibly employed in the development of South Australia. Some of it could even be employed in funding community centres such as those being built at Craigmore and Aberfoyle Park.

Finally, it should be noted that limiting the SAULT to land banking and preventing it from land development will mean that the Government will not have the surpluses with which to provide the landscaping or community facilities that the SALC has so far been able to provide in its estates. Such facilities, if they are to be provided at all, will have to be provided under the new regime from local government rates or general revenue. So much for good management. It is significant that even the Tea Tree Gully council has not been told where the funds for basic amenities in the revised Golden Grove Development will come from. And I have that from the Town Clerk of Tea Tree Gully as recently as one week ago.

In the on-going Land Commission saga, we have all the classic symptoms which have been so characteristic of this Government's performance—amateurism, incompetence, a blinkered commitment to a myopic ideology, and a deep mistrust of professional advice. I support the motion.

The Hon. R. J. RITSON: I rise to support the motion that the Address in Reply be adopted. In doing so, I wish to reaffirm my loyalty to Her Majesty Queen Elizabeth II, Queen of Australia, and I thank His Excellency for his expressions of regret at the death of Maurice William Parish, former member of the House of Assembly. I also

wish to thank His Excellency for having outlined such a good programme of legislation at such length and with such detail.

Of course, it is not possible to analyse the entire programme without being tedious, so I will confine my remarks to some comments on some of the more outstanding matters contained in His Excellency's Opening Speech and to some of the more outrageous criticisms made by the Leader of the Opposition in reply.

His Excellency made reference to the very considerable tax cuts alredy instituted by the present Government, and it was pleasing indeed to see that further pay-roll tax cuts are proposed. In view of the fact that pay-roll tax is a direct tax on employment, I would think that no one in this Chamber would disagree with such a policy.

His Excellency's Speech contains references to many other important Government initiatives and endeavours such as the standard-gauge rail link, the increased emphasis on community health and preventative medicine, and the very sensitive and compassionate approach by the Government to matters of family life and to the rehabilitation of young offenders. The Government's programme is terribly good, but two of the matters raised deserve special comment.

First, there is the matter of the Budget Estimate Committees. Parliament has many political functions other than its more obvious function of legislation. Parliament has a representative function; it has an expressive function; it has the function of keeping a check on the exercise of Executive power; and, as the Hon. Mr. DeGaris pointed out, it has a propaganda function in that it is a stage on which the players campaign continuously in search of electoral popularity.

These functions of Parliament are inevitably more important to an Opposition Party than to the Government of the day because the Government has other Executive outlets for information and publicity.

Thus, it is quite natural in a Westminster system for a Government to seek to limit the Parliamentary forum whilst an Opposition seeks to expand it. But, a fundamental point which the members opposite, and indeed the press, seem to have overlooked is that the proposed Estimates Committees represent a voluntary enlargement of the Parliamentary forum available to the Opposition. This is quite a historic recognition by a true Liberal-Democrat Government of the role of an Opposition as a check on the Administration, and it is tragic that this has been overlooked while all the bickering about guidelines has taken place.

The Hon. J. R. Cornwall: What about the K.G.B. man?

The Hon. R. J. RITSON: I will come to that in a moment. Mr. McRae also criticised communism and quoted Solzhenitsyn. I was impressed to note that His Excellency referred to a 22 per cent increase in intakes for apprenticeships this year.

One of the great difficulties and challenges that will face not only this Government but which did face the previous Government and which will face future Governments, either Liberal or Labor, is the matter of manpower redeployment in the face of changing technology. I am delighted to see that not only has the rate of intake to apprenticeship increased markedly this year but also that the Government proposes to bring in legislation to expand this important area of education in an attempt to make up lost ground due to past neglect.

Indeed, the Hon. Anne Levy made an earnest plea for womanpower redeployment, and a necessary implication of her analysis of patterns of girls' education is that previous inappropriate female education is a significant cause of disproportionate female unemployment. Would it not be a shame if, as a result of the vast mining and industrial expansion which will occur in this State in the next few years, we found that we had to import technicians and artisans from other States or other countries while large numbers of our unemployed wandered around clutching their diplomas of underwater knitting?

There has been, in recent years, explosive spending on inappropriate education whilst the population has barely increased, and the result of this expenditure is more visible in the quantity of bricks and mortar and opulent equipment than in the final product of the system: the educated human being.

The Hon. J. R. Cornwall: It is hard to get an apprenticeship without a master.

The Hon. R. J. RITSON: The legislation will change that. Will the honourable member let me have my freedom of speech? I have worried about this for a long time. Why, I wondered, had previous Governments felt the need to spend frantically on soft option and recreational courses? Why do we have monuments such as the Community College on Blacks Road, Gilles Plains? This example of power station architecture was not built to fulfil a need, but because the money was available. I understand that students from other areas are being directed to it to give it some semblance of viability. Why did all this happen?

Well, I came across an article recently which might explain some of the A.L.P.'s past policies on education. The article is published in the *Labour Forum*, March 1980, Vol. 2, No. 2. The author is a member of the Unley Subbranch of the A.L.P. and he deals with the philosophy of social democracy and the downfall of the Whitlam and Dunstan Governments. The author states:

> Three of our traditional strategy commitments came unstuck. First, our faith in education: As C. Wright Mills wrote when defining the basis of social democratic Parties: we advocate education of the working classes so that its members will understand the reasons why they should vote themselves into power. Well, it has not worked. After winning the 1972 election, partly on our huge education expenditure promises, and after appointing a high powered Schools Commission to recommend the programmes necessary to utilise this valuable asset called education, we not only failed to convince the working class to vote A.L.P. but we soon discovered that the electoral demand for high education spending was diminishing daily.

Now if there is any doubt as to the way in which ideologically committed activists see education as an instrument of political purpose, let us move a little to the left of the social democratic attitude I have just cited and have a look at the attitude of the Democratic Socialists, that is, the Communists.

Members interjecting:

The Hon. J. R. Cornwall: We are democratic socialists. You have got it all wrong.

The Hon. R. J. RITSON: I could refer to some articles by the member for Elizabeth, but I shall continue.The Communist newspaper *Tribune* of 2 July 1980, contains an obituary. I have a great deal of respect as it is an obituary. It describes the life of a man who obviously possessed great personal qualities and was dedicated to his political beliefs. I shall avoid the use of his name.

However, the article does give some insight into the Communist view of education as an instrument of social and political manipulation and, while the material I shall quote relates to New South Wales, there is no reason to believe that true socialists anywhere else are less dedicated. The article first praises this man's work for the Communist Party and outlines his success in Government studies at university, and then goes on to say:

He was offered a tutorship in Government but decided to work as a teacher in Technical and Further Education (TAFE), where he could get stuck back into real politics—this time, union politics.

Once in the Teachers Federation he made a terrific contribution, first and best of all as an activist on the job. He was on the TAFE Teachers Association Council, the New South Wales Teachers Federation Council and in 1978 was elected national secretary of the TAFE Teachers Association of Australia.

He saw that technical teachers were under-organised and under-unionised and needed to become real unionists like their school teacher colleagues. The affiliation of the TAFE TAA with the Australian Teachers Federation was very largely the product of his skilful and patient work.

That is the work of a dedicated man.

The Hon. Frank Blevins: What's his name?

The Hon. R. J. RITSON: Members opposite have read the article anyway. Out of respect, I do not wish to bandy his name around. Well, the Liberal Government does not see education as an instrument of political manipulation. Education has two purposes. Primarily, it must lead people to attain their potential development as human beings with the necessary communicative and social skills, but also it must equip people with the appropriate learned skills and scientific training necessary for them to gain employment and survive in a modern technological society. Yes, the chips are down but the chips have been down for years and years and nothing has been done. I am delighted that the new Government has decided to act.

The Hon. J. R. Cornwall: You are really sick.

The Hon. R. J. RITSON: I am glad that I have moved you and have not bored you. I want to turn now to an examination of some of the criticism raised by the Hon. Mr. Sumner last Wednesday. First of all, I would like to say, with a great deal of humility that not everything he said in his speech last Wednesday was wrong or specious, or contrived, or outrageous; not everything. The Leader spoke at great length (but it seemed much longer) and some of the things he said were true. It is true that we have not yet fulfilled all of our election policies.

It is also true that we have changed some of our policies in recent years and that we have put into operation various Acts of Parliament, passed during the life of the previous Labor Government. I can understand the Leader wanting to get a lot of those things off his chest because he did, after all, have to sit and listen to a great big serve of the same stuff, when the Hon. Martin Cameron recited, at enormous length, many of the broken promises of the Dunstan Government. I will not join in a tit-for-tat slanging match by taking issue on each point. The community knows anyway that politicians are all fallible, imperfect, human beings. We all remember that 1977 TV commercial of Mr. Dunstan's which began "You know I've changed my mind about uranium."

However, I must analyse just a few points to demonstrate some of the strange reasoning behind the Hon. Mr. Sumner's criticism. For example, much play was made of the Government's suggested changes to shopping hours. The Hon. Mr. Sumner alluded to the adverse public reaction and the Government's response, as if it were some kind of fault on our part. It seems to me that, if a Government is prepared to put some legislative proposals forward for public scrutiny and public criticism and then to give way to the obvious will of the people, that is no fault; that is no weakness; that is democracy in action.

Another example of the technique of wilful blindness exhibited by the Opposition is the way in which Mr. Sumner delights in describing the advertisements whereby Mr. Webster, former member for Norwood, was found not to have defamed anyone, and in pursuing this non-argument he carefully avoids reminding anyone that, after the 1977 elections, the member for Elizabeth in another place was successfully sued for defamation by the Liberal candidate for Elizabeth.

The Hon. J. R. Cornwall: You didn't go to a court of disputed returns.

The Hon. R. J. RITSON: No, because we accepted the voting intentions of the Elizabeth people. The Leader also raised the question of political appointments. This is very interesting, because he gave a few examples. Early in the life of this Parliament, he was quite critical of the appointment of Mr. Robert Worth by the Minister of Community Welfare, on the grounds that Robert Worth was a member of the Liberal Party. In his speech he referred to the appointment of Mr. and Mrs. Tiddy. I wonder whether the two names were juxtaposed in the speech to make it appear as though they might have had something to do with each other. I am sure most Opposition members know that Mrs. Tiddy had not met Mr. Tiddy at the time of the appointment, and investigations reveal some very obscure relationship by marriage through a fourth cousin 10 times removed, or something to that effect.

The Hon. Frank Blevins: What Mr. Sumner was criticising was the hypocrisy of this Government in condemning the A.L.P.

The Hon. R. J. RITSON: We will come to that. We are just starting. Perhaps the appointment of Mr. and Mrs. Tiddy, virtually unrelated and not having met before, does not represent jobs for the family, but, even if it did, if Mrs. Chatterton had a good job when her husband was a Minister, I would not necessarily consider that a political appointment. If Mr. John Rundle, a very successful businessman, when appointed as Agent-General in London happened to be a Liberal supporter, I would not necessarily call that a political appointment. And if the Hon. Mr. Lance Milne had been a member of the A.L.P. and had been appointed Agent-General, that would not necessarily have been a political appointment. He is a terribly nice fellow, and well qualified. I would not have thought the appointment of Mrs. John Bannon to the bench was a political appointment. She was very well qualified.

The Hon. Anne Levy: There's no such person.

Members interjecting:

The ACTING PRESIDENT (Hon. M. B. Dawkins): Order! The Hon. Dr. Ritson has the floor.

The Hon. Anne Levy: He's talking about someone who doesn't exist.

The ACTING PRESIDENT: You will get your opportunity at some other time.

The Hon. R. J. RITSON: When the former Federal Labor Attorney-General, Mr. Murphy, broke into the offices of Australia's security organisation on a fairly vigorous file fishing expedition he became an embarassment to his Party and was made a judge. Perhaps that was not a political appointment.

What is a political appointment? I suppose we could look to episodes such as the rise and rise of Mr. Steven Wright, a meteoric rise, out of all proportion to his qualifications and experience, promoted in the last days of the Dunstan Government. But it did not shift any political power, so perhaps it was not a political appointment. If we look at the Whitlam Government, do you remember, Mr. President, how bad that Government was? And do you remember how Whitlam appointed poor old Senator Gair, the last vestige of the D.L.P. anti-communist Party, as unqualified Ambassador to Ireland in order to disturb the balance of power in the Senate. Now, Mr. President, that

was a great political appointment. The remarks of the Leader about the implications that we have been indulging in political appointments pale into insignificance when we consider what the real political appointments are.

Finally, Mr. President, I want to take up some points made by the Hon. Lance Milne in his remarks of yesterday. The Hon. Mr. Milne contributed some constructive and positive comments on the subject of Football Park and State disaster relief. I thank him for that contribution to the debate. I notice that he became a little inconsistent, because he lashed the Fraser Government up hill and down dale, and the faces of the Opposition Councillors lit up with great smiles. He then criticised the State Opposition in this Chamber, and all the smiles faded.

The Hon. Mr. Milne then criticised the Government, and then he criticised everyone for criticising each other. This leaves us in some difficulty, because he did adopt the attitude that the adversary system of debate is quite wrong, and took the approach that one notices from time to time, the approach whereby people retreat from conflict and say how lovely it would be if all the Parties could come together for the good of the State and not argue. The only thing wrong with that proposition is that it is wrong.

The Hon. K. L. Milne: I didn't say that.

The Hon. R. J. RITSON: It was there by necessary implication. There is always a danger that in a non-adversary collective Government, U.C. Parties start getting together for the good of the State and end up acting for the good of themselves. Parliament is not just a Legislature. It is, as the Hon. Mr. Sumner tried to say by interjection yesterday, a speaking place. That is what the word means. While it is not for the Opposition to govern, it is the serious duty of the Opposition to criticise the Government of the day, just as it is the duty of barristers in court to present a forceful one-sided argument on their client's behalf. This is a system worked out over centuries as the safest way of controlling political conflict. I would hope that the Hon. Mr. Milne perhaps would reread the history of the conflict between Parliament and the Crown from the time of the pre-Stuart kings of England, and see the evolution of the system. A number of writers on the subject of modern democracy hold that one of the cardinal signs of democracy is the existence of an organised, official, and encouraged Opposition.

As I look around this Chamber I see the representative function of Parliament. I can see people who are representing religions, women's rights, grain-growing, wine-making, and, indeed, all the representative aspects of Parliament. The lobbying and pressure group conflicts are analysed and resolved within Party rooms. The criticisms of Party politics that the Hon. Mr. Milne made in this Chamber are invalid because the true democratic representations are within the Party and within the Party rooms. The pressure groups and lobbyists are parts of democracy in action.

The Hon. C. J. Sumner: There would be a real mess if there were 22 Independents.

The Hon. R. J. RITSON: That is what I was going to say. I agree. These representative functions work out when they are confined within the Party room, but if there was a winegrowers Party, a Catholic Party, a women's rights Party—20 Parties—there would be unstable Government and civil strife.

The Hon. C. J. Sumner: The Hon. Mr. Milne was saying the other day that he wants five-year terms for the Government, and he was criticising the Party system.

The Hon. R. J. RITSON: I would have thought that the system of staggered retirements of members of this Chamber, again a democratic thing, explains why the Opposition in this Council still has a strong voice, in spite of swings in popularity in the Lower House. To have the longer term in office and the staggered term of office ensures that, whatever happens to single-seat electorates, the voice of the Opposition does not entirely disappear from the Parliament. That is terribly important. It is vital to a democracy to have people officially paid to criticise the Government. I support the motion for adoption of the Address in Reply and I delight in the occasion. This is traditionally a grievance debate in which we talk politics, criticise each other, and argue with each other in this, the people's speaking place.

The Hon. J. E. DUNFORD: I support the motion for adoption of the Address in Reply to the Governor's Speech in opening this session of Parliament.

The Hon. M. B. Cameron interjecting:

The Hon. J. E. DUNFORD: The Hon. Mr. Cameron is at it already, Mr. Acting President. Will you keep that fellow in check, please?

The ACTING PRESIDENT: If the honourable member addresses his remarks to the Chair he will be protected.

The Hon. J. E. DUNFORD: The Governor's Speech was a good one. However, on looking through it in detail (and it was a lengthy document), I can see very little in the Government's proposed legislative programme that will solve the problems facing South Australia in 1980.

The Hon. M. B. Cameron: Who wrote this?

The Hon. J. E. DUNFORD: I did, last night. I will give you a copy, if you like.

The ACTING PRESIDENT: Order!

The Hon. J. E. DUNFORD: There is no doubt that the Government's quick action in the abolition of succession duties, gift duties, pay roll tax, stamp duties and land tax received much support from those people in the community who are a lot better off than the rank and file electorate in this State. I note that the Governor said in his Speech that during this session there will be amendments to the pay roll tax legislation to increase further the pay roll tax concessions available to South Australian enterprises.

This Government was elected on promises it made. One of those promises not overlooked by the people of South Australia, and particularly by the people on this side of the Chamber (members of the Labor Party), was to do with the biggest problem facing this State at present—unemployment. It seems to me that this Government feels that, because it is on the threshold of mineral development in South Australia, it has now turned the corner.

It was pointed out in paragraph 6 of the Governor's Speech that a mineral boom is just around the corner with the Redcliff petro-chemical works and uranium mining on the way. This will no doubt boost the interest that the multi-nationals have in South Australia's future. I would like to point out that there is no mention in the Governor's Speech that South Australia will develop and construct a uranium enrichment plant. I think that should have been set out in that Speech. I first heard of this proposition when watching *Nationwide* last week. It was a very unconvincing Premier whom I observed and listened to intently while he outlined the Government's plan to spend $50 000 000 to assist with the establishment of such an enrichment plant. The plant is estimated to cost (if one can believe Mr. Tonkin) $500 000 000. Mr. Tonkin did not have the *Nationwide* platform to himself; there was a person appearing at the same time who has been outspoken about energy requirements in South Australia and about alternative energy needs. That person, Professor DeBruin, was interviewed in conjunction with Mr. Tonkin. Mr. Tonkin intimated clearly that we do have

a future in the enrichment of uranium. He pointed out that we need a lead time of eight years to develop such a plant and predicted that by 1990 the demand for uranium will increase and that there will be a world market clamouring for our uranium.

Mr. Tonkin seemed to indicate that this is why he is prepared to use $50 000 000 of South Australian taxpayers' money on this project, because he believes that the demand for uranium will increase by 1990. I was pleased that Professor DeBruin answered some of the claims made by Mr. Tonkin. I have had the pleasure of listening to Professor DeBruin before. He believes that Mr. Tonkin has underestimated the costs and problems associated with the development of a uranium enrichment plant. Professor DeBruin assessed the cost of such a plant at $1 000 000 000—double the cost given by Mr. Tonkin. That means that, if Mr. Tonkin is going to give the same incentive, if it costs that much, the amount provided will be $100 000 000. Professor DeBruin also disagreed with Mr. Tonkin's statement that there will be a world demand and an increased demand for uranium in 1990. He stated clearly that, three or four years ago predictions made by supporters of uranium mining overseas were that demand would increase threefold. This has not occurred. Professor DeBruin produced charts supporting his claims.

I now turn to an article that appeared in the *Weekend Australian* of 22 June 1980 under the heading "Uranium customers fall by the wayside," as follows:

> The Australian Government has an unenviable record of choosing potential clients for its uranium.
>
> In 1976, the Shah of Iran was set to become our first and biggest purchaser of yellowcake, then followed the Philippines and next on the list was South Korea.
>
> Iran, with the over-throw of the Shah, abandoned its nuclear power programme, the Philippines' reactor has been found to sit on an earthquake belt and South Korea is in social and political turmoil.
>
> *Business Week* reported recently: "South Korea's political problems are leading to a quick cutback in lending even now and its future is increasingly grim."
>
> Mr. Eric Hayden, vice president and senior economist of the Bank of America in Tokyo was quoted as saying: "South Korea is an export-oriented economy and the ability to export will be crucial to the ability to borrow."
>
> Political unrest in the Philippines under President Marcos currently is of less concern to that nation's nuclear future than the wisdom of building a nuclear plant in an earthquake zone.
>
> Suspension of construction was ordered by President Marcos a few months ago and the American contractor will have to come up with some earthquake-proof architecture to ensure the plant's safety.
>
> Iran scrapped its modernistic blueprint drawn up under the Shah, ending Australia's hope that it would sell between 15 000 to 20 000 tonnes of yellowcake to the now troubled nation.
>
> Australian officials, Deputy Prime Minister, Mr. Anthony among them, hoped that Australian sales or uranium to Iran would be worth some $US2 000 million.

Once again we have Mr. Tonkin on the State scene telling the people he is going to spend money on this hopeless quest for markets. On the Federal scene Mr. Anthony is telling everybody that there is $2 000 000 000 worth of sales and that it is all going by the wayside.

I now refer to the following report headed "Nuclear fall-out hits U.S. uranium supplies" in the 17 June issue of the *Australian:*

> The abrupt halt in the U.S. nuclear power programme in the wake of last year's accident at Three-Mile Island is causing serious problems for the companies which supply uranium—the basic nuclear fuel. Nowhere is the gloom more evident than in the remote north-western corner of New Mexico known as the "Grants uranium belt", a narrow stretch of land between the Rio Grande and the Arizona border which is the heartland of the U.S. uranium business.
>
> The belt accounts for 40 per cent of the country's annual output, and over half its recoverable reserves. These amount to 1·3 billion lb—with a potential energy value, says the pro-nuclear camp, greater than the entire North Sea oil reserves.
>
> In the early 1960's, there were more than 1 000 mines in operation. Today, the number of participants has shrunk . . . but suddenly the prospects do not look anything like as good as they did. Three-Mile Island has certainly been the major reason, though not the only one.
>
> The moratorium of licensing and construction delays that followed Harrisburg has thrown a huge question mark over future demand for uranium. There are currently 90 new nuclear plants, either planned or under construction. These were originally designed to treble generating capacity to 150 gigawatts of power: now nobody knows how many will ever be finished—or when.
>
> Chances of any new nuclear orders being placed in the next five years are slim . . . On top of that, the price of uranium has fallen steadily from $US40 last year to little over $US30 a lb. This has caused a major rethink of investment plans in the New Mexico area. In the words of Gulf Oil's Chairman and Chief Executive, Jerry McAfee, "At this sort of price level we simply aren't going to make any money."
>
> Gulf is worse off than most. It has spent five years and $US200 000 000 building a 3 200 ft. mine to tap a six-mile trend of high-grade uranium ore under the flanks of an extinct New Mexico volcano, Mount Taylor. It is the deepest and potentially most prolific mine in the area with estimated recoverable reserves of 128 000 000 lb. and planned peak capacity of 4 500 lb. a day by the end of the decade.
>
> Now Gulf has had to decide whether to put up the other $US200 000 000 needed to finish the job. "The thing is very much up in the air at the moment," says McAfee. The dilemma is that full-scale commercial development is no longer feasible economically. Yet to mothball the plant would mean losing $US12 000 000 to $US15 000 000 a year in maintenance costs alone.

