LEGISLATIVE COUNCIL

Tuesday 23 August 1983

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

PAPERS TABLED

The following papers were laid on the table:

By the Attorney-General (Hon. C.J. Sumner):

Pursuant to Statute—

Rules of Court—Industrial Court—Industrial Conciliation and Arbitration Act, 1972—Workers Compensation Rules—Consent (Amendment).

By the Minister of Health (Hon. J.R. Cornwall):

Pursuant to Statute—

Crown Lands Act, 1929—
- Section 9 *(f)*—Schedule of Remissions, 1982-83.
- Section 197—Return of Cancellation of Closer Settlement Lands, 1982-83.
- Section 213—Return of Surrenders Declined, 1982-83.

Discharged Soldiers Settlement Act, 1934—Section 30—Disposal of Surplus Land, 1982-83.

Dog Control Act, 1979—Regulations—District Council of Wakefield Plains District.

Pastoral Act, 1936—Section 133—Pastoral Improvements, 1982-83.

Planning Act, 1982—
- Crown Development Reports by South Australian Planning Commission on—
  - Proposed Development in the Town of Loxton.
  - Proposal to Acquire Land for Road Purposes, Hundred of Comaum.
  - Proposal to Acquire Land for Road Purposes (Keith-Mount Gambier Road).
  - Proposal to Construct a Cell Complex at Bordertown Police Station.
  - Proposed Development in the District Council of Berri.

By the Minister of Agriculture (Hon. Frank Blevins):

Pursuant to Statute—

Fees Regulation Act, 1927 and Stock Medicines Act, 1939—Regulations—Fees.

Road Traffic Act, 1961—Regulations—Clearways.

Sewerage Act, 1929—Regulations—Fees.

Waterworks Act, 1932—Regulations—Fees.

QUESTIONS

HEALTH SECTOR EMPLOYMENT

The Hon. M.B. CAMERON: I seek leave to make a brief explanation before asking the Minister of Health a question about additional staff in the health area.

Leave granted.

The Hon. M.B. CAMERON: Honourable members will recall that on several occasions the Minister of Health has referred to 300 additional staff who were in the health system as at 30 June 1983 compared to the number of staff as at 30 June 1982. However, the Minister has not indicated, first, when these additional staff were taken on and, secondly, their duties. Accordingly, I ask the following questions:

1. When were the 300 additional staff in the health system (and for whom the Minister claims credit) taken on?
2. In what areas do these 'additional' staff work and what are their duties?

The Hon. J.R. CORNWALL: It is very difficult to quantify that specifically. However, it would seem that a significant number of the additional staff were taken on in a pre-election situation. An expectation was created and I guess inevitably there was also a degree of instability in the pre-election situation so that some of the health units, particularly the larger teaching hospitals, recruited additional staff towards the end of last year.

As to the areas in which they were taken on, again it is difficult to be specific, but it would seem that it was very much across the board, ranging from certain nursing staff to orderlies and the sort of support staff who go to make up the hospital organisation.

ST JOHN AMBULANCE SERVICE

The Hon. J.C. BURDETT: I seek leave to make a brief explanation before asking the Minister of Health a question about the St John Ambulance Service.

Leave granted.

The Hon. J.C. BURDETT: On Wednesday last, during the course of the debate on the no-confidence motion, the Minister said:

> In fact, I am also happy to inform the Council today that the volunteers met last night and agreed to a package resolving the St John afternoon shift dispute.

Further on, he said:

> Regarding volunteer contract of service, it was agreed that St John would develop a contract of service document that would be signed by all volunteers.

I stress: 'contract of service document that would be signed by all volunteers'. In the *Advertiser* of last Friday it was reported:

> Provision is made for a special consultative committee on industrial relations within the St John Ambulance Service in a 10-point package agreed to by St John volunteers on Tuesday night. The Minister of Health, Dr Cornwall, said yesterday the committee would include representatives from all parties associated with the service. He said the meeting of 22 volunteer representatives fully endorsed the package, aimed primarily at settling the ongoing dispute by paid workers.

Further on, one of the dot points was:

- A volunteer contract of service which would be signed by all volunteers . . .

Later, he is quoted as saying:

> Even more importantly it is proposed that this be ratified in law by taking them to the Industrial Commission . . .

I was informed yesterday