I bring that matter to the Council's notice, as I believe that that is exactly what will happen in South Australia. I honestly believe that Mr. Tonkin will prove to be an unpopular Premier as a result of making this decision public. It seems that he has not done his sums, whereas Professor DeBruin has. If what Professor DeBruin (who is a lecturer in chemistry and physical sciences at Flinders University) has said is correct, this State will be bankrupt in 10 years if Mr. Tonkin has his way, and we will follow world trends. This has been supported by other articles, where demand for Australian uranium would not be forthcoming. This is certainly a serious situation, and it flies in the face of good management in South Australia.

The other aspect of His Excellency's Speech that concerns me greatly is the statement that legislation is to be placed before us to provide for a system of soccer pools. I have been concerned for some time when I have read press reports that Rupert Murdoch, the notorious supporter of the Liberal Party, who is referred to in New York as a dirty little digger—

The Hon. L. H. Davis: He supported Gough Whitlam once, didn't he?

The Hon. J. E. DUNFORD: Everyone has to be right some time in his life. I am now talking about the way in which this man is referred to and what he did during the last election campaign.

I have been concerned for some time when I have read press reports that Rupert Murdoch will have a financial

interest in the promotion of soccer pools. This is another pay-off, it seems to me, for the *News's* vile campaign against the State Labor Government last September, and bears watching very closely. I do not believe that South Australians, with a record percentage of unemployed, the greatest figures of unemployed since the last depression, are able to support more exploitation of the poorer people of our community who subscribe to this sort of gambling. This was the Government which promised so much through the support of Rupert Murdoch and the *News* and that strange little character who represented the Rundle Street traders, Mr. Rundle, who with others has now been paid off, as it is often referred to in political circles, with jobs for the boys.

Regarding soccer pools, it seems from the information that I have obtained that if Murdoch and company ran the soccer pools the cost would be about 20 per cent to 25 per cent, whereas if the Lotteries Commission ran the soccer pools its costs would amount to about 6 per cent. About 120 people, permanent and casual employees, are employed by the Lotteries Commission, and half of those persons could lose their jobs if Mr. Murdoch ran the pools, as it would be envisaged that Mr. Murdoch would bring in computers and run the thing himself at a cost of 20 per cent to 25 per cent. Also, the people working in the agencies spread throughout South Australia who conduct Lotteries Commission business would be affected. I am concerned that last year the Lotteries Commission made $15 000 000 000.

The Hon. R. C. DeGaris: How much?

The Hon. J. E. DUNFORD: I am sorry; I should have said $15 000 000. I thank the Hon. Mr. DeGaris. At least I know that he always listens intently to my speeches. If any inroads were made into those profits, the funds for hospitals could be in serious jeopardy.

The Hon. R. C. DeGaris: Do you think that the lotteries make some inroads into the T.A.B.?

The Hon. J. E. DUNFORD: I do, but I am not talking about the T.A.B. Rather, I am talking about something which the Government is going to do and which will affect the revenue for hospitals.

The Hon. K. L. Milne: Soccer pools will make inroads into it, too.

The Hon. J. E. DUNFORD: I thank the Hon. Mr. Milne. That is what I am saying. One sees in His Excellency's Speech that the Government is to have a special fund for sports and recreation. It, and not the hospitals, will be provided with funds from the soccer pools. Although there are many sports, nothing is said about which sports will benefit from the soccer pools. When this legislation comes before Parliament the Government will be shown up for what it is doing, namely, paying off its supporters by way of huge profits and dispensing with jobs in South Australia, thereby affecting our hospital system and the community generally.

There is nothing in the Governor's Speech about what the Government intends to do in relation to the rising tide of criminal violence, except that in paragraph 25 His Excellency said that a substantial programme of legislative reform was proposed by his Government. Amongst measures to be introduced into Parliament would be an amendment to the Criminal Law Consolidation Act providing for appeals by the Crown against sentences and enabling the Crown to refer a question of law to the Full Court where the question arose in proceedings leading to the acquittal of an accused person.

I have no objection to that proposition. However, one recalls the vicious anti-Labor campaign waged by News Limited, and the statements referred to by my Leader that, if people want their children and loved ones to walk safely in the streets, they should toss out the Labor Party and bring in a Liberal Government, which would deal with the offenders concerned. I have pointed out previously my abhorrence to violent crime. Indeed, some time ago I referred to a statement made by Senior Chief Superintendent Harry Storch, who said that certain crimes were on the increase, even though he had no figures to verify this. Police said that they were concerned at the prevalence of these crimes, six of which in the month of March 1980 had been armed hold-ups.

The last time that I referred to this matter in March this year there was a grazier 43 years of age, who became the twenty-first victim of robbery with violence in Adelaide in the metropolitan area over the preceding four weeks. This particular grazier was robbed by two men, armed with a cut-throat razor, who removed his trousers and shoes, before leaving him bashed and stranded at Thebarton. The victim told police that the two men kicked him and held a cut-throat razor to his throat, demanding money. They stole $20 in cash, his watch, trousers and shoes before driving off. The report went further to say that in robberies with violence many of the victims had been punched and kicked by their attackers; some had been threatened with knives.

I ask the Council and the public of South Australia at large whether we are concerned with this growing violence and the complete apathy of this Government to do anything about this growing cancer in our society. I was horrified to read on the front page of the *News* last Friday night the report about an 81-year old woman who was assaulted in a most cowardly fashion and robbed by two thugs in her own home. That poor woman is lucky to be alive. It was reported that she was suffering from a heart condition and had poor eyesight. Such thugs are the sort of people who are roaming free in our community. It is getting more like the United States every day. At one time in South Australia people were a bit dubious about walking the streets after dark; and now, of course, people are not even safe in their own homes. So much for the promises of the new Liberal Government in South Australia. I can refer to similar reports concerning the promises of Mr. Fraser.

These two thugs might not have been apprehended but for the courage shown by the poor woman who was assaulted but who was able to contact the police. The two thugs were apprehended. I have always made it quite clear that in a capitalist society there is no proper justice for these types of hooligans. Recently I read in the newspaper that a man 43 fraudulently converted some hundreds of thousands of dollars for his own use. He was given 14 years gaol. It will be interesting to see what sort of penalties are inflicted on the persons who nearly took the life of one of our senior citizens. I want to make it quite clear that there is no reflection on the Governor; my remarks criticise the contents of his Speech. There are several good parts in the Speech, and I have always been prepared to admit that where a Government is prepared to do the right thing it will get my support. By this I mean legislation which will be introduced to grant the Pitjantjatjara people inalienable freehold title to land in the Far North-West.

The other proposition referred to most vigorously by the Hon. Mr. Laidlaw on the Government bench was the standardisation of the Crystal Brook to Adelaide rail link, and I was pleased to see that he urged the Government to do everything possible to encourage people to use rail services. I was also impressed by the Hon. Mr. Laidlaw's suggestion that a public golf course ought to be constructed in the north-eastern region of the city.

I congratulate the Government on its intention to spend $9 100 000 this year to upgrade the Stuart Highway. This

has been a contentious issue for many years. I note also that the Government is concerned with the continued long waiting list for individuals and families requiring public housing. I will look forward with interest to see how many homeless people are on the waiting list for homes in the next 12 months.

Let me suggest that the $50 000 000 that Mr. Tonkin wants to use to finance uranium people to build an enrichment plant in South Australia could be better spent in housing these homeless and under privileged people, including those people on waiting lists in our community. I referred to the homeless in a question to the appropriate Minister only last week, but I probably will not get a reply for another six months.

I might add (and I do not like to retrace my steps) that Professor DeBruin pointed out to Mr. Tonkin and to the South Australian community at large in his opposition to the enrichment plant that that plant would require 20 per cent more energy in order to operate efficiently and effectively. He also pointed out that it would be necessary to build roads and other services that these multi-national consortiums need when they convince Liberal Premiers like Mr. Tonkin to give them an opportunity to establish in various States. I am sure that Mr. Tonkin has not given that any thought.

I would like to deal with a matter at some length that is of concern to me as a former trade union official, and I would be remiss in carrying out my duties on behalf of rank-and-file trade unionists if I did not refer to it; that is, the introduction of a shorter working week, namely, a 35-hour working week for blue-collar workers.

There has been much contention by employers in relation to a 35-hour week. I want to say at the outset that I would like to see a 35-hour week introduced across the board. There has been too much talk and back-pedalling on this issue for many years. Let me say that about 20 years ago I worked as a shearer in the pastoral industry, and I moved several motions and supported the introduction of a 35-hour week in that industry then. I never dreamt when I moved and supported those motions that I would be in Parliament supporting this matter in 1980.

I thought well before this that a 35-hour week would become a condition of standard employment well before 1980. I think it is important to realise that, when we talk about a 35-hour week in 1980, we are talking about what our children and grandchildren will be working in the year 2000. It has now been 33 years since there has been a reduction in the working hours and it is long overdue that we have a 35-hour week in the industry generally. I am pleased to announce and inform this Council that this is one of the issues that was raised at the last A.L.P. convention, and I am pleased to advise this Council that that convention carried a resolution endorsing the introduction of a 35-hour week in the public sector when we return to office in September 1982. It was unanimous; there was no dissent.

The Hon. L. H. Davis: If Bill Hayden had been there it would not have been unanimous.

The Hon. J. E. DUNFORD: He was there on that day. This is a step in the right direction because it has been Labor Governments throughout history that seek to make the burden of workers less demanding. It seems to me that there are sections of employers who believe that a 35-hour week will never be appropriate or a standard set for Australian workers. Quite correctly there are sections of the work force that believe that it is not the appropriate time for the introduction of a 35-hour week. The same opinion was held in the struggle for a 40-hour week back in the middle 1940's. This is quite understandable, because a struggle that has now started for a 35-hour week takes a long time to gain momentum, and I am pleased to see that joining in with the Amalgamated Metal Workers Union and the Shipwrights Union is another powerful union, the Australian Railways Union. I predict that in the next 12 months many more unions will be joining in the struggle for a 35-hour week. As I have said before in this Council, they will have my full support and, in fact, they will also have my financial support if the struggle develops, as I believe it will.

I have also said in this Council on many occasions that, if workers rely on the arbitration system to gain major concessions in their conditions of work, they will wait a long time, because it is my belief through experience and reading the history books that major changes of working conditions, producing major concessions that workers have gained have been made not through the arbitration system but through the sacrifice of workers using militant action.

I seek leave to have inserted in *Hansard* seven appendices detailing Federal and State awards and agreements providing for less than 40 hours a week.

The PRESIDENT: The honourable member is aware of the ruling we have in regard to matters to be included in *Hansard*. If it is already available to honourable members, there is no necessity to have it inserted. However, if the Honourable Mr. Dunford is keen to have it inserted I will peruse it.

The Hon. J. E. DUNFORD: It is important to the people in the community who are very confused and do not know the details of these awards.

The PRESIDENT: The honourable member can continue his speech while I peruse the documents.

The Hon. J. E. DUNFORD: I sought leave in order to avoid reading the various awards and agreements providing for less than 40 hours a week and taking up the time of the Council. My other reason for doing this is to inform those workers who believe they are being disloyal to the country in struggling for a shorter week.

The report of the Department of Labour and Immigration pointed out in 1974 that the standard hours prescribed under legislation, awards, determinations and agreements, etc., is 40 hours a week. However, more than 40 hours a week is still prescribed for some workers, mainly in the rural sector, while an increasing number work less than 40 hours. The Australian weight of average of standard hours awarded is less than 40 hours a week. That was in 1974.

The rural workers referred to in that report were, of course, stationhands and, being a former shearer, I worked in close harmony and in conjunction with stationhands and found them to be generally good unionists living in isolated situations. There was certainly resentment of the fact that we shearers fought and struggled. As a result of our maintaining direct action and pressure on the arbitration system when the judgment on a 40-hour week was handed down in 1947, the judge made an unequivocal statement that he would not be living in reality if he did not grant a 40-hour week, as the majority of pastoral workers were already doing so. So, in effect, there is proof that the Arbitration Court did not break new ground but in fact followed the lead of the rank-and-file pastoral workers who struggled so bravely and against tough opposition from the graziers and, in a lot of cases, their fellow workers.

The court realised that this function would have been down-graded if it had not arrived at its decision. But nearly 30 years had to go by before the rural workers (the stationhands referred to in the document of the Department of Labour and Industry) were to receive a

shorter working week. Once again, this bears out my contention. The workers are divided where they do not have good trade union leadership, where they cannot use the strike weapon and just rely on the decisions of the Arbitration Court, which can be up to a quarter of a century behind. I believe that, unless the campaign of the metal workers union is not supported by other unions, and that if it is not successful, there will be no improvement in the hours of work before this decade ends.

However, I do believe that the court can decide this matter in favour of a reduced working week and avoid the stoppages that are now occurring and will increase in tempo as 1980 goes on. It seems sad to me that workers have to struggle and lose wages and sometimes their livelihood to improve their standard and conditions of work. The court ignores its right to the stage where it gives some sort of excuse for granting the workers whatever they are on strike for. Take the case in 1913 regarding standard hours in the building industry. Higgins J., the President of the Court, said that 48 hours constituted the generally accepted standard of working hours in the Australian community. He stated that he regarded it as his duty to accept the recognised standards and not to create them, and added that any further general reduction of hours should be sanctioned deliberately by law. However, in that case he considered the building trades to be an exception to the general situation in view of the length of time employees spent travelling to building sites, which he did not consider to be time worked. He reduced the hours from 48 to 44.

On another occasion in 1919 (that is over 60 years ago) Higgins J. reduced the hours of work of clothing trades employees to 44 per week on the grounds that most of the employees were women who suffered more than men from long hours and that the benefits of new labour-saving machinery should be reflected to some extent in the reduction of hours. He reiterated that it was not the practice of the court to depart from the Australian standard of 48 hours for men unless there were exceptional circumstances.

So, it appears that Higgins J. took into consideration labour-saving devices some 60 years ago to reduce the hours of work. Even though it was not the practice of the court to depart from the Australian standards, he maintained that at this time technological changes were in fact exceptional circumstances. Before 1920, other workers seemed to be exceptional had gained a 44-hour week. These included flour mill employees, on the grounds of flour particles being injurious to health, underground workers in mines, involving unhealthiness and dangerous risks, and builders' labourers who follow the job. Waterside workers were granted lesser hours after an agreement with the employers.

I want to also refer to the industry case in 1920. Although Higgins J. in 1920 rejected a claim for a reduction in timber workers hours from 48 to 44, based on the arduous nature of the work and other factors such as the long distance to be walked in the presence of dust in the work place, he decided to hold a general inquiry on the question of a 44-hour week. He suggested that, if owing to machinery more can be produced in this time, why should not the hours of labour be less. Higgins J. invited unions, employers and Governments to appear. The Federal Government was asked to put its point of view, representing the general public in a struggle between employers and employees, but declined. We do not have that sort of problem with Mr. Fraser at the present time. He continually and automatically opposes any wage increase and any condition, that may be put up that improves the lot of the worker.

Take a tobacco company such as Benson and Hedges, which decided to grant its employees a 35-hour week. Fraser went crazy and threatened to take that company before the Prices Justification Tribunal. He threatened to intervene. Here we find the Prime Minister refusing to accept negotiations between employers and their workers to provide a 35-hour week. Already in Melbourne I have seen on television that a tool company has announced a 35-hour week and was pleased to report that, by its introduction, production had not decreased. The workers I saw seemed happy about the proposition. It is a wonder Mr. Fraser did not intervene there.

In his decision granting a 44-hour week delivered in November 1920, Higgins J. stated:

> they have not spoken. At the time there was no legislation in four States even for 48 hours per week.

During the inquiry, Higgins J. examined evidence of instances where 44 hours or less was worked in Great Britain or Ireland, Canada and the United States, New Zealand and Australian States. He was surprised by the number of undertakings that worked 44 hours and suggested that there were indications that Australia would shortly lose her pride of place as the leader in industrial betterment.

In February 1927, after an exhaustive inquiry which began in August 1926, Dethridge, C. J. and Bleby, J., with Lucas, J. dissenting, approved the reduction of standard hours of work in the engineering industry to 44 hours a week.

It is interesting to note what Dethridge, C. J., said in bringing down the judgment. He held that the conditions of employment generally in the engineering industry in respect of the strain imposed by the work performed, the confinement, monotony and unremitting concentration and attention, so affected the opportunity for and the capacity of rational enjoyment of leisure as to warrant the court's reducing the standard hours of work from 48 to 44. He held further that employees under similar disadvantages in other industries might be entitled to a similar reduction, but no justification had been shown for a general reduction in the standard week of 48 hours.

So, that is more than 50 years ago and I believe that what applied to the engineering industry in those days still applies today. I think it is a little worse today because of the complete insecurity of these people who are now struggling for a 35-hour week. They believe, and I believe, that increased employment opportunities will flow from a 35-hour week. However, notwithstanding the increased employment opportunities, they as workers must compare themselves with other people. They see that public servants work between 35 and 37½ hours a week and have done so for nearly 20 years. They see public servants having a superannuation scheme, flexi-time, not having to punch the bundy, and being able to regulate their own hours of work. This is something that is very special to the hearts of public servants, and it is not uncommon for these conditions to apply in other offices.

They have the advantage of carpeted floors and air-conditioning units generally in their work place (warm air-conditioning in the cold winter months). They have canteen facilities that are superior to metal workers' and they have shower and toilet facilities generally that are much superior to metal workers'. They have credit union facilities, maternity leave, over-award payments and service pay, long service leave, superior sick leave entitlements and, most of all, something that many people overlook, they have security of employment. A public servant cannot be dismissed from his work unless he is in serious breach of his conditions of employment, and I

think that practically extends to having committed a serious misdemeanour before he can be dismissed. So here we find that 9 per cent of the Australian workers in the work force have a very poor standard of working conditions generally as opposed to the public servants who, after all, are kept through the taxation system by people like the metal workers.

These are the conditions and benefits that public servants and white collar workers generally receive, and they have had never had a day's struggle, never been victimised, sacked from their jobs, or black-listed by the employers. Is it any wonder that the 9 per cent of people who, from time to time, might get a pair of overalls and boots given to them see what is going on in the rest of society and make this strong demand for a 35-hour week?

I have made a few comparisons off the cuff, but I have not referred to the boring and repetitive tasks which are required of metal workers in the car industry, for instance. For many the work has been broken down into several and costly repeated operations, and the worker has no sense of contribution to the final product or result. Repetitious work leads to increased mental and nervous fatigue, and is it any wonder that the general desire to shorten their working week is so strong among the metal workers? Once again, not only do they have my support, but I believe that they are a disadvantaged group in our community, and I cannot understand how anybody believes that they should be treated in the inferior manner that they are in comparison to our public servants and white collar workers generally.

I very seldom refer to Queensland, although I think I did the other day when I asked the Minister of Recreation and Sport to give consideration to half-court tennis, and I think I said then that God forbid if we ever got behind Queensland.

The Hon. D. H. Laidlaw: That's your home State.

The Hon. J. E. DUNFORD: ASIO has not given you the right material. My home State is Victoria. So far as I know, the last time a shorter working week was granted in Australia, from 40 hours to 37½ hours, it was granted to powerhouse workers in Queensland by Joh Bjelke-Petersen. I saw him shaking hands with the Secretary of the Combined Unions Council one day. That is how things are going. When Joh Bjelke-Petersen offers a 37½-hour week, it is time some people in this Chamber took notice of the needs of the metal workers.

I do not have the exact figures, but I believe 40 per cent of Australian workers are now working less than 40 hours a week, and I think we must ask ourselves whether it is any wonder that metal workers working under completely different conditions from those enjoying a lesser working week should fight, struggle, and demand a stepping up of this campaign.

I will conclude by referring to a statement by P. C. Singleton in the *Australian* of 18 January 1980. That statement was reprinted in a booklet put out by the Metal Trades Union, the authors being Dick Scott, National President, A.M.W.S.U.; Laurie Short, National Secretary, F.I.A.; Terry Addison, Federal Secretary, A.S.E.; George Butcher, Federal Secretary, A.A.E.S.D.A.; Cliff Dolan, Federal Secretary, E.T.U.; Bob Cramm, Federal Secretary, F.E.D. & F.A.; and Eric Chamberlain, Federal Secretary, Moulders Union.

Some employers have said all those men are "coms", but I know most of them, and they, without exception, are members of the A.L.P., some holding high positions in the Party. Singleton was not a union official and an agitator, but this is what he had to say in a speech at the University of Western Australia, where he got the 1980's off to a fine start by predicting that:

> Our working week would drop well below 30 hours by the year 2000.
>
> Old ideas like the 5-day working week were fast becoming irrelevant.
>
> The question was not whether we had more leisure time but how.
>
> Computers were becoming so cheap, so smart and so popular that the employers buying spree had created a 2½ year backlog of orders.
>
> Unemployment would hit Australian families even harder no matter how fast we increased our national output of goods and services.

The Hon. D. H. Laidlaw: Are you going to tell us what Bill Hayden and Bob Hawke say?

The Hon. J. E. DUNFORD: I am not interested in what they have to say. I am interested in what I am trying to convey to people like the Hon. Mr. Laidlaw, who is in the manufacturing industry. I am quoting those who are on the side of the working people.

One thing that has impressed me is what the Liberal Government has done on a Federal basis. It has put up the price of petrol to such an extent that the unions will be able to argue for a nine-day fortnight, because it costs some workers $10 a day just for petrol, leaving aside the cost of registration and wear and tear on the car. I believe it is in the interests of those workers' bank balances—

The Hon. D. H. Laidlaw: Tell us about Bob Hawke and Bill Hayden.

The Hon. J. E. DUNFORD: I will read out the A.L.P. policy if you would like, Mr. President.

The PRESIDENT: It is not a request from Mr. President, but from Mr. Laidlaw.

The Hon. J. E. DUNFORD: I will put it in the post. I shall send the A.L.P. policy, Federal and State, and the A.C.T.U. policy. In August 1973, in the *Bulletin,* there was much talk about the 35-hour week.

The 35-hour week was not agreed upon because there were not enough workers to go around. We heard from the employers when they were opposing the 35-hour week that jobs would be lost. That does not square with what was said in 1973. Let me advise this Council of what appeared in an article in the *Bulletin* of 11 August 1973, as follows:

> Large employers of blue-collar labor such as aluminium processor Alcan report they are running at 30 per cent overtime (that is, workers are putting in 30 per cent more hours than their awards provide). A year ago the overtime level was still a high 10 to 20 per cent. B.H.P. say they are 1 900 men short, with no relief in sight. The result, says a B.H.P. spokesman, is that 25 per cent of the wage bill is now in the form of overtime.
>
> In such an environment employers are pointing out that there would hardly be an industry which could legitimately absorb a 35-hour week without a corresponding increase in overtime.

There is Alcan and B.H.P. making it quite clear in that article in the *Bulletin* that, when hours are reduced, overtime and more workers are needed. They must work in reverse. Incidentally, one of the biggest opponents of the shorter hours is the B.H.P., which made $417 000 000 profit in this financial year. The *Bulletin* article continued, as follows:

> The recent 35-hour week case involving the New South Wales Electricity Commission produced some statistics indicating that a 35-hour week would push up unit costs by 3·6 per cent and push up the wage bill by 14·3 per cent on the basis that another 1 900 men would be needed. This cost would be even higher if overtime absorbed all or part of the lack of manpower created by a 35-hour week.

If my electric light bill has to be increased to create

employment opportunities for some 2 000 workers, so be it. I support the motion. I turn, Mr. President, to my application to have certain appendices incorporated in *Hansard* without my reading them.

The PRESIDENT: Before the honourable member finalises his remarks we must deal with this matter. I draw the honourable member's attention to a ruling I gave in July 1978 because there had been discussion amongst members about the amount of typed material being incorporated in *Hansard*. The ruling I gave was as a result of discussions that took place at the Presiding Officers Conference of that year. It was as follows:

> Of the subjects discussed at the Conference, I wish to draw the attention of Members to one topic, namely the incorporation of material in *Hansard*. I commend this particular paper to the attention of Members and have arranged for a copy to be placed in Members' boxes.
>
> As our Standing Orders are silent on this matter, I consider that it would be of benefit to Members and to the Council if I laid down guidelines on the matters which may be incorporated in *Hansard* without being read. It is, of course, necessary for any Member wishing to incorporate material in *Hansard* to do so by leave of the Council and therefore any Member may object to the proposed incorporation of material.
>
> In recent years a practice has developed where Ministers seek leave to incorporate in *Hansard* all or part of their second reading speeches on Bills received from the House of Assembly. While I am not totally opposed to this practice, I feel that it is desirable that Ministers at least outline to the Council the subject matter of the Bill and then perhaps incorporate the detailed explanation of the clauses of the Bill.
>
> It is also appreciated that statistical tables and graphs may be more easily comprehended in print than when referred to in speech and it appears reasonable that these tables and graphs be incorporated without being read.
>
> However, apart from the above two matters I am of the opinion that leave should not, except in exceptional circumstances, be granted for the incorporation in *Hansard* of any other material and I would ask that if any Member considers that there are grounds for the incorporation of material, then that material be submitted to the Presiding Officer prior to incorporation being sought. This would enable the Presiding Officer to decide on the relevancy of the matter to be incorporated without being read and also to decide whether the incorporation would be to the disadvantage of other Members.

Having laid down those guidelines, and having on a previous occasion refused leave to an honourable member to incorporate material which is available, and the material that the honourable member mentioned being available from a number of sources and not entirely statistical, and because we could easily find ourselves in a bind because of the amount of material that could be incorporated in *Hansard*, I do not think it is appropriate that this material be incorporated.

The Hon. J. E. DUNFORD: I do not wish to disagree with you, Mr. President, because I know how determined you are. However, it seems to me that this information is not freely available: it is a 1974 document that I had to send to Canberra for. The material ties in with my speech. I want to show the public, members on the other side and trade union officials who read this speech that they are not on their own. It is for the information of those people so that they can say "There is an identical industry that has a 35-hour week." It is important to the crux of my speech and, if I cannot incorporate this material, I will have to read it all and hold up the proceedings of this Council, because I intend to get it into *Hansard*. You, Mr. President, have said this information is freely available, but it is not. I had to seek this information out, and it took me weeks.

The PRESIDENT: I must congratulate the honourable member on the work he has done. I want to make it quite clear that I am opposed to reams of material being incorporated in *Hansard*, and not only because of the work involved. I do not want to set a precedent by allowing the honourable member to incorporate this material and then refusing someone else the same privilege. I am in a bind in this regard.

The Hon. J. E. DUNFORD: If you are going to take long with your deliberations, Mr. President, I will read the figures out.

The PRESIDENT: I cannot stop the honourable member from reading this information out, and he may do so. On the other hand, I can take the easy way out and, since the honourable member has asked leave of the Council, leave it to the Council to decide. The Honourable Mr. Dunford has asked leave to incorporate this material in *Hansard*. Is leave granted?

Leave granted.

APPENDIX 1

FEDERAL AWARDS AND AGREEMENTS WITH HOURS OF WORK UNDER 40 PER WEEK
(SURVEY JUNE 1974)

Award or Agreement	Clause No.	Hours
Administrative Clerks (Container Terminals and Depots) Award, 1972	11	35
AFSA (Container Terminals) Award, 1972	8	35
AMP Society Staff Association Agreement, 1971	2	37½ (Clerks only)
Architects, Engineers, Surveyors, Draughting and Technical Officers (Hydro-Electric Commission of Tasmania) Consolidated Award, 1971	11	Normal hours of week are defined by clause 13 of the HEC Staff instructions (40 hours for construction work; 37 hours 5 minutes for Head Office and Hobart City area)
Australian Coastal Shipping Commission (Terminal Foremen) Award, 1970	9	35
Brisbane Gas Co. Ltd. and Others and Gas Industry Salaried Officers' Federation Agreement, 1970	6	38—General Officer 40—Meter Readers, Collectors
BWWD-FCU Container Agreement, 1972	26 & 29	35
City of Fremantle Salaried Officers Award, 1971	6	37½
City of Perth Salaried Officers Award, 1971	11	Officers at Council House, Library staff, Child Minding Centre employees and Concert Hall clerical staff work 37½. The rest work 40
City of Stirling Officers Award, 1971	7	38
Clerks (Domestic Airlines) Award, 1971	Clause 1 of the Appendix Part I	37½ for TAA officers only. The rest work 40.

APPENDIX 1 (Continued)

Award or Agreement	Clause No.	Hours
Clerks (Shipping) Award, 1965	6	35
Clerk (Shipping) Award, 1972	6	All parts of this prescribe 35 hours
Clerks (The Port Waratah Stevedoring Co. Pty. Limited) Award, 1974	6	35
Draughtsmen, Technical Assistants and Technical Officers (AMDEL) Award, 1972	6	37½
Electricity Trust of South Australia (Staff Conditions) Award, 1971	5	37½
Engineers (Local Governing Authorities, Queensland) Award, 1959	12	38
Foremen Stevedores Award, 1972	12	35
Foremen Stevedores (Northern Territory) Award, 1972	11	35
Foremen Stevedores (Port Waratah Stevedoring Co. Pty. Ltd.) Award, 1972	6	35
Gas Industry Award, 1970	Clause 14 of Section I—New South Wales	In NSW pneumatic machine tool workers and rock choppers excavating in sandstone below 4 feet work 36 hours and pre-payment collectors, special readers and ordinary meter readers work 38. The rest work 40
Hospital Employees (Administrative Staff—ACT) Award, 1966	13	36¾
Hospital Employees (Radiographers—ACT) Award, 1970	7	35
Local Government Officers (Town of Canning) Agreement, 1971	6	38 (Swimming Pool Manager, Pool Assistants and Patrol Officers)
Local Government Officers (Western Australia) Award, 1970	11	38 (except Swimming Pool Managers, Caretakers, etc. who work 40)
Melbourne Harbor Trust. Salaried Staff Interim Award, 1969	9	38
Metropolitan County Board of South Australia Officers Award, 1972	6	38
Municipal Officers (Adelaide City Council) Award, 1971	12	37½ (Parking Inspectors work 40)
Municipal Officers (Ballarat Water Commissioners and Ballarat Sewerage Authority) Award, 1969	12	38
Municipal Officers (Bendigo Sewerage Authority) Award, 1969	14	38
Municipal Officers (Brisbane City Council) Consolidated Award, 1973	7	36¼. Certain shift workers work 40. Female officers employed as switchboard attendants at the City Hall work 32½. Officers employed at any municipal library work 65 per fortnight.
Municipal Officers (City of Sunshine) Award, 1973	41	38
Municipal Officers (Corporation of the City of Darwin) Award, 1972	10	36¾
Municipal Officers (Corporation of the Municipality of Alice Springs, N.T.) Award, 1971	9	37
Municipal Officers (Country Roads Board) Award, 1973	5	38
Municipal Officers (Geelong Harbour Trust) Award, 1969	10	38
Municipal Officers (Geelong Waterworks and Sewerage Trust) Award, 1969	8	38
Municipal Officers (Glenorchy City Council) Award, 1970	15	37½
Municipal Officers (Hobart City Council) Award, 1970	9	36¾ (sometimes 40)
Municipal Officers (Latrobe Valley Water and Sewerage Board) Award, 1969	9	38
Municipal Officers (Launceston City Council) Award, 1969	8	37½ (some work 40)
Municipal Officers (Melbourne City Council) Award of 1955	10	38 (Library staff work 35, House Electrician Inspectors and Collectors at Fishmarket, Office, Queen Victoria Market, Melbourne Wholesale Fruit and Vegetable Market 40).
Municipal Officers (Melbourne and Metropolitan Board of Works) Award, 1971	5	38. The Board may specify 40 for any position. Officers in the General Division and shift engineers, Brooklyn Pumping Station work 40.
Municipal Officers (Metropolitan Transport Trust) Tasmanian Award, 1967	9	36¾
Municipal Officers (New South Wales Electricity Undertakings) Award, 1964	30	35

APPENDIX 1 (Continued)

Award or Agreement	Clause No.	Hours
Municipal Officers (New South Wales Electricity Undertakings) Salaried Division Award, 1969	—	Hours of work are prescribed in 1964 award above
Municipal Officers (New South Wales Electricity Undertakings) Senior Officers Award, 1969	—	Hours of work are as per 1969 award above
Municipal Officers (New South Wales Gas Works Undertakings) Award, 1969	9	38 (Gas Engineers work 35)
Municipal Officers (Portland Harbour Trust) Award, 1969	11	38
Municipal Officers (Queensland) Award, 1968	30	38
Municipal Officers (Richmond City Council) Award, 1969	10 & 11	Normal hours are 32½. Overtime is paid after 38 hours
Municipal Officers (South Australia) Award, 1978	7	38
Municipal Officers' Association of Australia (State Electricity Commission of Victoria) Award, 1965	7	38 (40 if employer says so)
Municipal Officers (Tasmania) Award, 1970	7	37½
Municipal Officers (Victoria) Award, 1969	36	38. Hallkeeper works 40 and the hours in a municipal library are 35
Municipal Officers (Victorian Pipelines Commission) Award, 1970	5	38 (40 may be specified)
Municipal Officers (Victorian Water and Sewerage Authorities) Award, 1969	14	38
Operational Clerks (Container Terminals and Depots) Award, 1972	13	35
Professional Divers Award, 1974	27	35
Professional Engineers (Local Governing Authorities, Tasmania) Award, 1971	22	37½
Professional Engineers (Local Governing Authorities, Victoria) Award, 1966	21	38
Professional Engineers (Main Roads Department of Western Australia) Agreement, 1972	7	37½
Professional Engineers (State Electricity Commission of Western Australia) Agreement, 1969	8	37½
Salaried Officers (TAA) Award, 1971	11	37½
Shipping Officers (James Patrick and Co. Pty. Ltd.) Agreement, 1972	—	37½
Storemen and Packers (Container Depots) Award, 1968	8	35
Theatrical Employees (Drive-In Theatres) Award, 1956 and 1962	6	Projectionists and Projectionists' assistants work 38. Female ticket sellers 36. Maintenance men and Cleaners/ utilitymen/caretakers work 40
Waterside Workers Award, 1960	45	35
Waterside Workers (Container Terminals) Award, 1972	11	35

APPENDIX 2

NEW SOUTH WALES AWARDS WITH HOURS OF WORK UNDER 40 PER WEEK
(SURVEY JUNE 1974)

Award	Hours
Australian Gas Light Company (Salaried Division) Award	38. Certain classifications work 40
Bridge and Wharf Carpenters (State) Award	40. Carpenter-diver works 6 hours 36 minutes per day
City of Newcastle Gas and Coke Company Limited (Salaried Division) Award	38. Inspectors and Foremen work 40
Cleaning Contractors (State) Award	Males work 40. Females for an afternoon shift finishing after 11.00 p.m. and at or before midnight work 35. Other females work 36
Clerks Breweries (State) Award	37½
Clerks Solicitors (State) Award	39
Council of the City of Sydney (Salaried Division—Salaries and Conditions) Award	Vary between 31¼ and 40
Council of the City of Sydney (Wages Division—Wages and Conditions) Award	40. Some classifications work 36 and others 32
County Councils (Electricity Undertakings) Professional and Technical Division Award	As per County Councils (Electricity Undertakings) Conditions of Employment Award
County Councils (Electricity Undertakings) Senior Officers Award	As per County Councils (Electricity Undertakings) Conditions of Employment Award

APPENDIX 2 (Continued)

Award	Hours
County Councils (Electricity Undertakings) Wages Division Award	As per County Councils (Electricity Undertakings) Conditions of Employment Award
County Councils (Electricity Undertakings) Wages Division Award	As per County Councils (Electricity Undertakings) Conditions of Employment Award
County Councils (Electricity Undertakings) Conditions of Employment Award	Salaried staff work 35 although some work 40. Wages staff work 40 although female cleaners, certain pneumatic machine tool workers and boodlers work 36
Crown Employees (United Dental Hospital of Sydney) Award	Some work 35 while others work 40. Female cleaning staff work 36
Egg Marketing Board for the State of New South Wales (Journalist) Award	40. Night workers work 38
Electricity Commission (General Salaried Staff and Administrative Staff) Award	36¼
Electricity Commission (Wages Staff) Award	40. Some classifications work 36
Fire Brigade Senior Administrative and Miscellaneous Officers (State) Award	40 except for senior clerical and administrative staff and Works Supervisor, Building Maintenance Officer and Clerk of Works who work 35
General Construction and Maintenance, Civil and Mechanical Engineering, etc. (State) Award	40. Some classifications work 35 and some 36. Diver and Diver's Attendant work 30
Government Railways (Construction) Award	40 although some work 36. Diver and Diver's Attendant work 30
Government Railways (Refreshment Rooms Wages Staff) Award	40. Female night cleaners at Central Refreshment Rooms work 72 per fortnight
Health Attendants, etc. (State) Award	36. Certain employees work 40
Health Inspectors (Newcastle) Award	35
Health Inspectors (State) Award	35
Hospital Employees—Technical (Metropolitan) Award	40. 35 for Radiographers and Trainee Radiographers
Hospital Employees—Technical (State) Award	40. 35 for Radiographers and Trainee Radiographers
Illawarra County Council (General Conditions of Employment) Award	Wages Staff work 40 except for Female Cleaners who work 36. In the Salaried Division the Clerical and Administrative Section works 35 while the Supervisory and Technical Section and General Sections work 40
Illawarra County Council (Salaried Division) Award	As per Illawarra County Council (General Conditions of Employment) Award
Illawarra County Council (Wages Division) Award	As per Illawarra County Council (General Conditions of Employment) Award
Journalists awards—15	40, except that night workers work 38
Local Government Engineers	35
Mackellar County Council (Salaried Division) Award	As per County Councils (Electricity Undertakings) Conditions of Employment Award
Mackellar County Council (Wages Division) Award	As per County Councils (Electricity Undertakings) Conditions of Employment Award
Maritime Services Board (Legal Officers) Award	35
Municipal and Shire Council (Administrative and Clerical Staff) Award	35
Municipal and Shire Council Wages Staff Award	Generally 40. Some work 35 or 36
Municipal Employees, Newcastle (Salaried Division) Award	35. Some work 40
Municipal Employees, Newcastle (Wages Division) Award	40. Female Cleaners 36. Rockchoppers, sandstone A grade 35
Newcastle Abattoir (Salaried Officers) Award	All 40 except for officers working at City Hall and clerical officers working at the Abattoir general office who work 35
Northern Rivers County Council Award	40. Female and Head Office Attendants 36
North Shore Gas Company Limited (Salaried Division) Award	38. Some work 40
Prospect County Council (Higher Appointments) Award	35
Prospect County Council (Wages and Salaried Employees) Award	Wages Staff work 40 except Female Cleaners who work 36 Salaried Staff work 35 although some classifications work 40
St. George County Council (Salaried Division) Award	Some 35, others 40
Shortland County Council (Salaried and Professional Staff) Award	35 although some may be required to work 40. Caretakers and Chauffeurs work 40
Shortland County Council (Wages Staff) Award	80 per fortnight. 77 per fortnight for clerical staff in the General Office
Sydney Farm Produce Marketing Authority Wages and Salaries Award	Wages Division work 40. Salaried Division work 36¼ although some work 40
Town, Shire and County Clerks (State) Award	35
The University of Newcastle (Conditions of Employment) Award	Some work 35 while others work 40. The Laboratory Attendants work 38
Watchmen, Caretakers, Cleaners, Lift Attendants, Etc. (State) Award	Watchmen 80 per fortnight. Female Cleaners 36. All other 40
Water and Sewerage Employees—Wages Division (Metropolitan) (Interim) Award	The hours vary depending on the classification

APPENDIX 3

VICTORIAN DETERMINATIONS WITH HOURS OF WORK UNDER 40 PER WEEK
(SURVEY JUNE 1974)

Determination	Hours
Carters and Drivers	Persons solely employed in connection with the distribution of petrol and petroleum products work 70 per 2 week period
Teachers (Day Training Centres)	32½
Journalists	38 if mostly on night work

APPENDIX 4

QUEENSLAND AWARDS AND AGREEMENTS WITH HOURS OF WORK UNDER 40 PER WEEK
(SURVEY JUNE 1974)

Award or Agreement	Hours
Clerical Staff QAR Road Services Pty. Ltd.—Industrial Agreement	37½
Clerical Staffs—Colleges of Advanced Education—Industrial Agreement	39
Clerical Staff—The Golden Circle Cannery—Industrial Agreement	37½
Clerks and Switchboard Attendants Award—State—Mater Misericordiae Public Hospital South Brisbane—Industrial Agreement	75 per fortnight
Clerks Award—Metropolitan and Redcliffe Hospitals Boards	75 per fortnight
Clerks Award—Public Hospitals Boards—State (excluding Metropolitan and Redcliffe Hospitals Boards)	37½
Clerks Award—The Southern Electric Authority of Queensland	38
Clerks—Queensland Newspapers Pty. Ltd.—Industrial Agreement	39
Dentists Award—Public Hospitals Boards—State	37½
Operators of Wharf Equipment—Brisbane Stevedoring Services Pty. Ltd.—Industrial Agreement	35
Radiographers Award—Public Hospitals Boards and the Queensland Radium Institute and the Department of Health	35
Regional Electricity Boards and Northern Electric Authority of Queensland—Salaried Officers Award	36¼
The Credit Union Administrative and Clerical Officers Award—State	37½
Transport Workers—Queensland Newspapers Pty. Ltd.—Industrial Agreement	Not over 39
Wharf and Shipping Watchmen and Gatekeepers Award—State—The Association of Employers of Waterside Labour—Industrial Agreement	35

APPENDIX 5

SOUTH AUSTRALIAN AWARDS AND AGREEMENTS WITH HOURS OF WORK UNDER 40 PER WEEK
(SURVEY JUNE 1974)

Award or Agreement	Hours
Adelaide College of Advanced Education Industrial Agreement	Salaried Staff work 37½
Australian Journalists' Association and Messenger Newspapers Limited Industrial Agreement	Employees on night shift work 38.
Australian Mineral Development Laboratories Industrial Agreement	Salaried officers (engineering, scientific, technical, administrative, clerical, workshop and miscellaneous staff) work 37½.
Flinders University Industrial Agreement No. 1	Library clerks and attendants, Non-graduate research staff, Stores staff, Technical staff, Female secretarial, typing and clerical staff, Male clerical staff, Maintenance staff, Printing machine operators, Architectural draftsmen, Nurses and Computer operators work 37½
Health Studies Conciliation Committee Award	36
Institute of Technology Ancillary Staff Industrial Agreement	Staff members on an annual salary work 37½
Municipal Tramways Trust Salaried Officers Industrial Agreement	Officers on day work work 37½
Murray Park College of Advanced Education Industrial Agreement	Salaried staff work 37½
South Australian Gas Company Industrial Agreement	38 except for weighbridge clerks, service inspector's clerk, female telephonists and service clerks rostered for after-hours service calls duty
South Australian Housing Trust Industrial Agreement	Architects, Engineers, Draftsmen, Clerks of Works, Works supervisors, Inspectors, Laboratory staff, Library staff and Clerical and female staff work 37½

APPENDIX 5 (Continued)

Award or Agreement	Hours
SAMCOR—Public Service Association Industrial Agreement	38 for Division A officers (clerks, works cadets, works assistants, shorthand typists, district health surveyors, etc.)
SOLA-MWU (Wages etc.) Industrial Agreement	40 except for employees who work all day with artificial light (excepting flourescent light) where the hours are 37½
Stock Journal Publishers Proprietary Limited Industrial Agreement	Employees on night shift work 38
Sturt College of Advanced Education Industrial Agreement	Salaried staff work 37½
The University Hall Industrial Agreement Number 1	Female secretarial, typing and clerical staff work 37½
Torrens College of Advanced Education Industrial Agreement	Salaried staff work 37½
University of Adelaide—University of Adelaide Ancillary Staff Association—Industrial Agreement	Cadets work 35. Such classifications as Laboratory Managers, Laboratory Technical Computer Operator, Male Clerks, Secretarial, Typing and Clerical Staff (females), Architectural Assistant, Multilith Operators, Telephone Operators, Library Attendants, Services Superintendent, Works Superintendent and Tradesmen in the Maintenance Section work 38. Such classifications as Gardeners, Farm Assistants, Drivers, Caretakers, Cleaners and Parking Officers work 40

APPENDIX 6

WESTERN AUSTRALIAN AWARDS AND AGREEMENTS WITH HOURS OF WORK UNDER 40 PER WEEK
(SURVEY JUNE 1974)

Award or Agreement	Hours
Building and Engineering Trades (Nickel Mining and Processing) Award	Underground workers work 37½
Clerks (Breweries) Award	37½
Clerks (State Engineering Works) Agreement	37½
Clerks (State Shipping Service) Agreement	37½
Clerks (WA Fire Brigades Board) Agreement	37½
Collieries Staffs Award	35 (Coal Mining)
Deputies Award	35 (Coal Mining)
Electrical Trades (Goldmining) Award	Underground workers work 37½
Engine Drivers Award	35 (Coal Mining)
Engine Drivers (Goldmining) Award	Underground workers work 37½
Engineering Award	35 (Coal Mining)
Engineering (Goldmining) Award	Underground workers work 37½
Foremen Stevedores (Albany) Agreement	35
Foremen Stevedores (Bunbury) Agreement	35
Fremantle Port Authority Clerks (Head Office Staff) Award	37½
Goldmining Award	Underground workers work 37½
Government Construction and Maintenance Clerks Award	38
Hospital Salaried Officers Award	Professional, clerical and technical work 37½. X-ray staff work 35
Lotteries Commission Clerks Award	38
Mining Award	35 (Coal Mining)
Nickel Mining and Processing Award	Underground workers work 37½
Railway Officers Award	Transport Officers work 37½
Ship Painters and Dockers Award	35
State Electricity Commission of WA Salaried Officers Agreement	37½
Tug Crews (Fremantle) Agreement	35
Wharves and Ships Watchmen's Award	Hold watchmen work 35

APPENDIX 7

TASMANIAN DETERMINATIONS WITH HOURS OF WORK UNDER 40 PER WEEK
(SURVEY JUNE 1974)

Determination	Hours
Ambulance Services	37½ for administrative staff
Barristers and Solicitors	38
Dentists	38
Estate Agents	Clerks, rent collectors and trainee valuators work 37½
Electrolytic Zinc	Clerks, excluding engineering and plant clerks, work 37¾
Hospitals	Clerical and technical staff work 37½
Marine	Clerical staff work 38
Public Accountants	37½

The Hon. J. E. DUNFORD: Thank you, Mr. President, for your help in this matter. I also thank members of the Council. It seems I have impressed the Government, and I hope it acts accordingly when next confronted with this matter.

The Hon. L. H. DAVIS: I support the motion. The Speech made by His Excellency the Governor placed heavy emphasis on the importance of careful planning and control of the States' finances. Statutory authorities are, of course, under the financial umbrella of the State Government, although I suggest that current control and review of such authorities is not adequate.

However, the Tonkin Liberal Government has already implemented its promised policy of programme budgeting, and I am confident that statutory authorities will also receive appropriate attention. In a recent booklet entitled "The Quango Explosion: Public Bodies and Ministerial Patronage", Philip Holland, M.P., and Michael Fallon discussed the problem of public bodies in Britain and made the following observations:

> The first remarkable thing about public bodies is that nobody knows how many there are. Two and a half years ago Parliamentary questions to each Cabinet Minister elicited the information that they were responsible for making 18 010 appointments to 785 bodies. Until two years ago no official list existed at all.

It is only within the past two years that the Australian Government compiled the first official list of statutory bodies under its jurisdiction. What is the South Australian experience? The first Ombudsman (Mr. Combe), who was appointed on 14 December 1972, examined his powers and established that he had initial jurisdiction over Government departments and statutory authorities. Local councils were also placed under his jurisdiction in the following year. The Ombudsman Act, 1972, defined an authority to mean:

> A body whether corporate or unincorporate created by an Act, in respect of which the Governor or Minister of the Crown has the right to appoint the person or some or all of the persons constituting that body but does not include such a body that is for the time being declared by proclamation to be a body to which this Act does not apply.

Mr. Combe discovered that the Labor Government did not have a consolidated list of such authorities, so he obtained the data from the various Ministerial sources and listed the 145 authorities in his report which was tabled in late 1973. I seek leave to have inserted in *Hansard* without my reading it a schedule which, I assure the Council, is of a statistical nature and which sets out the number of statutory authorities and when they were established.

The PRESIDENT: I have perused the material that the honourable member wishes to have inserted in *Hansard* and, as it is only a short list, I see no reason why it should not be so inserted.

Leave granted.

STATUTORY AUTHORITIES

Time of establishment (assent)	Number established
Up to 1900	12
1900-1909	5
1910-1919	6
1920-1929	10
1930-1939	26
1940-1944	3
1945-1949	13
1950-1954	5
1955-1959	5
1960-1964	11
1965-1968	23
1969	8
1970	3
1971	11
1972	23
1973	8
1974	11
1975	14
1976	17
1977	5
1978	13
Up to July 1979	17
TOTAL	249

The Hon. L. H. DAVIS: These details were compiled using the information provided by the then Premier (Hon. J. D. Corcoran) in reply to a question on statutory authorities, the report of which can be found in *Hansard* of 31 July 1979 at page 207 and following. The former Premier, Mr. Corcoran, in his reply on that date, said that there were some 249 statutory authorities, having included all Government boards, committees, tribunals, authorities and officers appointed by Statute, but counting only once boards or committees with similar titles, for example, local boards of health. It should be noted that the Ombudsman does not adopt this practice. As far as I can gather, not more than four statutory authorities saw the sunset during the 1970's. However, in the period from 1971 to 1979 the Labor Government established 119 statutory authorities, virtually doubling, therefore, the number of statutory authorities in this State.

The Hon. J. R. Cornwall: For what purpose were they established?

The Hon. L. H. DAVIS: I would not detain the Council by running through 119 names. The Labor Party therefore appeared to be proponents of Parkinson's three laws. The first law of Northcote Parkinson's was "that work expands so as to fill the time available for its completion." The second law was that "expenditure rises to meet income". His third law was that "expansion means complexity, and complexity decay".

Mr. Corcoran pointed out that, of the 249 QUANGOES, 223 were required to have their accounts audited by the Auditor-General, and most of the others have accounts privately audited. Information regarding Government payments to these authorities and other financial details can be obtained from the Treasurer's statements and accounts and also the Auditor-General's Report. In addition, many of the larger statutory authorities produce their own reports, and these are tabled in Parliament. But, in some cases such as the Electricity Trust, these bodies are not directly responsible to a Minister. The annual reports made to Parliament in many cases are not in appropriate or readily comprehensible form. Many of the reports are late to the point of becoming irrelevant. If the same standards of reporting (both as to disclosure of information, and deadline for producing financial reports) which applied to public companies listed on the Stock Exchange were to be applied to statutory authorities, many of them would have been suspended from trading or possibly delisted.

I refer, for example, to the South Australian superannuation scheme for this State's public servants, which scheme is established under an Act of Parliament. The South Australian Superannuation Fund Investment Trust and The Superannuation Board are both required to report annually. However, no date by which the report has to be received is specified in the Act. The last report from the trust is that for 1977-78. That report was first laid on

the table of the Council on 23 October 1979, nearly 16 months later, and certainly a full year later than a public listed company would have produced its financial report. In mentioning that, I include Broken Hill Proprietary Company Limited, Western Mining Corporation Limited and Adelaide's largest company Elder Smith Goldsborough Mort.

Funds held by the Superannuation Fund as at 30 June 1978 accounted for $130 250 000. I will give a few more examples. The Coast Protection Board report for the year ended 30 June 1978 was tabled on 9 August 1979, and the report of the Commissioner of Police for the year ended 30 June 1978 was laid on the table of this Council on 23 October 1979. The report of the Royal Adelaide Hospital for the year ended 30 June 1978 was received in the Parliamentary Library on 8 August 1979.

However, just to show that Government bodies can report speedily, the very comprehensive report of the Highways Department for the year ended 30 June 1979 was tabled less than four months later. Many of the reports are undated so the public does not know precisely when they are tabled and/or printed. There is simply no date in the report itself as to when it was produced.

On some occasions there appears to be an inordinate delay between a report being tabled and printed. I would urge the Government to look at this latter problem so far as this delay can be corrected, either by streamlining the procedure of this House or minimising any backlog at the Government Printer.

In summary, it can be argued that this State's 249 statutory authorities deserve closer scrutiny. Annual reports one or two years late (I am told sometimes even later) are of little relevance; nor are reports which differ so markedly in terms of comprehension and presentation of information. It would appear that few of these statutory authorites have had their efficiency and effectiveness closely scrutinised.

However, the Liberal Government has a firm policy of action. I say that in reply to the Hon. Mr. Cornwall's persistent bleating. The Liberal Government has a firm policy of action after years of Labor inactivity on this front during which time the number of statutory bodies virtually doubled. As the Premier stated earlier this year:

> The Government aims to make all statutory authorites more accountable to the Government and Parliament.

The Government is in the process, I am sure, of looking at proposals to further this aim. No-one would deny the value and need for statutory authorities but that is not to say that their role, relevance, administrative effectiveness and financial operations should not be subject to the closest review.

It was pleasing to note the recent announcement that the State Government, in association with private enterprise, will establish a sports scholarship scheme for promising athletes from country areas who will receive expert coaching in Adelaide. "Project 84", as it is called, will embrace the sponsorship of individual athletes, the forming of a junior talent squad financed by the Department of Recreation and Sport, up-to-date equipment, and transport to national and, where appropriate, international meetings. Sponsors such as City-Holden, Coca-Cola and Shell are to be commended for this initiative, which is designed to increase this State's representation at the Los Angeles Olympic Games in 1984, and other major athletic events.

The Federal Government has established an Australian Institute of Sport in Canberra centred around a $3 000 000 National Institute Sports Centre. This centre will take students in 1981 for the first time—an estimated 40 full-time students whose accommodation, fees and air fares will be borne by the Federal Government. A further 40 students are expected on a part-time basis or under private sponsorship. Entrants may be either at the secondary or tertiary education level, and each student's course will be planned to maximise sporting training.

The sports of basketball, gymnastics, netball, soccer, swimming, tennis, track and field, and weight lifting will be covered by the institute. Top national and international coaches will be assisted by sport scientists and technicians, provision for research work and a fitness testing laboratory. In addition, national squads can utilise the facilities and coaching.

The Hon. Frank Blevins: It sounds like the Soviet Union.

The Hon. L. H. DAVIS: The testing laboratory is currently testing the fitness of the Labor Party!

Members interjecting:

The Hon. L. H. DAVIS: We will have an opportunity to talk about that shortly. The Federal Minister of Home Affairs, Mr. Bob Ellicott, has expressed the hope that this pilot project will eventually be emulated in each capital city.

I am sure honourable members will agree that this is an exciting concept. It will overcome the problem of the promising young athlete who is forced to go overseas to further his or her sporting career. It will also provide a better opportunity for the top sportsmen to reach the top.

Hopefully, "Project 84" may be the embryo of a South Australian Institute of Sport in the not too distant future. My colleague, the Hon. Mr. Laidlaw, in moving the Address in Reply suggested that a part of the revenue from the introduction of soccer pools in this State could profitably be used in providing a public golf course in the north-east area. This was an excellent suggestion.

Of the $1 000 000 or so additional revenue from soccer pools it would seem reasonable to effect an equitable distribution between recreation and leisure activities (such as public golf courses and bush walking tracks) and support for voluntary sporting organisations; also, the provision of funds for projects designed to encourage and assist the State's most promising sportsmen and women, at both junior and senior levels—such as "Project 84".

While parochialism in itself can be a bad thing there is nothing unhealthy about South Australians being proud of their sports men and women whether they be performing in individual or team sports.

It could be argued that success in sporting events does much for community interest and morale: pride in one's State or country.

I am pleased to see the resurgence of interest in the history of our State and country so splendidly exemplified in the Constitutional Museum. The apparent eagerness of schoolchildren to soak up our history and the respect for our heritage through the preservation and restoration of many fine buildings.

I suspect some impetus for this increased awareness has come from the fact that so many Australians have taken advantage of the cheaper international air fares available in recent years. Overseas travel has made them much more conscious of the reality of Donald Horne's observation: we are a lucky country with a richness and diversity of resources, a high standard of living and an excellent climate. Overseas travel has also made Australians more appreciative of their heritage through seeing the zealous way in which Europe and America, for example, preserve the past for posterity, where it is appropriate.

To return to my original point, overseas travel has, I suspect, made Australians more aware and more conscious of their country. "Proud" is perhaps not a word

that many Australians would admit to owning but it is there, and it is especially pertinent in the sporting area. The incomparable Bradman in his heyday, the Chappells cutting loose, whether on or off the field, Robran weaving his magic into a football game—they are memories for many of us—proud memories.

Therefore, it is interesting to reflect on the sporting successes achieved by South Australians over, say, the last 25 years. Why is it that we have had no really top-ranking tennis player (man or woman) since Ken McGregor in the early 1950's? Why is it that South Australia has produced a few excellent amateur golfers but no professionals who have endured on the national or international circuit? Top swimmers are few and far between. Our athletes at Olympic and Commonwealth Games level, at best, have been no more in number or better in performance than one would expect for a State with just over 9 per cent of the country's population. If you exclude imports, the number of top-flight South Australian-born test cricketers is surprisingly thin, although our record in the Sheffield Shield competition has been quite good. In Australian Rules football, after apparently losing ground for the latter part of the 1970's (not to mention the odd player or two to the Big V) South Australia has retrieved the title of next best to Victoria.

I suspect that if the racing industry in South Australia was compared with all other mainland States as regards stake money paid and possibly other aspects such as attendance there would have been a deterioration in these comparisons over the last 10 years from South Australia's point of view.

On the other hand, in basketball, baseball, hockey and soccer we have had an excellent record. If I have not made reference to a sport in which this State has done well over recent times it is inadvertent. I merely mention the above examples and ask why in the so-called major sports has South Australia not produced more top-flight individuals and/or teams.

Some honourable members may say the question is not relevant, that it should not be asked, that winning is not everything. I accept that at least at the very junior level, there is much merit in that argument. Some teachers and parents may urge under 10's playing Australian Rules to do deeds which more properly (and even then doubtfully) belong in a match played by their fathers. But at the adult level, leaving aside the vast hoard of week-end golfers, tennis players, daily joggers and beach cricketers, at the apex of such sports are the teams, are the people who do care where they finish. Surely South Australians have suffered in a sporting sense because we have not had our own Evyonne Goolagong and John Newcombe to look up to, encouraging us either to play a social game of tennis for relaxation and fitness or to encourage and inspire the juniors in the sport.

I do not pretend to know the answer to my own question, but I think it would be useful for the various sports concerned to ask the question objectively and dispassionately. I firmly believe that the State Government can assist in the resurgence of South Australia as a strong sporting State by providing encouragement and support to juniors, voluntary organisations, and appropriate programmes such as "Project 84". Hopefully, in time, South Australia will see a centre similar to the National Institute's sports centre.

I wish to refer only briefly to the Labor Opposition's contribution to this Address-in-Reply debate. It was disappointing to hear a tirade of criticism directed at the Tonkin Liberal Government which more properly should have been directed at their own performance while in power for 12 of the 14 years since 1965.

Therefore, it is perhaps understandable that they strike out more in frustration than in any real belief in the merit of their case. It is not inappropriate to look at the bleating of the Labor Party here and to look at the sheep behind the bleats. But first a quick State-wide review of the Australian Labor Party. In Tasmania the Labor Party is in Government but the Deputy Premier and Federal President of the A.L.P., Neil Batt, has recently resigned having suffered the ignominy of being beaten in a ballot to determine Tasmanian delegates to the A.L.P. Federal Executive. We see Neil Batt, the non-voting Federal President of the A.L.P. resigning, having followed Mr. Bob Hawke, who somehow could be both Federal President of the A.L.P. and the A.C.T.U. without conflict—and Mr. Wran now comes in to bat—a Premier of the A.L.P. as President of the organisational wing. And talking of New South Wales, we see the unbelievable spectacle of a Labor Legislative Councillor, Mr. Peter Baldwin, being bashed to within an inch of his life. He has claimed the bashing was politically motivated, and plenty of evidence is accumulating to suggest it is likely. The Nugan Hand Merchant Bank collapse with possible losses as high as $50 000 000 has left Leichardt and Marrickville councils reeling, both Labor-controlled and allegedly having invested $2 000 000 in the bank which could be lost.

The Deputy Mayor of Leichardt council, Alderman Casey, resigned from the Labor Party last week alleging a vicious smear campaign against him. In New South Wales Labor is in trouble.

In Queensland, there is not much snap, crackle and pop in the Labor Party following the Breakfast Creek affair. In Victoria, Frank Wilkes is still the Leader and still in trouble—the socialist left with the irrepressible Bill Hartley making sure that Labor does not become too popular, otherwise it might get into Government. In Western Australia the A.L.P. has sunk without trace after an ignominious result at the State election earlier this year. And the Party which claims to represent Australian youth and its aspirations has a remarkable record of disaster when one looks at the Young Labor organisation. In December 1979, the Victorian A.L.P. abolished Victorian Young Labor and then re-formed through a Victorian youth conference, this exercise purely designed to provide the socialist left with the balance of power, rather than the centre unity group. A recent National Young Labor conference was cancelled because there were two delegations from Queensland which each claimed accreditation.

And so to South Australia. September 1979 seems a long time ago and it is all too easy to forget some of the A.L.P. candidates from the left wing. But they have refused to lie down, for, at the annual election of the United Trades and Labor Council earlier this year, the left wing dominated the elections and the 13-member executive now apparently boasts no-one from the right wing of the Party. However, it does include the duo, Messrs. G. Apap and J. L. Scott. In fact, that raises the question on everyone's lips: where is John Scott? Unlike another aspirant for Federal politics, Mr. R. J. Hawke, Mr. Scott appears to have become camera shy. As the Federal candidate for Hindmarsh, he is living proof that the left wing of the Party is alive and well in South Australia. One of his last public comments that I can find was in January 1980 when, as usual, he was opposing something; he was suggesting that European tradesmen should not co-operate with the Metal Trades Industries Association in its drive to recruit skilled workers, despite the fact that the association had 1 300 immediate vacancies for skilled workers.

In passing, I must say I support the Federal Government's drive to lift immigration to Australia, especially of skilled workers, as current forecasts strongly suggest there will be significant future shortage in the metals and minerals area, notwithstanding a retraining campaign for Australian workers.

Finally, it is interesting to reflect on the A.L.P. convention earlier this year, which eventually approved a 75 per cent to 25 per cent delegate split between unions and sub-branches, replacing the previous 90 per cent to 10 per cent division of power. Curiously enough, this was seen by the media as a triumph for the Parliamentary Leader of the Labor Party, Mr. Bannon, although he had previously been associated with a move to change the voting structure to 60 per cent unions and 40 per cent sub-branches. The fact is that the trade unions still dominate the Labor Party in South Australia, with 13 out of 13 of the United Trades and Labor Council executive being regarded as left wing.

If Mr. Bannon and other moderates within the Labor Party, some of whom I am sure are members of this House, regard the 75 per cent to 25 per cent result as a victory, then they will be a long time in Opposition.

In conclusion, I support the thrust of Government strategy as set down in the Governor's Speech. Implicit in this programme is a requirement for efficient financial management, a closer scrutiny of Government departments and authorities, and encouragement for the private sector. Much has already been said about the exciting natural resources projects in South Australia over the next decade. I do not intend to further elaborate on that point except to say that, earlier this week, the Australian Federation of Construction Contractors in an industry survey found that engineering construction works, covering all projects except buildings, will increase by 28 per cent in real terms in this State over the period 1981-85. This compares favourably with New South Wales, 2 per cent; Queensland, 7 per cent; Western Australia, 37 per cent; Tasmania, 19 per cent; Northern Territory, 23 per cent; and Victoria, minus 14 per cent. Admittedly, South Australia is coming off a very low base, having been ground to a halt by the Labor Government which supported the principle of "bleeding the taxpayer to support big government and its parasites".

In Opposition, the Labor Party remains shell-shocked. To persuade its Parliamentary Leader, Mr. Bannon, to admit that mining has merit, that the private sector should be encouraged and big government discouraged, is as likely as persuading Mary Whitehouse to produce an illustrated brochure on pornography.

Mr. Bannon, in May, claimed the Labor Party deserved credit for presiding over the Western Mining/B.P. decision in July 1979 to spend $50 000 000 on a drilling programme at Roxby Downs. And yet on 4 June 1980, in *Hansard* (p. 2275) the following exchange is reported:

> **Mr. GUNN:** And you do not support the mining and export of uranium from Roxby Downs?
>
> **Mr. Bannon:** No.
>
> **Mr. GUNN:** As Premier you would stop that project?
>
> **Mr. Bannon:** I am opposed to it.

If this State is to succeed in the decade ahead, the path to follow is that set down in the Governor's Speech. The recipe for disaster which was practised so well in the 1970's must be placed on the shelf permanently. I commend the motion.

[Sitting suspended from 6.7 to 7.45 p.m.]

The Hon. C. W. CREEDON: I rise to speak because there are one or two matters embodied within the Speech opening this session of Parliament by His Excellency the Governor, Mr. Keith Douglas Seaman, about which I would like to express an opinion.

There is an old adage, I believe, stating that time passes quickly when one keeps busy. Although we of the Labor Party are now in Opposition, we are working harder than ever. We worked extremely hard while in Government, but we need to prove again that we can competently govern, whereas the present Government is seriously lagging. It may not be fully recognised yet by the community as a whole, but I am sure it will become more apparent as time goes by and the Government is no longer able to claim credit for the innovative ideas and public works activated by the previous Labor Government.

I note in the Governor's Speech that the Government hopes to pull the Federal Government into gear over the railways, and recent news articles have informed South Australia that the long-awaited agreement has been signed that will put us on the same railway footing as the other States of Australia. It makes us central to the standard gauge system and should prove a welcome boost to South Australia. But, while we seem to have gained something, other railway services appear to be vanishing. At least, that is how I imagine the country people of South Australia feel about the announced loss of the Gladstone and Peterborough passenger services.

No doubt the National Railways will claim that it is a poorly used service, but I wonder whether the railways have ever sought the opinion of those likely to use such a service. Has there ever been a survey of opinions sought on the train time table? Have the railways ever wondered whether their passenger services might not be painfully slow? Has there ever been any attempt to upgrade and speed up rail services? Could it be that the Peterborough train should complete its journey in three hours instead of the five hours it now takes?

Of course, I know these decisions are not the responsibility of the State Government, but it does have some say over the withdrawal or curtailment of railway services, and it obviously has no intention of presenting a strong defence in support of its country electors having railway transport available to them. Both these services have for years stopped at Gawler, but now I believe the arrival and departure times of those services have been removed from the time table. These two train services, I might add, were express from Gawler to Adelaide and, of course, on the return journey the trains were express from Adelaide to Gawler.

Well, if it is not going to do anything about the country services, perhaps the metropolitan services, over which the State Government has absolute control, will receive more favourable attention. The present Minister is in the fortunate position of having inherited the previous Labor Government's plans for a greatly upgraded transport system. Comfortable new buses are at hand and, in fact, the bus travellers have been enjoying the comfort of these for some time.

The new trains and associated carriages are becoming more of a reality with at least one already operating on the various suburban routes. I hope it will not be too long before more of them are ready for use. In fact, when they are completed I am hoping the Government will move to have another batch of them built in order that all rail passengers will be able to travel in modern comfortable carriages. That will be one step in getting the general public to accept more readily the public transport system. But, of course, I believe a lot more needs to be done in order to get full public acceptance and the desire to use this form of transport daily.

I wonder sometimes whether most of our present carriages were not built back in 1856. It was a railway

service that successive conservative Governments wished to ignore, and so the railways were run down. It took the action of a Labor Government to try to restore it to its rightful place. Other matters that need investigating are the time tables, the frequency of trains, faster trains and, of course, whether they run on time.

I recently asked a question relating to late-running trains. I have already mentioned today that the arrival and departure times of the Gladstone and Peterborough trains have been removed from the time table. It now takes longer to travel from North Gawler to Adelaide, even though the trains are non-stop from Dry Creek to Adelaide, than it took prior to the rearrangement of the time table. Faster trains are essential to attract passengers. The well used Peterborough and Gladstone trains are apparently no longer available. The time for their journey was just over 30 minutes. The new time table indicates that some attempt has been made to cut down the travel time of some trains. This is commendable, but of little use if the fast train is going to arrive up to 10 minutes late because it is hampered by a train that stops at all stations, being scheduled out just prior to its departure.

The Hon. C. M. Hill: What is the fare from Adelaide to Gawler on your train?

The Hon. C. W. CREEDON: It is 60c, and you are going to put it up to 90c, I think.

The Hon. C. M. Hill: Don't you think 60c is very low?

The Hon. C. W. CREEDON: It is very reasonable. I think the railways charge a quite reasonable fare to the people who travel back and forth to work each day and those who use the service for shopping.

What I have outlined is bad planning. Late-running trains, of course, upset the average traveller and, if I am to believe what I am told, then it is becoming a more frequent occurrence. Late arrivals make one late for a connection and late for appointments, and the only solution is to catch an earlier train. Then, of course, one has to waste time waiting for connection or appointment times. These are just a few of the complaints I have about the train service. I trust the matters mentioned here will be taken up and that some improvement in these matters will be noted in the near future.

My colleague the Hon. Mr. Blevins had a deal to say about our unemployed and the lack of effort to provide them with employment. In fact, providing employment is a task the Government obviously does not understand the meaning of. Today an Australian Government *Newsletter* came into my hands, which was mentioned by one of my colleagues. I am going to read it to show that others are unhappy at the efforts this Government purports to make on behalf of the unemployed. The letter, headed "P.B.D. Cleaning Dispute", states:

> Tonkin's formula for unemployment. Three jobs for 10! This problem led to one of our wags singing the following jingle to the tune of "Ten Green Bottles" as follows (and I am not going to sing it):
>
> Ten loyal cleaners going to the wall,
> Due to Liberal Policy the axe begins to fall;
> And with 20 years service, that didn't count at all,
> Three contract cleaners came in and grabbed it all.
>
> Our Government's method of dealing with the highest unemployment in Australia is to use taxpayers' money to prop up their Liberal campaign backers in private enterprise by dismantling Government services and handing over those services to their mates in the private sector. They say we haven't mentioned their "No retrenchment policy". We say:
>
> Retrenchment means—a loss of jobs! Non-replacement means—a loss of job opportunities! Private contractors means—reduction of loyal Government employees! This means—A rip-off of the ever increasing Taxpayers' Money! This means—A second-class Government service.

I now refer to a report on what has happened recently in the Public Buildings Department concerning weekly-paid staff, who are employed in cleaning various courts. On Monday 11 August, a cleaning contractor, Nipper Van Buren, was invited to take over the cleaning of the Local Court and the Magistrates' Court. Government weekly-paid staff employed in these buildings were transferred the same night to other buildings cleaned by the P.B.D.

Three contract cleaners have replaced the 10 weekly-paid staff who formerly cleaned the Magistrates' Court. How good now is the Government's much vaunted "people's participation policy?" Their loyal Government workers were transferred without any form of consultation or, indeed, any prior notice at all. What shabby, shoddy, treatment to mete out to honest, devoted and defenceless workers, who have served them faithfully for decades. What price loyalty?

The Government's "jobs for the boys" policy is also shown by its bypassing the usual means of advertising such contracts:

(a) by not using the Supply and Tender Board;
(b) by not advertising and calling for tenders by using the most popular medium, the *Advertiser* newspaper;
(c) by not using any other recognised public medium for advertising and calling for tenders; and
(d) by using a method of selective contracting, whereby only a few firms were approached on a private basis.

Most people would recognise the main thrust of this Government's policy, that is, to placate its supporters in the private sector by turning over more and more of the public sector to its backers. It is incapable of any original thinking in terms of helping the manufacturing sector and thereby helping the economy of this State.

All that the Government is obsessed with doing is expanding the service sector for the benefit of its backers until it totally engulfs the whole of the public sector as it now stands.

The dispute in the P.B.D. area is just one small but irrevocable step in this direction. The report I have urges Government workers to "wake up before it is too late, because they too can become just another statistic in the 'three for 10' Tonkin formula".

The continuing efforts of the Government cut-back in the Public Service is a major way of increasing the number of people unemployed. The tightening of the purse strings always adds to the unemployment level. But, I suppose the Government needs to recoup the losses to its revenue incurred by its abolition of succession and gift duties to appease the greed of its wealthy supporters. Liberal Governments have always been hard on the working people, and this State Government is no exception: it sees the working man as having to make the sacrifices, while its supporters reap all the benefits.

I note that the present Minister, Mr. Dean Brown, is following in the footsteps of Mr. Wright, the former Labor Minister, who tried to get the Federal Government to find a better system or a more useful and productive way of paying unemployment benefits. There is no way, of course, that I can agree that those unable to obtain work receive sufficient sustenance from the Government. The benefits are a miserly payout designed to keep the recipients below the poverty line of existence. It is time that the benefits were greatly increased. While I support this increase in benefits, I am more than amazed that the Federal Government is content to pay out these hundreds

of millions of dollars without making some effort to find productive employment for those receiving the benefits. Australia is a large country that needs untold billions spent on it for the benefit of its citizens. Yet, we have a Government that is more content to squander the taxpayers' money in a miserly benefit rather than pay a decent living wage in order to get some of that work done. The most important thing, of course, is that the confidence and morale of those people would be restored by the knowledge that they had become useful citizens worthy of employment.

I refer again to something mentioned in His Excellency's Speech. The Local Government Act has, I believe, been receiving attention for some time, and we are to have a new, streamlined version for us in due course. I will be interested in seeing whether or not it is more enlightened and democratic or whether it even gives more freedom to councils to govern in the community's general interest than has been the case in the past. Recently, I read that the Mayor of Port Adelaide was advocating a return to the restrictive voting principles of the past. He feels that it is improper that unemployed people should get a vote, and says that families in rented houses should not get a vote.

I trust that the Minister will not give way to the enthusiastic backwardness of some of his Party's membership, and I hope that he will point out to people such as this man that South Australia has an obligation to be seen to be acting as one finds the civilised nations of the world acting.

The Planning and Development Act is also to receive some attention. Amendments are to be made to that Act that will streamline decision-making processes and provide a flexible, uniform and a simple method of regulating developing in both rural and urban areas. I am not quite sure what that means. It seems to me that "a flexible, uniform and simple method" is a set of words that really do not work together. I would like to know how to get flexible uniformity or, for that matter, simple uniformity. It is words like these, used in describing changes, that would make me watch those changes very carefully. Of course, when we talk of giving local government greater say in its own destiny and more responsibility, I can be found on the side of local government.

However, I issue a word of caution. I served in local government for many years and found that each local body usually worked well with its neighbours. However, these bodies fight tooth and nail to protect what they consider to be their own preserve, and that could occur over some developmental matters. Unfettered freedoms in some of these matters could find unwanted, even undesirable, subdivisions, shopping areas and industrial sites on adjoining council boundaries. As we need to avoid such a thing happening, any changes must be thoroughly scrutinised before this occurs.

I note the Government is boasting that there has been a 22 per cent increase in the apprentice intake for the first six months of this year. I wonder how many apprentices that involves: it is actually not very many if I am any judge. In a minor way, over the last year or two I have gained some knowledge of the apprenticeship needs and find generally that there has been a large cut-back in Government apprenticeships, and a major cut-back in private enterprise apprenticeships. In some cases private apprenticeship had been eliminated. I think that is a very short-sighted practice to adopt.

We are a growing country, always in need of skilled tradesmen, and we find that many employers are not willing to train for their own future needs. In due course, these same employers will be the first to harass the Government to provide incentives to attract or train people to fill the needs of industry.

I have found that employers, both Government and private, have dismissed apprentices on completion of training. These young people ventured out into the world full of confidence, having no doubts on their ability to soon find a job, but found that, on approaching possible new employers, the first question directed to them was, "How much experience have you had?" Of course, they had had no experience; they had only just finished their training. Sometimes, it is many months before the former apprentice finds an employer willing to employ him or her, and there have been times when the job seeker has given up and taken whatever job he or she could get. Even though the cost of their training was at least partly met by the community, they are unfortunately lost as future trades-people to the community.

The Premier may be pleased to observe that there has been a 22 per cent increase in apprenticeships. I take it that he will do all in his power to make sure that apprentices are given the opportunity of gaining the experience necessary to easily gain another job before they are dismissed. I support the motion.

The Hon. N. K. FOSTER: Like other members who have preceded me in this debate I wish to thank the Governor of the State for the manner in which he officiated in this Council a few weeks ago. I can only hope that the criticism made of the Governor repeatedly by some members in this Parliament has now abated and that he will be accorded, should he wish to continue, an additional term. The present Government should accede to that request on the basis not only of conscience but also of the unnecessary attacks made on the Governor, who in fact during the Second World War was a serving officer in the Air Force. In the early post-war years he undertook a course of study at the university which fitted him for his chosen profession.

Realising the plight of the small people, His Excellency engaged in personal work beyond his office in the church of which he was a member, helping the aged in this community, and he was a pioneer in obtaining for them many of the social welfare benefits they now receive. Credit cannot be taken away from Keith Seaman, who has an understanding for the plight of the unfortunate in the community and has done something about it. His great knowledge and understanding of that situation in the community has been curtailed by his office as State Governor. As Her Majesty's representative we ought to regard Keith Seaman as a person from whom the media might from time to time seek an opinion on the many welfare projects that he has pioneered and of which he remains, in part, the author.

I intended to refer at length to the problem of energy and energy-renewable resources and those resources considered to be rapidly depleting. However, time will not allow me to do that and, having joined this debate tonight instead of tomorrow, I find myself having had to look quickly at extracts of some 40-odd publications regarding this matter, whereas just two years ago, if someone tried to seek information, say, from the Parliamentary Library, a public library or a multi-national company, one would have been hard pressed to find more than a few foolscap pages on this matter, including the liquefication of coal or anything to do with solar energy. One has now been blinded by the amount of hypocritical propaganda from the nuclear freaks that quite blatantly falsify the situation today. I will be dealing in some detail with the speech made in another place by Dr. Billard, and I will explode the myths of his contribution.

I wish to pay a compliment, at this stage, to a person who is not now in this Chamber. It is not my practice to throw compliments around, but I refer to a former member who was on the opposite side of the fence politically, but whom I found to be absolutely honest both as a person and as a member of the various committees on which I served with him. I refer to the Hon. Mr. Geddes.

The Hon. J. E. Dunford: They sacked him.

The Hon. N. K. FOSTER: There is no doubt about what they did to Dick Geddes. There was no need for the Liberal Party to go out and get Geddes, who stuck by his principles when there was no need for him to do so. He knew the night that he crossed the floor to vote on a matter of principle that there was no need for him to do so, because the then Government had the numbers. It was public knowledge that Jessie Cooper and others were going to do that. Mr. Geddes, as shadow Minister, had made a number of statements on the radio and had undertaken much research on the energy subject. I sat on a committee with him and found his advice, knowledge and study of the matter most sincere. On the occasions that I heard one of his statements on the radio, I took the opportunity to telephone him at home, although I believe that he was somewhat sceptical about my call. However, he was treated cruelly, and this Council could ill-afford to lose a man such as Dick Geddes. Such men in the Liberal Party are few and far between today. I do not see any member of his calibre on the Government front bench today. Because of a quirk of fate, a change of Government was brought about and, in any event, Dick Geddes is no longer a member of the Council.

The Hon. Ren DeGaris, as the then Leader of the Opposition, made a study tour from May to July 1979. In his absence he was severely sabotaged by his own Party, although he did not lose the confidence of his Party machine, as he was still head of the Liberal Party ticket in the 1979 election. If one knows the political scene at all, one realises that what happened to Ren DeGaris in the 1979 election was indeed unique. He led his Party against the then Government and brought his Party to victory in this Chamber. However, he was not even accorded a place in the Ministry. He was not even accorded his rightful place as Leader in this place after such a victory. After having attained the position of No. 1 on his ticket—

The Hon. D. H. Laidlaw: You were No. 1 on your ticket.

The Hon. N. K. FOSTER: Thank you for that. Might I respond to the interjection that I was No. 1 in 1975: I remind the Hon. Mr. Laidlaw that I had said to those in this place that I would not aspire to a Ministerial position.

If my Leader in this Council wants to, he can attest to that in any way that he sees fit, but that is his business. When I entered this Council about five years ago, after turning 55, I recognised that my time here, because of the policy and rule of the Party, would not be long. In any case, had I been returned to the Federal House in 1972 I would have rejected a clear offer of a Ministerial portfolio in the Federal House.

The Hon. J. C. Burdett: The offer would not have been made.

The Hon. N. K. FOSTER: It would have been made; the offer is on record. I will not go into that because it is in the past. The Hon. Mr. DeGaris, as a member of the committee inquiring into fuel and energy, went overseas to examine the problem. He delivered a good report, even when measured in the terms of people with a wide understanding of this topic. Of necessity, the report has been condensed. However, one important reason why we should consider the report, especially as the matter has been raised about three times in this Council, is that South Australia's position is not unlike that applying in South Africa.

I hasten to add that my views on South Africa, especially in the early 1960's and late 1950's, are well known. However, regarding coal technology and the type of coal found in that country, a close parallel can be drawn to the brown coal deposits in South Australia.

South Australia is fortunate to have coal of such a low grade, because it has not been snatched by hungry multi-nationals. True, coal involves a particular technology, which is practised in real terms only in South Africa, and it is necessary for a deep study of this matter to be made. I do not believe there is any one person in this Chamber, based on my research over many months, or any one person elsewhere, who is able adequately to deal with this whole subject.

The Hon. Anne Levy, in canvassing this matter yesterday referred to a publication concerning the high carbon content of South Australian coal. That matter in itself is a considerable study. Last weekend I requested the Parliamentary Library service to advise me of the number of publications dealing with just one method of coal liquefaction, and I found myself with a computer printout listing over 500 volumes containing various chapters that would have to be researched before I could make an intelligent contribution to the Council on this matter. Such a task is an impossibility for any honourable member.

The Hon. R. C. DeGaris: One of the problems is the rapidly changing technology and knowledge that has been generated on liquefication.

The Hon. N. K. FOSTER: That is right, and more so than on uranium. The terminology involved in this matter should be the subject of a study by an academic. I am not an academic and was booted out of school at the age of 13 as a result of the economic recession of the 1930's. What I have learnt has been from reading and from trying to remember what I have read. The technology applicable in this field alone would require the work of an academic for at least six months if not a year, and that is just to explain the technology in simple terms so that people could understand it. I believe there is no area wider than the area to which the Hon. Mr. DeGaris referred concerning the amount of written work that has suddenly landed upon us.

I do not criticise members on this side of the Chamber or members of my Party who are no longer in office, but I am cognizant of the great brown coal deposits in South Australia. I believe the previous Government was more responsible than the present Government will give credit for. Certainly, it is one thing to say that any Party has a policy, because that is easily said. When a policy is put under the spotlight for narrow political debate it is easy for many things to be said in order to get political kudos or to take the attitude, "If you say it first, I will say it better later." I do not say this because of the speech made by the Hon. Mr. Milne yesterday although, if time permits, I will deal with his contribution later.

I am trying to tell this Council that when a Party formulates a policy on establishing, say, a 35-hour week, which has been dealt with adequately in this debate, there must be an examination. The Labor Party has brought down a number of policy matters, and one does not expect them to be carried out in the life of one Parliament. The trade union movement does the same thing. I believe the Hon. Mr. Laidlaw will remember many years ago the position relating to an annual leave loading. We sought a 12½ per cent loading and, when attending a conference with shipowners, we were asked what we would accept. We were asked whether we would accept 5 per cent. Privately we agreed that we would accept anything.

Eventually we accepted 2½ per cent, because we were seeking the acceptance of a principle. That was all we wanted, and within 12 months we had it to 10 per cent. The courts have now granted a loading of 17½ per cent.

Coming back to the matter of policy, one must make a reasonable and proper definition of the policy to be introduced, and it should be introduced quickly. I refer to the position concerning social welfare in 1973 and the need to get out of Vietnam. Also at that time, heads of departments in the social welfare area were told that, when a wage earner with a younger wife reached retiring age, the wife automatically became entitled to a pension. Those questions had to be decided immediately. Other matters such as a north-south railway were matters of objective policy, and that is how they must be examined—objectively.

The trade union movement does not expect the 35-hour week to be here tomorrow morning. It is an objective policy, as it ought to be. The objective policy for equal wages and equal conditions for women, when first raised in the trade union movement had only one woman representative. She was the only woman at Trades Hall in Grote Street in those days. Her name was Miss Joyce Herriott. She was the only female we had to send overseas on delegations. She went away on several occasions, but was never accorded the recognition that she should have been accorded. She died somewhat tragically in her early forties. That was an objective policy we laid down at Trades Hall. We said it had to be processed through the national bodies, and so forth. That was the only way to do it. There were few spontaneous moves within the trade union movement, or within the political Party to which I and my colleagues belong.

I did refer to an example earlier where, in this very building, we fought somewhat bitterly to ensure that the gas supplies of South Australia were not subjected to being raided by absentee landowners or people who claimed to be Australians.

I come now to the Lake Phillipson coalfields in the north-east. Members of this place who have been on Select Committees with me, especially the Hon. Mr. Burdett, will recall that one of my great worries is the mining of coal, or any other mining activity, in the artesian basin area, which is unique in the world and certainly unique in Australia. It is not going to be endangered by any extractive industry, which can cover copper, uranium, coal, or any other mining. During my search, made in the past few weeks, I came across a document I have not yet returned and I make my apologies to the Mines Department librarian. It was a letter written to a high member of a previous Government in 1976, setting out almost minute detail of an area which borders the area in which you reside and have earned your living from boyhood, and an area I know (from casual conversations with you) you are deeply interested in, Mr. President.

Imagine my surprise, having been told over the years that there was no danger to the artesian basin, when I found out that one of the great problems with the mining of coal at Lake Phillipson is that it has to be dewatered. I have not yet been able to follow that right through, as I would need to do to the extent where I can be absolutely certain of the whole of its implications, but certainly from the casual reading I have been able to do quickly, there is no danger to Lake Phillipson. That information was given to a previous Minister, but was not made known to the Party. I can well appreciate that. Some people say that we are a bunch of ratbags because we happen to belong to the Labor Party, but that was a matter of looking ahead at what might happen.

The rantings, almost, of the Chief Minister of the Northern Territory, frankly, frighten me. He has some 11 people on his permanent staff. He had nine when I was in Darwin last week, but that number has now increased to 11. That Minister has been ranting and raving around this city about a north-south railway. If he is fair dinkum and takes a damn good look at the Constitution, he might give this matter more thought. If we are to have any constitutional capacity in this State regarding the original Constitution and regarding the transfer of the northern lands of this State, it may well be that we have a case to put before the so-called higher courts of this land stating that the Territory belongs to us.

The Hon. D. H. Laidlaw interjecting:

The Hon. N. K. FOSTER: I agree with the honourable member; it has been lying in the office for years. One of the great failings of this country is that educators are frightened to teach students at primary level (and that is where this ought to start) and at early tertiary level about matters relating to the Constitution. It is considered almost criminal to mention the Constitution in schools. It is criminal for politicians to hide that fact from people. We do not teach children in schools to fill out simple taxation forms. We are quite irresponsible in that respect.

Let me stick for a moment with the Constitution and Mr. Everingham, who is a fool. I was in the Territory a few weeks ago, as were the Hon. Mr. Burdett and the Hon. Mr. Milne. There are 55 000 people in Darwin producing virtually nothing who get the greatest hand-out of any people in Australia, yet they are ranting and raving and saying that they want sufficient power to enable them to refine bauxite. Anybody who knows about any country or State which says it wants power, where it has none, to refine bauxite knows that those people have to be out of their minds. I include Mr. Hamer in this comment because the Portland adventure, so far as Hamer is concerned, will require as much power to refine bauxite as is needed for the whole of the metropolitan, domestic and industrial uses.

I turn now to South African coal. Mr. Hamer must get the technology he needs for his project from South Africa to refine bauxite in Victoria and to avail himself of the power that is available from the brown coal deposits available in that State. If he gets that technology it should then be available to this State at a much cheaper rate than it would be at present. That process originated in Germany and dates to pre-war days. It is the Fisher-Tropsch method from South Africa, which is the only place where it has actually been used. Here in this great land of Australia, we have a Prime Minister who rants and raves about the international scene, yet so far as international affairs are concerned they are not our responsibility and what he says is quite out of proportion to our importance because of our land mass and our inability to defend ourselves. He speaks as though we are a great nation, yet within 60 miles of this Chamber a small hole was dug in the ground at Port Wakefield and material shipped to West Germany, an amount of coal, for the sole purpose of having its quality assessed in that country. That country will no doubt deliver a report to a Government of whatever political complexion is here on the basis that it will sell to the people of this State.

The PRESIDENT: Order! The louder the Hon. Mr. Foster speaks, the louder other honourable members speak.

The Hon. N. K. FOSTER: I have just had a drink of water. The water is terrible since we have changed Government. It has so much bromide in it that one could be impotent in a week.

The Hon. M. B. Cameron: Have you ever been potent?

The Hon. N. K. FOSTER: No matter who your father is,

Martin, you are your mother's son. You should not try to stand up in a Mazda 323 because it will inflict head injuries on you.

The West German Government will assess that coal and, in so doing, will give a report to this State, as it did to South American countries, that is consistent with the type of technology in the form of hardware that it wants to export here. I will deal with this matter later.

I turn now to the problem of unemployed people, to which other members have also referred. Opposition members know that I have raised this matter at Trades Hall and at various conferences on technology. I am ashamed to say that I was a fool 10 or 15 years ago when, as a hard liner, I fought shipowners to ensure that people would not be declared redundant. We boasted quite falsely in those days that we did a great thing for the membership of the union concerned as we pushed shipowners to a stage where no man could be forced out of the industry through redundancy. We introduced a properly based pension scheme. One man, a Jim Lawson, was in the industry at 90 years of age, and the average age of the 2 300 employees was 57 years. We were rather foolish, as the shipowners had merely to wait two or three years and, through natural attrition (words that I have heard Mr. Arnold in another place refer to so many times in relation to the Engineering and Water Supply Department), those people left the industry forever. Although we saved people from being kicked out of the industry immediately, we failed in our responsibilities because the explosion of youth in the 1960's could be damned forever bearing in mind the type of society in which we live.

For eight years, some school leavers have never had a job. We boasted that we had covered the 3 000 jobs that were available on the waterfront, because the golden handshake that was given to some of them was thought to be fair. However, today there are only 700 people, waterside workers and ancillaries, on the waterfront. So, 2 000 jobs have disappeared there, never to be replaced. Is it any wonder that recently waterside workers were expressing concern that barley was to be handled in bulk, thereby reducing the number of man hours to be worked?

This practice has been accellerating for 10 years. I have not read the Myer Report, and I have no intention of reading such blatant rubbish. However, I have heard a newspaper report on it. For once, I agree with what Mr Don Chipp said about this. However, the fact is that those jobs have gone, and society is making the same mistake again. This evening Mr. Arnold said that no-one in the Engineering and Water Supply Department would be sacked. However, the 1 400 people concerned could be sacked by natural attrition. What about their children, and what about the Adelaide *Advertiser*, which boasted that no-one would be sacked. That is all right for those who work there now. However, in the year that the *Advertiser* started to increase technology, the number of employees fell because of natural attrition. This represents a denial of jobs for the people who have been born since 1960.

We have suffered attacks by people in the Country Party and the Liberal Party in the Federal and State spheres. The same thing is now happening with unemployment, on which we will probably also suffer attacks. No greater punishment can be inflicted on young people who lose their jobs. That penalty is far worse than the term of imprisonment that a person receives for, say, manslaughter. At least such a person has food and the basics of life when he is imprisoned. If honourable members do not want to listen to me now, let them go into the lounge room adjoining the Chamber and watch on television the first in a series on A.B.S. 2 relating to unemployment and deprivation.

This all means that technology is destroying our way of life. It is no good the do-gooders saying that the permissive society and the permissiveness of the media is causing rapes to be committed and the desertion of husbands and wives, and other family problems. The responsible Minister knows that these things are caused because people are deprived of an income.

The Country Party and the Liberal Party have said that the trade unions have caused these problems because they have tried to run the country and have upset exports. In this respect, one of the great tragedies is the live-sheep export issue. Also, today or tomorrow some Japanese people (I do not criticise Japanese businessmen, although I can level some criticism at them in relation to multi-national companies) will visit this city and other Australian cities in order to change the name of the Chrysler company which, when I was a child, started in business on the Bay Road under the name Richards Motor Body Builders. That business was taken over in the 1930's and again in the 1940's, and was the subject of Stock Exchange activity, shareholder trading, and so on. We will see the name Chrysler go for ever and be replaced by the Mitsubishi name.

Five or seven years ago, about 35 000 people were employed in the motor vehicle industry, as well as 40 000 people employed in the supportive industries. The number of people working in those industries now is far less than the number directly involved previously in the manufacture of cars. Only 10 years ago, General Motors-Holden's boasted that 28 per cent of the total number of motor vehicles that it manufactured were exported. That was not exporting unemployment but was retaining employment in this country. Today, we are racing headlong into a collision course in that industry. I refer, for example, to the situation at Pagewood in New South Wales. People are being deprived of the right to work in this country because we are importing unemployment from Japan.

The Australian component in cars is less and less. Technology and automatic welders are stripping down the number of people on the production line. It has happened in abattoirs and everywhere one looks. The approach to advanced technology is quite suicidal. Somewhere sooner or later (somewhere in the next seven years) we have to reach a stage in this country where almost 62 per cent of the total population, by age, infirmity or being unable to get a job will be on some form of benefit. We will reach the stage where the contributors to that benefit will be so few that the whole system will be one of denial, contradiction and inability to sustain. I suggest to honourable members opposite that they take out those figures; they will find on an actuarial basis that those figures are true. Whether it does the public any good to hear these things mentioned in Parliament is a debatable point.

The power never lay with the Dunstan Government in regard to unemployment. The problem does not lie with Tonkin. It does not lie with the Federal Government, either, because over the years the creeping paralysis of control from outside—from the domination of the boardrooms of New York, London and the Bermudas—has got to the stage where boards deny the natural right of people in the community to exist side by side on a basis of somewhere near some equality of wealth, equality of dignity, and equality of recognition. It does not exist in this country today. We have sold it out and we continue to pay homage to people in these boardrooms who are sinking this country.

If the Hon. Mr. Burdett is one of the freaks who wants

to build a nuclear enrichment plant at Port Pirie and hoodwink a blindfolded mayor, be it on his conscience. If there is a defence freak in this country, it is Malcolm Fraser. If one goes through his political record one will find that he has been Defence Minister and has been tied up with defence freaks, ASIO and so on. Fraser wants to masquerade to the world, but especially the Asian countries, that we have in this country a nuclear capacity. That is what he will endeavour to do. Anyone who suggests otherwise is foolish and unthinking. Mr. Burdett, Mr. Milne and I were in Mary Kathleen a few weeks ago, and it is the worst place industrially I have ever seen.

The Hon. R. C. DeGaris: You are not going to quote from Select Committee evidence, are you?

The Hon. N. K. FOSTER: I would not dream of it. Members opposite might think I go on sometimes, but I am not such a fool.

The Hon. J. C. Burdett interjecting:

The Hon. N. K. FOSTER: At every gathering the Hon. Mr. Burdett told the local dignitaries that we were not a Select Committee of this Parliament.

The Hon. J. C. Burdett: I did not say that.

The Hon. N. K. FOSTER: The Hon. Mr. Burdett said that we were merely a Select Committee of the Upper House and that the Government did not necessarily have to accept our report. He said that to local dignitaries and to mining managements.

The Hon. J. C. Burdett: Wasn't that true?

The Hon. N. K. FOSTER: You are not denying it?

The Hon. J. C. Burdett: No.

The Hon. N. K. FOSTER: Do not sit there trying to force me to say that what I am about to say is strictly the subject matter of a Select Committee into Mary Kathleen. It was a shocking establishment and one that I was always led to believe would pay some respect to ordinary housekeeping and safety. If I ever saw a place where yellowcake could go off it was there. I went to a meeting in Clare attended by many people. I was asked to address them on this matter, and I said that any day yellowcake could go off. Since then I have had three phone calls from people informing me that the yellowcake had been flogged. Where has it gone? They are trying to put up an argument that it is here or there or somewhere in Sydney. It is over two tonnes. What can they produce from that?

I am dealing with this matter on the basis of the statements by the Premier in the House of Assembly last week in regard to a uranium enrichment plant. Nobody on the other side can say that statements that I make come from evidence from a Select Committee. Tonkin is mad, and has no idea what he is doing. He has never availed himself of what has happened on that committee. He has his own Government member chairing the meeting, and he must have received some report from him. Under the terms of reference dictated to this House on a motion moved by members on this side and amended by members of the Government and accepted by members on this side as to what the rules will be, he breaks them every day. If any member can enter a debate in this Council and give me one valid reason why the whole of this State should be placed in jeopardy by a proposal from Urenco to build a uranium enrichment plant in Port Pirie, I would like to hear it. Malcolm Fraser said the nuts in Adelaide will cop it. Hamer would not have it. The Premier of New South Wales would not have it there because he was unhappy about Lucas Heights. There is no way Court would have it, either, with Hancock breathing down his neck. However, to suggest that it ought to come to South Australia and to suggest that it ought to be here because we have an abundant water supply and that we can cite it in the middle of a gulf, is absolute madness.

"Where will the money come from?" That is what Liberals would have said if they had not agreed with the proposal. Might I suggest that the money would be easily found by a person such as the Prime Minister of this country and his mad mining mates. They do not all fall into that category, thank God.

The Hon. J. C. Burdett interjecting:

The Hon. N. K. FOSTER: You could toss me out, but I still call Burdett one of the most ignorant b's I have ever met. You deserve that kind of treatment, Burdett. As a so-called learned gentleman, as a person who practises law, you are one of the worst products of that profession that it has been my unfortunate lot to meet, let alone face. You are quite queer and paranoiac in many respects. I say it without apology, although I apologise to you, Mr. President, for having to say it, but I do not apologise to the person to whom it applies.

Uranium has many qualities and is an ancient material. Once it is exposed to air it decomposes rapidly and becomes extremely lethal. There is no known way to manage it or to contain it in the atmosphere of a power station or a hydrogen or neutron bomb, or even in an enrichment plant. The accidents, the overflowing of tanks into the sea, the killing of sheep and lambs, the denial of grasses to grow, all this is evidence for people to see. Anyone who wants to see the devastation of 20 years ago that has not been obliterated by 20 years of wet seasons in the Northern Territory can go just outside the town of Batchelor and get the shock of his life. It is easy to stand in a city square and put a motion to a gathering of workers or to ask $600-a-week workers at Nabarlek whether they agree with uranium mining.

However, it is not so easy to go back to the widows of Maralinga. One cannot talk to the dead, but one can assess the suffering of widows and the denial of children to adequate education because their parents were not available to earn the necessary money to ensure their education. This is not to be taken lightly but, unfortunately, it is taken lightly because members opposite quite falsely say that without uranium we will have unemployment.

Recently I read that the number of construction workers at Nabarlek at no stage exceeded 300, yet they moved millions of tonnes of soil. Today, one could fire a cannon through the areas where they worked and knock off only three or four people. I refer to the billions of dollars required to employ one person. The situation is staggering. It has no comparison even with what is required on the north-west shelf.

If the Labor Party said in Government that Roxby Downs was going to be a bonanza for employment, we were not looking at the facts of technology in that industry. Even if we come down on the side of deep open-cut mining at Roxby Downs, whether they use a leaching method or an underground mining system, it does not change the situation. When one mentions underground mining people think of all sorts of things. However, underground mining in Mount Isa cannot today be correctly described as underground mining in the sense that most people recognise. It is underground chamber mining involving machines far greater in size and earth-moving capacity than one can imagine. Although I have not been underground at Mount Isa, I am going back to do so one day.

In those mines one would find machines of far greater capacity moving a huge amount of earth in one scoop, much greater than one would find on any of the large sites in South Australia. Even to get just near them one would have to go to Leigh Creek.

The Hon. R. J. Ritson: What is the unemployment rate in Mount Isa?

The Hon. N. K. FOSTER: It is 1 200, mostly young people.

The Hon. J. C. Burdett: Not all in the city.

The Hon. N. K. FOSTER: You just keep quiet. You are so irresponsible you are not fit to interject. I was asked a reasonable question, and I would like to reply without interference from someone who thinks he knows everything. The evidence given to us indicated that there were 1 200 young people unemployed.

The Hon. J. C. Burdett: It included people outside the city, as well as unemployable Aborigines. We were told that.

The Hon. N. K. FOSTER: I do not like the term "unemployable Aborigines".

The Hon. J. C. Burdett: That is what we were told.

The Hon. N. K. FOSTER: We were told there were 1 200 young people in Mount Isa who were not employed. We were told that by management. The figure referred to the city of Mount Isa and to what used to be the old company town. I accepted the statements made by the people with whom I had discussions. There was no criticism by management or by the Mayor that these unemployed people were bludgers or were people who did not want to work. One had to go far to find any sign of criticism; one engineer considered there was work but that the type of workers available were not liked. There were 1 200 people unemployed in Mount Isa.

The Hon. Mr. Ritson will find that in any country town, in Wallaroo, Kadina and towns in the Iron Triangle. There the unemployment rate would be higher. It would be higher in Gawler and LeFevre Peninsula. The figures are even worse in Dampier, in Western Austraia, where there is a so-called boom economy.

The Hon. R. J. Ritson: Do unskilled people go there?

The Hon. N. K. FOSTER: Unskilled people go there. Various courses are available to unskilled people in Mount Isa. I did not see it personally, but I accept the information given to me. In Darwin all the unemployment, the filth and the litter is caused, so the locals claim, by tourists in the season from the south. It is suggested that all those who are native to Darwin and the great outback are perfectly behaved.

There is a need for the Government of this State to tell the truth. There was a need for the previous Government to do that. It never got around to doing it. There is a need for this Government to do it because the position is accelerating so fast that it is necessary to be honest and factual regarding the sharing of the so-called bonanza that is about to explode from the bowels of the earth in this State.

It will not explode from the bowels of the earth in South Australia in the manner in which honourable members of this Council seem to think. I am concerned that the benefits, if it were to explode, will reach only a few people—they will be hardly worth the tin. Looked at it on the basis of royalties, the last time I made a speech on this matter in this Chamber I drew the attention of honourable members to the percentage involved: over 50 per cent of the taxpayers' money went to ensure that the multi-nationals were given services in respect of transport, water, power, and other services.

The indentures were signed by all sorts of Governments; Labor Governments in a number of States, as well as Liberal or Conservative Governments, and that was madness on the part of those Governments. We have to adopt an attitude that in fact if there is a hungry world, and we are a small part of it and happen to have great quantities of energy, then we should be the benefactors. Neither Greece nor Italy would allow multi-nationals to politically rape those countries, robbing them of their own wealth, rights and freedoms, and denying the population the right to a say in what is theirs and to an equal amount of this resource. Greece will not even allow the American oil companies to build a refinery in its country that will take from it profits that will find their way into the board rooms of Manhattan Island.

We seem to have that odd mentality in this country that we fight wars to ensure that we preserve our heritage, rights and wealth. Yet, immediately after, we allow all sorts of people, previous friends and previous foes, to come and do as they want with us in that respect. Some of the greatest years of political tragedy in this country were between 1951 and 1972. The experience of those years is beginning to repeat itself and is gaining in momentum. We have a Government elected in this State without a great deal of reference to the people. That Government has said it will change the policies of the previous Government, which refused to bow the knee to multi-nationals.

The Hon. R. C. DeGaris: Would you agree with the negotiations the previous Government had with Dow Chemical?

The Hon. N. K. FOSTER: I am not conversant with what all those discussions were about. I cannot profess to understand everything that transpired. Nor can any member opposite profess to understand fully the discussions Tonkin had with Urenco a few days ago, any more than I can profess to know what discussions Hugh Hudson or Don Dunstan had with Urenco. I am not privy to that information, and that is the very point I am making.

The Hon. C. M. Hill: What do you think the employment position would be if we did not have foreign capital here?

The Hon. N. K. FOSTER: If the Minister had asked me that question 10 years ago, I would have answered in a different way from the way in which I will answer now. The question is badly put and exhibits a total lack of understanding by the Minister, with due respect.

Employment as a participant in the wealth of this country is gone for ever. I have been threading that theme through my speech and I hoped that honourable members understood that. I see that an intelligent man like yourself, Mr. President, is nodding in assent, so I am surprised that one of your Ministers has not grasped what I am saying. No longer can one say that about employment, and I think Mr. Hill would now see that. I put it to the Hon. Mr. Hill that in his heyday as a business person (without suggesting he grabbed this or that) he lived in an era when investment of capital was necessary to gain him a living. From that investment of capital he bought land for the purposes of development. From that development flowed employment. We were in a growth period.

We had many migrants during that period. People were needed for industrial employment—industrial cannon fodder. Even the Turkish women brought into Sydney to work in the biscuit factories allowed the growth factor to exist because they bought goods and wanted services. Some people may argue that if we introduce migration on the same scale we had in the mid-1960's it would get us out of a lot of the troubles we are in, but I do not believe that. On the other side of the coin, when the growth factor ceased, and when the economies of the Western nations started to deteriorate, because the Americans had involved themselves in a non-productive squandering of money and resources in Vietnam (and never taxed the people to do that; they went to Europe and borrowed

millions of Euro-dollars), the rot set in. One could not stop that rot, because technology was on the threshold of acceleration, too.

I put to the Minister who asked the question that, if he examines his recollection, he will find that Cambridge Credit sunk millions of dollars into capital expenditure, employed nobody and went broke. As a result of that, the South Australian Land Commission acquired its land because it recognised a small investor was in trouble. What that small investor was losing it took over at fairly cheap rates because the land was unsaleable elsewhere. It did this to ensure that there was something for somebody. The Land Commission grew from that, so criticism of the commission is false. Let us look at F.C.A. Anybody who has bought a street directory in the past 10 years will have found in the back of that directory a long-standing advertisement by F.C.A., which, through mismanagement or misjudgment, invested millions of dollars when the growth factor was gone. So, previous edicts no longer applied to employment, and there is a denial of sharing in the community. There has to be a new way, although I do not profess to know what it is.

I do not suggest that we ought to get out of here tonight and start a revolution, because the revolutions with guns have been not by left-wing people but by right-wing people. It is the right-wing organisations that do those sort of things. The fact is that 50 years ago a number of workers in this country were shot dead because they took industrial action upon themselves in pursuit of a wage claim. Employers, of course, asked the Government to allow volunteers to come here, and volunteer labour came to the support of this State—raw migrants who went into camps and were packed into cattle trucks at the Adelaide Railway Station. Men brandished guns, many coming from the legal fraternity, and one such person spent some years in this Parliament, after shooting people in Port Adelaide dead.

I do not propose to have the answer to this problem. Perhaps what I have said tonight has fallen on deaf ears. However, not until such time as there is a powerful mass organisation (be it political or otherwise) in this State which is properly led and which properly understands the issues involved will things change, because the antiquated system we boast about in this red Chamber as being paramount and better than anything else in the Western world—the Westminster system, giving the right for everyone to be equal—is quite false, and sooner or later will be replaced.

The Hon. R. C. DeGaris: What with?

The Hon. N. K. FOSTER: I do not know. If there is such an organisation, be it political or otherwise, I do not know what its *modus operandi* might be. Our present system with the Federal Constitution will never change, and this is quite frightening. Any Government, be it Liberal or Labor, must adopt a policy on the basis of not wanting to interfere with sections of the Constitution. By way of referendum, the power must be placed in the hands of Parliament. A change in the Constitution can be brought about only by recommendations made by, say, a Standing Committee of non-politicians, perhaps every five years. It cannot be done by the sort of Constitutional Conventions such as those in which the Hon. Mr. Sumner and the Hon. Mr. DeGaris have participated. One has merely to read reports, including those on uranium mining and enrichment, to realise this. I thank members sincerely for their tolerance and support the motion.

The Hon. G. L. BRUCE secured the adjournment of the debate.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 5 August. Page 40.)

The Hon. C. J. SUMNER (Leader of the Opposition): The Opposition is prepared to support the second reading of this Bill. It has three objects, the first of which is to provide for the Crown to be able to appeal against lenient sentences in the case of indictable offences; that is the first topic with which I will deal.

In this respect, the Bill is in substantially the same terms as the Bill that I introduced in the Council on 8 November 1979, nine or 10 months ago. That Bill passed in this Council on 5 March 1980; in other words, the Government had it for about three months. The Government felt able to respond by 5 March, and the Bill was then read a first time in another place on that date.

On 21 March, I wrote to the Attorney-General suggesting that, as this was a matter about which there had been no substantive disagreement, the Government should make available time to ensure the early passage of the Bill. I did not receive any acknowledgement or reply to that letter, and the Bill languished on the Notice Paper in another place until the June period of the session.

On 3 June I wrote to Mr. Goldsworthy, indicating that I had written to the Attorney-General on 21 March asking for that Bill to be taken up by the Government and requesting at that time that private members' time be made available to enable the Bill to pass. I received a reply from Mr. Goldsworthy stating that private members' time had expired and that he had no intention of taking up the matter as a Government Bill.

It is quite clear that this matter could have been resolved probably eight months ago if the Government had felt inclined to do so. However, I believe the Government thinks that it must have something left of its law and order policy, and that, if it allowed this Bill, which was introduced by the Opposition, to pass, the Government's law and order policy would look even thinner than it actually is at present.

It is useful to look again briefly at the Liberal Party's policy on law and order. In this respect, I refer to the Party's policy released in August 1979, as follows:

> The Liberal Party policy in the Attorney-General's portfolio is to *(a)* maintain law and order in the community.

In order to maintain law and order, their main plan was to ensure that "the Crown has a right of appeal against lenient sentences and exercises the right to make submissions to the court when defendants are being sentenced". There was also something in the Chief Secretary's section that dealt with strengthening the Police Force, involving sentencing courts in the parole system, and establishing an independent advisory council on parole.

We have not seen any efforts made to strengthen the Police Force in the 11 months that the Government has been in office and, although we have had some announcement about the parole system, no legislation has been introduced. So, the only substantial action that the Government has taken at present on law and order is the introduction of this Bill, which was Labor Party policy in any event and which could have been passed eight or nine months ago.

The Hon. K. T. Griffin: It took you five years to make any decision on it, though.

The Hon. C. J. SUMNER: As the Attorney-General well knows, in this whole area Bills to give effect to the first of two or three reports of the Mitchell Committee had been prepared and would have been introduced in the last

session of Parliament before Christmas.

The Hon. K. T. Griffin: They weren't ready.

The Hon. C. J. SUMNER: They were ready. I have them available and the Minister can see them if he so desires. The Bills are in my office and, if the Attorney-General will come with me, I will show them to him. True, there were still some matters that had not been tidied up, but the Bills would have been introduced in the last session of Parliament before Christmas.

Be that as it may, on this issue the only thing that the Liberals have left of their law and order policy is the lenient sentence matter, and they are playing it as hard as they can. We ought to be clear that, in addition to promising to maintain law and order in the community, the Liberals also promised a number of other things. For completeness sake, I will mention them, because they have been referred to in the Council by the Hon. Mr. Blevins in a question that he asked the Attorney-General last week.

There is no question that Liberal candidates throughout the State have supported a strong law and order policy and promises to reduce the incidence of crime in this State. Mrs. Adamson, in talking about the Labor Government, stated:

> . . . a Government that has done little or nothing about public concern with violent crime and lenient sentencing.

In a Liberal Party advertisement, Mrs. Adamson was again quoted as saying:

> I am concerned at the increase in violent crimes and drug abuse. Family life and the safety of our community must be safeguarded.

It is my recollection that almost without exception the Liberal Party pamphlets that were put out by candidates in the electorate all referred to this issue generally and indicated that they would fix the matter, reduce the crime rate and generally tried to blame the Labor Government for the increase in crime. The Attorney-General has tried, in answer to a question asked by the Hon. Mr. Blevins last week, to deny that position. He stated:

> To suggest we are to be responsible for all those sorts of advertisement is indeed grave and reflects adversely on the Opposition.

So, he is trying to get out from under the promises made and has suggested that they were not Liberal Party promises. I have quoted Mrs. Adamson's statement and quoted generally the fact that almost all the Liberal candidates referred to this matter in their election propaganda, and the Attorney-General will be hard put to deny that. He is now trying to say that many of these promises were not made on behalf of the Liberal Party. That is quite simply not true. Many of the promises were made and the most notorious of these was one that has already been referred to in this Council—the advertisement in the Italian paper *Il Globo*, under the authorisation of Mr. Willett, the Director of the Liberal Party. What was the Attorney-General's attitude to that advertisement when it was put to him? Last year, when I initially put it to him, he said:

> If the Leader of the Opposition wants me to look at the advertisement, I can check it. My recollection is that it was not a Liberal Party advertisement.

On 18 October last year, his first response was to say that it was not a Liberal Party advertisement. I said that it was and he then refused to confront that issue and went off at some tangent. The next tactic was in answer to the question asked by Mr. Blevins last Tuesday, and the Attorney-General replied on the translation of the advertisement which was in Italian in *Il Globo*. He stated:

> Regarding the *Il Globo* advertisement, there were, as the honourable member would see if he read the transcript of the evidence taken by the Court of Disputed Returns, some disputes as to the translation of those advertisements. The translation to which the honourable member has referred is not, of course, consistent with other statements that were made to that Court of Disputed Returns.

So, with the Liberal Party's clear-cut promises to make the streets safe for our daughters to walk on, the Attorney-General denies that it is a Liberal Party advertisement and then says, "You are misquoting the translation."

I would like to put that on record again, because it is quite clear that the Attorney-General is trying to get out from under this issue. The translation was accepted by the court and is as follows:

> A Liberal Government will make the streets safe for your daughters to walk on, without being molested by those hooligans who have been acting as if they owned the place for the last 10 years.

That was the translation from a Professor Comin from the Italian Faculty of Flinders University. The only query that Justice Mitchell, in the Court of Disputed Returns on the Norwood by-election, had about that translation was whether "hooligans" should be translated as "thugs". Otherwise, she accepted the translation. It is that translation that the Attorney-General is attempting to dispute. He is saying that there are a number of other translations—

The Hon. J. E. Dunford: Probably his own—he can't read Italian.

The Hon. C. J. SUMNER: Probably. That was not the correct one. It was the one that the court accepted and the one that the most eminent scholar of Italian in this State accepted. However, it was not accepted by the Attorney-General. Let us see what was submitted to *Il Globo* by the Liberal Party. The advertisement was submitted by Mr. Willett and subsequently translated. It stated:

> A Liberal Government will make the streets of South Australia safe for your daughters to walk around unmolested by all the thugs that have been roaming the streets in the last 10 years.

That was the original text of a Mr. Busuttil, who is the Chairman of trhe the Liberal Party's ethnic affairs committee, supplied by the Liberal Party to *Il Globo* and authorised by Mr. Willett. The judge stated:

> I accept Mr. Busuttil's evidence as containing an approximately accurate version of the English text which was approved by Brigadier Willett, the Director of the Liberal Party of Australia, South Australian Division, who authorised the advertisement.

So, I believe that it is time that the Attorney-General stopped trying to evade the issue and came out clearly and accepted that there was a clear commitment from the Liberal Party to reduce the crime rate in this State. We have more prevarication and more attempts to evade the issue. In answer to a question that he was asked last week, the Attorney-General again threw doubt on whether or not there would be a reduction in the crime rate under the Liberal Government. Indeed, on 16 October 1979, in answer to a question from Mr. Foster, he said:

> I did not indicate that this Government would substantially reduce crime. I drew attention to a problem in the community regarding violent crime and indicated measures that we would introduce in Government with a view to reducing that crime.

What the Attorney-General is now trying to do is evade the promises made at the last election on this issue. I have quoted to the Council the Government policy. It was reaffirmed in some way on 6 November 1979 when the Attorney-General set out the Government's proposal on this issue. He stated:

> Many specific legislative, administrative and other

> measures are currently under review by the Government. They include extension of the Crown's rights of appeal on sentences, wider use by the Crown of the power to make submissions to courts on penalty, review of the Parole Board's guidelines, the unsworn statement, and increase in support for the police.

The question of appeal on sentences and participation by the Crown on sentences in the court was Labor Party policy which was taken up by the Liberals. All we have heard from them is that they are going to do something about the Parole Board, and we know not what.

The Government introduced legislation the other day in relation to unsworn statements. There has been no evidence of any increase in support for the police. If that is what the Liberals talk about as their law and order policy, if that is what they now say is going to reduce crime in South Australia, and keep the hooligans and thugs off the streets and away from our daughters, then it is a very limited policy, and I doubt whether it would achieve the promises that the Government gave before the last election.

In fact, what I think is worth pointing out is that the Attorney is now being quoted as saying that, rather than there being a reduction in crime which was clearly promised before the election, there will in fact be an increase in crime. He was reported as having said that in the *Whyalla News*. Further, on 5 August 1980, in reply to a supplementary question that I asked to a question asked by the Hon. Frank Blevins, the Attorney stated:

> There is every prospect not that those measures to which I have referred will reduce the crime rate but they will ensure that there is a proper balance between the punishment of the offender, rehabilitation of the offender, and protection of the community. We hope that those initiatives will have a deterrent effect because that, too, is an important ingredient.

As recently as last Tuesday, we have this clear statement from the Attorney that he does not believe that these much vaunted measures will result in a reduction in the crime rate. The simple fact is that the Liberals chose to use this issue during the election campaign to whip up fear about the crime rate in the community, and about law and order generally. They did absolutely nothing to try to involve the community in some kind of considered debate about the matter. As the then Attorney-General, I was concerned about the issue. I was concerned that there was a considerable amount of misunderstanding in the community about the sentencing procedures, about who actually imposes the sentences, and the criteria that the courts work on in imposing sentences. Indeed, I authorised the Office of Crime Statistics to prepare a booklet that I hoped would promote a higher level of debate on this important issue in the community.

Whilst I was doing this, unfortunately the Liberals were trying to squeeze every political point out of the issue that they could. They were making as many promises as they could about reducing the crime rate and, at its worst, they were appealing in an *Il Globo* advertisement to one ethnic community in quite an irresponsible manner that could only inject fear and misunderstanding in the community about this issue. The Liberals did that and promoted a law and order policy, knowing that their stated policy was virtually non-existent, and in many respects it was indistinguishable from the policy that the Labor Party had announced.

The first matter that this Bill deals with is an appeal against lenient sentences. In that respect it is in precisely the same terms as the Bill which I introduced in this Council last November and which was amended in this place. Accordingly, the Opposition will not be objecting to it and will facilitate the passage of those clauses. However, we do so making the comment that it is another example of the attitude that the Liberals have to the promises that they made before the election. It shows what the Liberals have done about those promises since the election.

The second object of the Bill is to provide for an application by the Crown to the Full Court where a defendant has been acquitted but where the Crown believes that there has been some misdirection in the summing up that the judge gave to the jury which led to that acquittal. That matter was also contained in the Bill which I introduced and which was passed by this Council last March.

After the Bill was passed I received representations from some quarters to this effect: that if the Crown was able to reserve a question of law and, if after it was adjudicated on by the Full Supreme Court there was a criticism in the decision of the judge's summing up in that decision, that could adversely reflect upon the defendant who had been acquitted by that jury and who under our principles of law was deemed to be innocent. The principle is that a person is deemed to be innocent until proven guilty beyond reasonable doubt.

Where there is an acquittal of that kind, that is, that the guilt has not been proved, that person is entitled to feel that there should be no further reflections on his or her character or on the acquittal that has been granted by the court. The problem was that, if much publicity was given through the newspapers to the referral by the Crown to the Full Court of a point of law after an acquittal, the publicity could reflect adversely on the acquitted person because the Full Court might make criticisms of the judge's summing up and thereby cast some doubt on whether or not the acquittal was fair.

I said in respect of the Bill that I introduced that the defendant, once acquitted, should not be in jeopardy again of standing trial, and that principle has been accepted by the Government in its Bill. However, there is a problem in relation to publicity that may surround the Full Court's adjudication upon this acquittal. Accordingly, I took up this matter with the Attorney after the Bill had passed in this Council and asked him to consider this problem.

Consideration has been given to this problem, and it is dealt with in clause 8, which in effect provides that, where an application for reservation of a point of law is made following an acquittal, there shall not be published any report of the proceedings in which identity of the person acquitted is revealed or from which the identity of the person acquitted might reasonably be inferred. To me that is satisfactory as far as it goes. The question is whether it goes far enough. In proposed new section 351a (2) the following provision appears:

> In this section, "newspaper" means any newspaper, journal, magazine or other publication that is published daily or at periodic intervals.

There are a number of questions that arise from that definition. That being the medium whereby there can be no publication which would give away the identity of the person acquitted. The problems are, first, that it would seem to be so broad as to cover, for example, the *Law Society Bulletin* or possibly the Law Reports. They have been published periodically.

At the other end of the scale, this provision may not cover a leaflet which might be produced by some people who feel unhappy about an acquittal and who produce a one-off pamphlet to deal with the circumstances of the acquittal and with the criticism, if any, in the Full Supreme Court's summing up that led to that acquittal. It may be that some of the people involved in the case were particularly aggrieved by the acquittal and felt that further

action could be taken and also felt that the person acquitted ought not to have been acquitted and, relying on comments made in the Full Supreme Court, could produce a leaflet which could, to my mind, defeat the objective being sought in clause 8.

The further question raised was whether or not in those circumstances there should be complete anonymity; in other words, that the name should not even appear on the court record. The question raised was whether it should have a title "In the matter of *R. v. X*" or some similar title and be reported in the law courts accordingly.

Even if the publication of the name and circumstances of the crime was limited to the legal profession, in a comparatively small community like Adelaide there is the risk that that anonymity would not be preserved and that there could be, by way of rumour, comment passed about an acquittal or an acquitted person on the basis of a written judgment of the Full Supreme Court.

They are the three points I raise in relation to clause 8 which were not in the Bill introduced by myself. I will be pursuing those points further during the Committee stage. The final matter the Bill deals with is the question of cumulative sentences and whether or not they should be permitted beyond the situation which exists at the moment. This question, which is dealt with in clause 3 of the Bill, was not in the Bill I introduced in November last year, so this is new material before the Council.

The Bill removes the restriction whereby only one consecutive sentence of imprisonment in respect of a felony may be imposed by a court at any one time upon an offender. I disagree with the clause in its present form. I prefer the Mitchell Committee's recommendations, although I believe they, too, should be modified in some respects. It is true that there is a difference of opinion amongst the Judiciary, and I suppose amongst the legal profession and other people interested in this issue, about the question of cumulative sentences. The dispute, I suppose, can be summed up by the Mitchell Committee's saying that there should be some limit in all cases-felonies, misdemeanours and summary offences—on the number of cumulative sentences or consecutive sentences that can be imposed.

The other school of thought is that there ought to be no limit on the number of cumulative or consecutive sentences that can be imposed, and that the matter should be left completely to the discretion of the Judiciary. The problem relating to cumulative sentences, particularly in respect of felonies, arises out of section 310 of the Criminal Law Consolidation Act, which states:

> Wherever sentence is passed for felony on a person already imprisoned under sentence for another offence, it shall be lawful for the Court to award imprisonment for the subsequent offence, to commence at the expiration of the imprisonment to which such person has been previously sentenced.

It has been held that that section in the Criminal Law Consolidation Act means that not more than one consecutive or cumulative sentence can be awarded; that is, that two sentences of imprisonment can be awarded against one defendant if they are being dealt with at the same time, or if the second matter is being dealt with when the defendant has already been imprisoned.

I make the preliminary observation about this matter that I believe the second reading explanation gives a misleading impression of the state of the law. It states:

> At present, the courts are held to have the power to make only one sentence of imprisonment cumulative upon another, where the offences involved are felonies (that is, those crimes considered historically as the most serious and designated as felonies by the law). There is no such restriction in relation to misdemeanours (that is, the less serious crimes). It is absurd, in the Government's view, to preserve the archaic distinction between felonies and misdemeanours in this area, and heed has been taken of the long-standing pleas from our Supreme Court to abolish the restriction in relation to felonies.

I do not think that statement actually accurately reflects the position. First, although by Statute there has been no restriction on more than one cumulative sentence in relation to misdemeanours, as a matter of practice they have almost never been imposed. The same applies with respect to summary offences. That is the first complaint I have about that statement.

The Hon. K. T. Griffin: That is only a distinction in practice.

The Hon. C. J. SUMNER: Yes, but like any judicial decision it forms part of the law. I believe it was quite wrong for the second reading explanation not to indicate that that was the case. In fact, turning to the quotation from Mr. Justice King in Spiero's case in the Full Court, if the Minister bothered to read a paragraph or two before the paragraph in the second reading explanation, he would have seen that Mr. Justice King referred to the practice of no more than one cumulative sentence, also, in the case of misdemeanours.

The second point I make is that, although there have been some long-standing pleas from the Supreme Court to abolish the restrictions relating to felonies, it is not a unanimous view, but is certainly held by some judges. To support the proposition I put that the second reading explanation contains a significant inaccuracy and, therefore, is misleading, I would like to refer to a statement of the Chief Justice, Mr. Justice King, which appears in Spiero's case in 22 S.A.S.R., 1979, referred to in the second reading explanation as follows:

> The statutory rule in the case of felonies is applied in this State to misdemeanours as a matter of practice.

So, as a matter of practice, there was no distinction between felonies and misdemeanours.

The Hon. K. T. Griffin: As a matter of law there is a distinction.

The Hon. C. J. SUMNER: Not as a matter of law. As a matter of the law developed by the courts, there was no distinction between felonies, misdemeanours, or, for that matter, summary offences. If the Council will bear with me, and if the Attorney-General will do likewise without interrupting, I will explain to him how that has come about.

I should like to refer the Council to the case of *R. v. Betteridge*, 1965 S.A.S.R. at page 76, where there is a discussion of this question by the Full Court, comprising Napier, C.J., and Mayo and Chamberlain, J.J. They put the proposition that the statutory provision in section 310, which relates to felonies, has been applied to misdemeanours and summary offences as well, and this has occurred for probably 150 years or more. At page 78, Their Honours said:

> The fact is that, whatever the common law may have been, the courts had generally been content to stop at a second term, commencing on the expiration of the first. So far as the reported cases go, we are aware of only two cases of misdemeanour in which more than two sentences have been made consecutive.

Their Honours later continued:

> But it would seem that it was usually unnecessary to go beyond two sentences, and that, speaking generally, this was as far as the courts were in the habit of going.

When further dealing with the subject at page 80, the court quoted a statement in *R. v. Levy*, 1952 S.A.S.R. at pages 146-8, as follows:

> In imposing sentence Abbott, J., pointed out that, on these

> charges of misdemeanour, he had power to impose four consecutive sentences of four years. That may be so (see *R. v. Rhenwick Williams* and *Gregory v. The Queen*), but, if this is theoretically possible, the power has never been exercised in modern times, so far as we are aware. So long as any of us can remember, the practice has been as it is under the Statutes relating to consecutive sentences for felonies and offences punishable on summary conviction.

In *R. v. Smith*, 1952 S.A.S.R., the court followed that, saying:

> Now these are all misdemeanours, and we are not prepared to deny the power of the court to impose upon the defendant a sentence of 'imprisonment to commence from an and after the determination of an imprisonment to which he was before sentenced for another offence' *(R. v. Wilkes)*. The authorities which show that, in the case of misdemeanour, this power is not restricted to a second offence, but extends to a third sentence, will be found in the case of *R. v. Levy* . . . but, while we concede that this power exists, we think that, in modern practice, it is one that ought not to be exercised except in exceptional circumstances. We think this should be regarded as the general rule. . . .

That was the Full Supreme Court in 1965. I emphasise that, as a matter of practice, not only with respect to felonies by virtue of section 310 of the Criminal Law Consolidation Act but also with respect to misdemeanours and summary offences, the courts have awarded only one sentence to be served cumulatively on another and have not departed in general from that practice.

It seems to be a practice that was supported by the court in 1965 when one would have thought that the sentencing policy was a little more strict than it has been at the court level recently. This was the view of the Mitchell Committee, which is what the Opposition supports in this debate. The reason for it is that, if there is no restriction on cumulative sentences, and if as many sentences as the court likes to impose can be imposed, we run the risk of what are referred to in one of the cases as crushing aggregate sentences, for instance, in the case of the same offence committed over a long period of time. It could perhaps involve the case of fraudulent conversion by a clerk that is really part of the one offence although each act of conversion may have occurred over a period of some months. Each constitutes a separate offence, although the offence in that situation would be part of the one act.

Similar situations could arise where a number of different unrelated offences are committed on the one night. It might be a breaking and entering and illegal use committed within about an hour. The courts have generally taken the view in those circumstances that the sentences should be served concurrently and should not be accumulated. However, the Attorney-General's amendment would give the power for a large aggregate sentence to be imposed. In that situation, a sentence could therefore be imposed for each of those individual acts as they constitute a crime, and we could therefore end up with an overall sentence that was completely out of proportion to the severity of the crime that had been committed.

In the case of unrelated offences, which was the situation dealt with in Spiero's case, we still have the problem of a very large aggregate sentence. That may be a greater problem possibly in the lower courts than it is in the Supreme Court. However, the risk still exists. The problem in Spiero's case was that the defendant was before the court on three unrelated offences and, indeed, came before three different judges on those offences.

The first judge imposed a sentence of two years on two counts of forgery, to be served concurrently. The second judge then imposed a sentence of 10 years for armed robbery, but to be made concurrent with the two-year sentence. In so doing, he said that, if he had been left free on the matter, he would have imposed an eight-year term to be made cumulative on the two-year term of imprisonment that had already been imposed.

He said that, if he had done that, the third judge, who had to deal with a drug offence (an unrelated third offence) would have had no power to impose a term of imprisonment because of the restriction in section 310 and the general restriction that the court has abided by. So, it was from that set of facts that the Full Court made its appeal for a legislative change to allow unrestricted cumulative sentences. The court held that the judge's device to avoid the legislative demands of section 310 was not justified and he should have awarded an 8-year sentence cumulative on the 2-year sentence, even though that left the third judge without any penalty that could be applied.

The argument that is used in favour of cumulative sentences is the one of deterrence and that the defendant should feel that there is a sentence of punishment on every crime that has been committed. While that has some validity (we believe that there ought to be some power to order cumulative sentences), we are concerned that, if we allow *carte blanche* in that area, it will be seen by the courts potentially as an invitation to impose cumulative sentences without any restriction and, in some cases, they may be imposed perhaps more in the lower courts than the higher courts without any consideration of the overall impact of the sentence.

For instance, for a series of felonies, if cumulative sentences could be imposed, one would end up with sentences ranging over 40 to 50 years, like the ones we occasionally hear about in the United States. In practical terms, that would be more than life imprisonment. We believe that there ought to be some restriction on the number of cumulative sentences; that was the view taken by the Mitchell committee, which suggested a limit of one cumulative sentence upon a sentence already ordered. We believe that a reasonable approach to this would be to allow two cumulative sentences on one already imposed. We believe that that would give the court sufficient discretion to award a deterrent punishment but would not be, as it were, a legislative sanction of unlimited cumulative sentences which could have undesirable effects, particularly in the lower courts, where justices dealing with minor matters could impose a separate sentence of imprisonment for each of a large number of matters before them.

The other potential problem we see is that there would be an unwarranted distinction drawn between the defendant who asks for a number of offences to be taken into account and therefore gets a loading on his sentence for them and the person who is charged with each of a number of offences. In other words, they are not asked to be taken into account; the prosecution or the Crown decides to take action by way of prosecution for each of the offences. The person who asks for the offences to be taken into account would be liable for only the one sentence, perhaps loaded by the fact that other sentences were taken into account. The other defendant, who has had each of those offences separately prosecuted, would be liable to a large cumulative sentence. They are the problems that we see with that. We believe that there should be some discretion in a court to award cumulative sentences but there ought to be a limit on it so that crushing aggregate sentences ought not to be awarded which would achieve nothing in terms of deterrence or rehabilitation of the offender.

The Hon. K. T. Griffin: Do you say that that limit ought to be whether offences are related or unrelated?

The Hon. C. J. SUMNER: In all cases. The other matter that we are concerned about is also contained in the Mitchell Committee Report and deals with the question of parole in the case of cumulative sentences. I do not know whether the Government has given consideration to this matter but the Mitchell Committee, in the first report at page 83, stated:

> Moreover consecutive sentences distort also any parole system. The difficulty that parole is effectively not available for any consecutive sentence except the last one can be overcome by requiring the whole period of imprisonment to be regarded as one sentence for parole purposes, but this still distorts the length and effect of a non-parole period, which should be arrived at primarily by reference to the offender's suitability for release back into the community and not by reference to an arithmetical calculation of his prison-indebtedness to society.

The Mitchell committee recommended that the court should have the power to impose one cumulative sentence, but no more (we say two). At page 86, the committee states:

> We recommend also that the power be used sparingly—

and here comes the answer to the Attorney-General's question—

> —and that it apply to all classes of offences without distinction. In order to produce the greatest degree of integration with the rest of the correctional system we recommend that where a consecutive sentence is imposed, for the purpose of calculating parole eligibility and other periods the total maximum period of imprisonment judicially imposed be treated as one sentence.

We believe that there are problems with this, even in a limited cumulative sentence situation, but in an unrestricted situation we see greater problems. We will be giving attention to amendments to enable, for the purpose of parole, the whole matter to be treated as one.

The final problem that we see (and I direct the Attorney-General's attention to it) is that from time to time pronouncements of the Supreme Court have been made on the question of taking offences into account. In Spiero's case that I have just mentioned there was a comment by Mr. Justice Wells, who said that this practice ought to be legitimised. I draw that to the attention of the Attorney-General. At the moment it is a practice adopted by the courts but it seems as though some of them have doubts as to whether they are really able to do it. I ask the Attorney-General whether he is prepared to give consideration to that question and the possibility of moving amendments if he believes that there is some justification in what Justice Wells said in Spiero's case and other comments to that effect. We will move amendments in Committee. I support the Bill.

The Hon. K. T. GRIFFIN (Attorney-General): I thank the Leader of the Opposition for that part of his address which related to the Bill and for his contribution in that respect. He has obviously had a great deal of time to spare which has enabled him to undertake research and to present the matter to the Council on the basis of that research.

The Hon. Anne Levy: There is no need to denigrate him for that.

The Hon. K. T. GRIFFIN: I did not. There are some matters that I wish to deal with before I come to the detail of the Bill which warrant reply and to which I want to direct the Council's attention. The honourable member made a great deal of play on the Liberal Party's policy prior to the election which related to the question of law and order. He sought to limit the concept of law and order to those matters which affect the judicial system, the concepts of sentencing, the concepts of parole and the various procedural matters such as the abolition of the unsworn statement upon which we place some importance.

What the Leader does not seem to have come to grips with is that the whole concept of law and order has a much wider base within the community and is not only related to the way in which the judicial system operates; it does not only depend on the strength of the Police Force, but it does depend on community attitudes and on a variety of other inter-related matters that have some impact on the question of crime and law and order.

He also appears not to have given any weight to the matter of white-collar crime, which is just as important in the area of law and order and crime and punishment as crimes of violence. The Government indicated prior to the election some of the initiatives that it would take in the judicial system, particularly in regard to sentencing. It is now moving to implement those initiatives after being in office for less than one year.

The Leader of the Opposition placed some emphasis on the fact that, if the Labor Party had not gone to an election and had not been defeated, he would have been in a position to introduce comprehensive legislation at the end of last year that would implement recommendations of the Mitchell committee.

As I indicated previously, what he has not said is that the Mitchell committee's first report was presented in 1974 and subsequent reports were presented in the years immediately following. It took the former Government at least five years before it came to grips with any of the significant recommendations of the Mitchell committee.

Whilst there was a series of draft Bills which would seek to implement some of the recommendations of the committee, the fact is that those draft Bills were deficient and received much criticism from those who had access to them prior to the last election. With respect to those Bills, I have taken the decision that we ought to start from scratch in the way in which we proceed to implement many of the recommendations of the committee.

That is one of the reasons why we are moving now to take the initiatives that are reflected in the Criminal Law Consolidation Act Amendment Bill and in the Evidence Act Amendment Bill. We said before the election and we have repeated it since the election that we would require the Crown to make wider use of its opportunity to make submissions to the courts in appropriate circumstances on the matter of sentence. We indicated that we would abolish the unsworn statement, that we would give the Crown a right of appeal against sentences, that we would give increased support to the police, and that increased support is reflected in a number of ways.

The first is the attitude of the Government to the Police Force in support of the initiatives that it wants to take, not necessarily financially but in moral support, and the attitude of this Government is markedly different from the attitude of the previous Government to the support in this context that has been given to the police.

The other is in the area of financial support. There has been some increased funding that the Chief Secretary made available to the police after the election in the last financial year. Additionally, we have been taking initiatives in the courts area to release police officers from not only the day-to-day responsibilities of administering local courts but also in manning courts as court orderlies.

We have placed appropriate emphasis on the matter of security but, on the other hand, we recognise that in many of our courts the duties of court orderlies, for example,

can just as effectively be provided by civilians, in most cases by those civilians who are retired police officers. By this initiative we have been able to release some police manpower for appropriate police duties. As I have said, we have also been able to release them for those police duties undertaken in substitution of the administering work of the courts.

The Chief Secretary, the Minister of Community Welfare and I have moved to provide a proper emphasis on rehabilitation by providing for community work order programmes for not only young offenders but also for adult offenders. The Chief Secretary has indicated that during this session he expects to introduce legislation to give effect to this initiative in the area of adult offenders.

The aspect of rehabilitation is most important because, if an offender is not rehabilitated, we have recidivism, which only adds to the problems of maintaining law and order. There has to be a proper emphasis on rehabilitation, and community work orders will be one way in which we can tackle this task.

In the area of drink driving we attempted to widen the powers of the police with respect to random breath tests because statistics show clearly that there is a relationship between drinking and crime. In the area of drinking whilst driving and the use of motor vehicles in crime, there is again a direct relationship. In fact, we have been able to take some steps along the way to widen police powers with respect to breath tests. They will have an impact in the area of the incidence of crime. We are also taking some initiatives with respect to employment.

One of the main areas of concern in dealing with crime is that many unemployed people are among those who commit offences and come before our courts. One of the objectives of the Government in seeking to increase employment opportunities is directly linked to the crime rate.

In the area of corporate crime we will have before us for debate later the widening of the powers of investigators with respect to access to bankers' books There are a number of initiatives in the corporate area that are related to co-operative companies and security schemes which the Commonwealth and the States are looking to implement towards the beginning of next year and later next year. They provide wider powers of investigation and increased penalties.

I have indicated that we are also undertaking a review of penalties under principal Acts which relate to criminal offences. We have a wide range of initiatives, all of which are directed towards not only the area of employment and proper driving on the road but also, either directly or indirectly, towards the whole problem of law and order. I want to deal with some comments made by the Leader of the Opposition in his speech.

The Leader indicated that parts of the Bill are substantially the same as the Bill he introduced during the last session. That is correct, but I point out that even the Bill he introduced was subject to a number of amendments which are reflected in the current Bill before the House. Of course, what he sought to do on that occasion was steal a march on the Government and get a private member's bill introduced. He sought to embarrass the new Government within a matter of a month or two of the election.

The Hon. C. J. Sumner: That's not true. I was trying to help you out.

The Hon. K. T. GRIFFIN: Because the Government supported the concept in the Bill, it introduced some amendments and supported the Bill. It indicated, both during the second reading and the Committee stages, that it supported the concept of the Bill and was anxious to have it enacted. The next matter involves the point to which the Leader drew attention; that is, giving the Crown a right of appeal on a question of law. The Leader suggested that the provision, which is a new one in this Bill, that where there is an appeal on a matter of law and where a person has been acquitted the emphasis is on not publishing names or material which will identify the accused, is perhaps not wide enough. I suggest that the principal emphasis of that provision in the legislation is to prevent the publication by radio, television and newspapers of the name of an offender or of material which would tend to identify an offender who has been acquitted, on the basis that it is not reasonable for that person, having been acquitted, to be the subject of further comment in the media where the Crown decides that there is a significant matter of law which ought to be pursued in the court.

I take the view that you cannot stop publications such as leaflets produced on a one-off basis. You cannot stop rumour and innuendo. What you can do is prevent, as much as possible. the major sources of information which may lead to that rumour or innuendo from publishing material in this context only, which would otherwise be exposing an acquitted person to further comment in public. I would not be prepared at this stage to support any wider amendment to the provision which is already in the Bill.

The question of cumulative sentences, as the Leader has indicated, is one on which judges and members of the profession have differing views. I indicated in my second reading explanation that the proposal I brought to the Parliament was different from the recommendations of the Mitchell Committee. It is different, because there has been comment from the bench, in particular, about the lack of flexibility given to the courts in sentencing offenders who have come before them on a number of offences. That has been drawn to the attention of Governments and the public on many occasions.

I did draw attention to the comments of the Chief Justice who was, I might remind honourable members, a former Attorney-General, when he indicated that the Legislature should seriously consider removing the restriction at present placed on courts where an offender is before the court on a number of charges. I do not believe that the courts would abuse the responsibility which would be given to them by removing the present limitations placed upon them in respect of sentencing by the Criminal Law Consolidation Act. If there is any fear that there will be abuse, then there is always the Court of Appeal, which comprises no fewer than three judges and which will undoubtedly bring to bear some moderation if there is a judge sitting at first instance who perhaps acts out of the normal in imposing a sentence.

The protection of courts of appeal is still there, whether it be to the Court of Criminal Appeal in the Supreme Court in South Australia, the High Court, or to the Privy Council, for that matter. I believe that, if we are going to trust judges with a discretion to sentence offenders and to take into account all factors and circumstances relevant to both the offence and the offender, we must be able to trust them to exercise a discretion when considering whether or not they will award a concurrent or cumulative sentence in the case of multiple offences.

There is a protection for the accused and the courts of appeal. If there is a suggestion that that is an expensive business, I draw attention to the fact that the great majority of persons who come before the criminal courts on criminal offences these days receive legal assistance. If an appeal is likely to have any chance at all of succeeding, or even if there appear to be reasonable grounds of

appeal, the policy of the Legal Services Commission is to grant legal aid to such an accused person, so that there is no prejudice to the accused. A wider discretion is being given to the courts in dealing with multiple offenders, in the light of the judges' public statements that they feel fettered by the present impediment on their judicial discretion.

The next matter involves the question of parole. The Chief Secretary has indicated publicly that he intends to bring before the Parliament some substantial changes to the legislation that affects parole. One of those will be a provision that will enable the Parole Board to take into account a sentence comprising a number of cumulative sentences in determining both when the offender should be released and when the court should consider the non-parole period should expire. That matter is currently being dealt with by the Chief Secretary and will be the subject of legislation later this session.

The Hon. C. J. Sumner: You'll have a hiatus.

The Hon. K. T. GRIFFIN: I would not expect that there will be a hiatus, but I am prepared to accept that matter, because it is a matter on which we intend to legislate and, certainly, I do not want to see an accused person being prejudiced by that hiatus period. I am certainly prepared to give some consideration to it before we take the matter further, in Committee.

The matter of announcments by the Supreme Court with respect to the practice of the court's taking into account other offences without charges being laid is a matter of interest. I do not personally believe at this stage that it is a practice which needs any so-called legitimisation, but it is a matter that I am prepared to consider in the light of the remarks of the Leader of the Opposition during the second reading debate. It is a practice which, I believe, has been helpful both to the courts and to an accused person, as well as to the Crown, because, if it were not permitted, it would mean that where there are multiple offences the Crown would need to lay information or issue complaints for each offence and, unless there is a plea of guilty, to prove each one individually. So it has facilitated the administration of justice and is not acting to the detriment of the accused person but, as the Leader has drawn attention to it, I am prepared to have the matter looked at before the Bill passes through Committee.

A number of important matters in this legislation warrant the attention of the Council and the Parliament, and those matters ought to be enacted into legislation as quickly as possible. I hope that there will be no undue delay in enacting them into law.

Bill read a second time.

In Committee.

Clause 1 passed

Progress reported; Committee to sit again.

STATUTES AMENDMENT (CHANGE OF NAME) BILL

In Committee.

(Continued from 12 August. Page 209.)

Clause 31—"Registrar may refuse to enter certain names in a register."

The Hon. C. J. SUMNER: The Committee will recall that in this matter I have moved that the words "or frivolous" be deleted, the effect of which would be that the Registrar of Births, Deaths and Marriages would refuse to register a name only if it was obscene but could not do so if it was frivolous. The Minister of Community Welfare has put to the Committee that this clause and the prohibition on the registration of obscene or frivolous names applies not only to a person of adult age who voluntarily changes his or her name but also to the registration of a child's name by the parents. The Minister considers that it would be a little unfair if parents gave their child an obscene or frivolous name. However, the chances of that happening in practice would be very slight.

However, in a spirit of compromise, I am prepared to put to the Minister a proposition, namely, that the Opposition would be willing to allow the prohibition of obscenity or frivolity for the child's name being registered by the parents where obviously the innocent party had no say in it.

However, an adult, acting in full capacity and full recognition of all of his or her senses, should have the right to be frivolous about his or her name if so desired. Whilst we feel that the amendment as moved is still justifiable, because in the case of a child's name as a matter of practice it would not be registered by the parents if it were obscene or frivolous, as a compromise I am prepared to put to the Minister, if he is listening, that the prohibition of obscene or frivolous names should apply to children but that, in the case of adults, the prohibition should be only in relation to obscene names.

Another question concerns what happens if a foreign name is registered. How will the Registrar ascertain whether it is frivolous or obscene if it is not known in the English language? Perhaps the Minister will comment. Further, if he is worried about problems with the Electoral Act, should not that matter be dealt with by the Electoral Act and not by interfering with a person's right to change his name?

The Hon. J. C. BURDETT: This Bill does seek to amend the Electoral Act, among others. The Leader has proposed an amendment. I have opposed it, and I continue to oppose it. If he wants to amend his amendment, he is able to do so.

The Hon. C. J. Sumner: I put the proposition to you.

The Hon. J. C. BURDETT: I was coming to that. It is true that one of the arguments which I advanced against the amendment was that the clause applies not only to the change of name but also to the registration of the name in the first place. In reply to the second reading debate, I said that names are important—they are to be valued, and not to be treated lightly. I believe that, in regard to the change of name as well as the giving of names, there should be a power—and I dwelt on this at length—for the Registrar to refuse to register on the grounds of frivolity. I commented on the difficulty that it caused for the Electoral Commissioner as well as the Registrar of Births, Deaths and Marriages when the name is changed in the first place for frivolous reasons and changed back again, and the enormous problems created.

When she spoke in Committee the Hon. Miss Levy suggested that public servants were there, by implication, to fulfil every whim of the public. That is not true. They are there to serve the public, but not to be mucked around by the public. I suggest that people like Screw the Taxpayer do cause an enormous amount of problems to the Electoral Commissioner. The Attorney-General, who administers the Act, could probably tell us about it. I continue to oppose the amendment proposed by the Hon. Mr. Sumner.

The Hon. K. T. GRIFFIN: It is quite correct that the Electoral Act can be amended, but the problem is not purely a matter for the Electoral Act, because, as the Minister of Community Welfare has indicated, it does have wider implications. But, it was a matter of some concern to the Electoral Commissioner in that he does not have power to reject certain names. In the past 10 years,

there has been a number of instances where candidates have changed their names to contest elections, and immediately after the election they changed their names back. In the 1973 general election, in the Unley District there was Suzy Creamcheese. What was not disclosed by the name but was disclosed by the application was that the occupation of that candidate was groupie, and that person was standing as a candidate for the Happy Birthday Party.

In 1979, Mr. Screw the Taxpayer to Support Big Government and its Parasites nominated as an Independant for the Upper House. Again, what was not disclosed on the ballot-paper but was disclosed on his nomination was that he was a dragon slayer. In both cases it seems that it would have been desirable for the Electoral Commissioner to have power to reject the nominations on the grounds that they were frivolous or misleading, in that the assumed names disguised the true identity of the individuals. However, in both cases those names had been changed by deed poll, and had been lodged with the Registrar-General of Deeds. Because there was considerable doubt, in view of the fact that they changed their names by deed poll, the nominations could not be rejected. If there had not been a change of name by deed poll, it might have been possible to reject both nominations, as in both situations the name given was not the name by which the person was known.

The examples which are given are different in their implications. Notwithstanding the argument that the Suzy Creamcheese situation could have been an attempt to denigrate the electoral system, candidature or the democratic process, it was treated largely as a stunt. However, the more recent example of Mr. Screw the Taxpayer had wider implications, in that a strongly implied policy statement could be read into the assumed name. It is a matter of some concern that such a practice, if allowed to continue, may well become an avenue for product advertising, pressure groups, and so on.

The Hon. C. J. Sumner: Come on.

The Hon. K. T. GRIFFIN: Well, it is the natural consequence of allowing these sorts of name changes just for the purposes of the election.

The Hon. R. C. DeGaris: The points that the Hon. Mr. Foster made yesterday are quite valid on that point when he talks about Asian migration.

The Hon. K. T. GRIFFIN: That was a Senate stunt.

The Hon. C. J. Sumner: That would not be ruled out under this Bill. It would not be said that it was frivolous—it would be said that it was serious.

The Hon. J. C. Burdett: In terms of your definition.

The Hon. K. T. GRIFFIN: It is more significant in the case of the Upper House than in the Lower House, where without doubt it is the cheapest form of advertising, because there is a captive audience of some 800 000 people for the outlay of some $100. In the view of the Electoral Commissioner and in my view, it is essential that there be some provision to enable the rejection of the name of a candidate if it is deemed to be frivolous or designed to mislead, or which disguises the true identity of the candidate. The advantage of covering the situation by not allowing such name changes either by deed poll or under the legislation that is now before us is that it can be argued quite strongly that the Electoral Act requirements have not been satisfied.

If the assumed name is not the name by which the person is known, the Registrar-General of Deeds, who presently is responsible for keeping deed polls, which as most honourable members will know allow a change of name, is presented with a somewhat different problem. It must be remembered that there is a dual system of registering changes of name—either under the Registration of Deeds Act, 1935, or under the Act that is presently before us.

The Registrar-General of Deeds has indicated to me, because I am responsible for the Registrar-General, that there have been a number of instances over the years of which members of the public have deposited in the general registry office declarations effecting a change of name in what is generally regarded by ordinary standards as a totally irresponsible manner.

One of the most recent examples of this kind of change of name was to the name "The Crazy Man", which was accepted for deposit because it had already been declared before a commissioner for taking affidavits and the Registrar-General did not have the appropriate rejector. Names such as "Philly Cream Cheese" and "Lime Fresh" have also been accepted. Recent attempts by people to adopt the names of "God " and "Wankel Rotary Engine" have been made, but they have not been proceeded with because the justice of the peace declined to take the declaration.

As I have indicated, change of name declarations must be accepted under the Registration of Deeds Act if they have been properly executed, and the appropriate memoranda must be issued by the Registrar-General of Deeds. Irresponsible persons seeking publicity for themselves have not infrequently taken advantage of the provisions of the Act for reasons that are obviously, in many cases, of a frivolous nature. They may subsequently make a further declaration reverting to their original name. One instance was in the case of "The Crazy Man", who subsequently readopted his original name.

I draw to the attention of honourable members that there are other names which are equally frivolous and which have not yet been referred to, such as "Subparagraph Three', the letter "A", and a series of six letters broken up in what purports to be two words "NWN HTP". The ease and lack of inquiry with which these declarations can be made and deposited can only adversely reflect on the administrative procedures of departments, the Government and the community. It is for those reasons that I believe that it is important to give the Registrar-General the power to refuse changes of name in the circumstances outlined in the Bill, keeping in mind that there is a right of appeal for a person who is aggrieved by the decision of the Registrar of Births, Deaths and Marriages. The provisions will assist in the electoral scene as well as in the wider scene where children, in particular, may be adversely affected.

The Hon. C. J. SUMNER: It seems that the Government is being not only very unreasonable about this matter but also very boring. The Hon. Mr. Burdett refuses to accept the compromise put to him in the form of my amendments that relate to adults and not children, and the Attorney has just given us a good run-down of the interesting and inventive names that have been used by people from time to time; he is now putting to us that we in the community should not have anything to do with that frivolity. I am sorry to see the the Government persisting in this matter which such tenacity. I thought that our proposition would put a bit more joy and fun loving into the dull and dreary lives of South Australians under the Liberal Government.

The Committee divided on the amendment:

Ayes (8)—The Hons. Frank Blevins, G. L. Bruce, B. A. Chatterton, C. W. Creedon, J. E. Dunford, N. K. Foster, Anne Levy, and C. J. Sumner (teller).

Noes (9)—The Hons. J. C. Burdett (teller), M. B. Cameron, J. A. Carnie, M. B. Dawkins, K. T. Griffin, C. M. Hill, D. H. Laidlaw, K. L. Milne, and R. J. Ritson.

Pairs—Ayes—The Hons. Barbara Wiese and J. R. Cornwall and Barbara Wiese. Noes—The Hons. L. H. Davis and R. C. DeGaris.

Majority of 1 for the Noes.

Amendment thus negatived; clause passed.

Clauses 32 to 37 passed.

Clause 38—"Repeal of section 35a of principal Act."

The Hon. C. J. SUMNER: Will there be a procedure for notification to the Registrar-General of Deeds in the Lands Titles Office or, indeed, notification to any other Government department of a change of name? Is the change of name in the Births, Deaths and Marriages Register the end of the matter?

The Hon. J. C. BURDETT: The change of name, as registered in the Registry of Births, Deaths and Marriages is the end of the matter. The name is changed and it is up to that person, if he wishes to use his changed name on a land title or anything of that kind, to do something about it, as is the case now.

The Hon. C. J. SUMNER: That is not the point. The point is this: what happens if there are already names registered in the Lands Titles Office or used on documents, on titles, or in some other way?

The Hon. J. C. Burdett: It is a simple procedure.

The Hon. C. J. SUMNER: I appreciate that it is a simple procedure to change a name. What I am asking is this: will there be any procedure whereby the Registrar of Births, Deaths and Marriages notifies other Government departments that a change of name has been carried out, particularly a department such as the Lands Department, where the former name may be registered on titles?

The Hon. J. C. BURDETT: At present, if a person changes his name by deed poll, say, and registers that, and has land registered in his old name, he still must lodge an application for a change of name on the title, as well as on the deed. This is not changing anything; it means that if a person is called Chris Sumner and changes his name to Suzy Creamcheese—

The Hon. C. J. Sumner: I cannot do that now.

The Hon. J. C. BURDETT: Well, it depends on the Registrar. If that person has the change registered, then, as now, there is no difference: he will have to lodge an application to change the name on the title of the land.

The Hon. C. J. SUMNER: What I am really putting to the Government is this: does it think, now that this matter is under review, that there ought to be some procedure for notification of change of name, perhaps not to all Government departments, obviously, but to those where documents are on the public record, such as the Lands Titles Office?

The Hon. J. C. BURDETT: I do not think there is any need to go any further than this Bill does. If anyone wants a title changed, he must apply to have it changed.

Clause passed.

Clause 39 passed.

Clause 40—"Duty of Principal Registrar of Births, Deaths and Marriages."

The Hon. C. J. SUMNER: This deals with an amendment of the Electoral Act and provides that the Registrar of Births, Deaths and Marriages shall forward to the Electoral Commissioner particulars of all the changes of name of persons of the age of 18 years and upwards who have been registered in the State during the preceding months. If a woman is married, does the Registrar of Births, Deaths and Marriages then advise the Electoral Commissioner of that marriage, and does the Electoral Commissioner then alter the name in the electoral roll?

If he does not, what is the policy under present section 40 (b) of the Electoral Act, which is what we are dealing with in clause 40 of the Bill? Section 40 of the Electoral Act provides:

> The Principal Registrar of Births, Deaths, and Marriages, shall as soon as practicable after the beginning of each month or at any other times arranged with the Electoral Commissioner—
>
> *(a)* forward to the Electoral Commissioner a list of the names, addresses, occupations, ages, sexes, and dates of death of all persons of the age of eighteen years or upwards whose deaths have been registered during the preceding month:
>
> *(b)* forward to the Electoral Commissioner particulars of all marriages of women of the age of eighteen years or upwards which have been registered in the State during the preceding month.

Clause 40 of the Bill is designed to add an extra subsection to section 40 of the Electoral Act to provide that the Registrar of Births, Deaths and Marriages shall notify the Electoral Commissioner of a change of name of any person over the age of 18 years. If that is the case, presumably the Electoral Commissioner will change the name of that person on the electoral roll. What happens in relation to section 40 (b), where there is notification of marriage? Does the Electoral Commissioner automatically change the married woman's name on the electoral roll to the husband's name? If so, does that not interfere with the increasing practice of married women retaining their maiden name? It is my experience, at least in my own situation, that my wife retains her maiden name, and that that is the situation regarding the electoral roll, but presumably, under section 40 (b), the Electoral Commissioner has been notified of the marriage but has not made the change. If no change is made to the electoral roll, what is the point of section 40 (b) in the Electoral Act?

The Hon. J. C. BURDETT: As I understand it, the situation is clearly not changed. Section 40 (b) is not amended. What new section 40 (c) will do is apply to the changes of name recorded in accordance with this Bill and with what will then be the new Act, so it will not apply to marriages. With regard to marriages, the same thing will happen as has happened in the past; marriages are notified, but the name is not necessarily changed, because this may not apply.

The Hon. C. J. SUMNER: Perhaps this is a matter more within the Attorney-General's portfolio. What criteria are used for the Electoral Commissioner to effect a change of name on the roll once he has received from the Registrar of Births, Deaths and Marriages notification of a marriage?

The Hon. K. T. GRIFFIN: I will make some inquiries. My understanding is that, whilst a marriage is notified, the name is changed unless there is a notification on the marriage certificate that the woman does not want to be known by her married name. I will need to get some advice from the Electoral Commissioner, and I undertake to give the Leader a more detailed reply.

The Hon. N. K. FOSTER: I urge the Government, if not necessarily in this Bill, at the earliest opportunity to amend the Act to protect ethnic groups in the community from being insulted by people who change their names and, in so doing, show themselves to be what I regard as vicious racists.

Clause passed.

Remaining clauses (41 and 42) passed.

Clause 7—"Interpretation"—reconsidered.

The Hon. C. J. SUMNER: The only question I have in relation to this matter deals with the deletion of the definition of the "Christian name" and the use of the word "forename", which is defined in the dictionary as "Christian name". While the Christian name is well

known in what I might call the Anglo-Saxon nomenclature and that forename is taken to mean that, what is the situation in relation to perhaps a Chinese name, for instance, where the surname (as we understand it) is given first and the Christian names last?

The Hon. J. C. BURDETT: This clause does not change the situation at all in that regard; it simply strikes out the definition of "Christian name".

It will mean that there is no definition of "Christian name", "forename", or "Surname". So, the situation has not changed at all in relation to the matter raised by the Hon. Mr. Sumner. Whatever is done now will continue to be done.

Clause passed.

Title passed.

Bill reported without amendment. Committee's report adopted.

ADJOURNMENT

At 11.16 p.m. the Council adjourned until Thursday 14 August at 2.15 p.m.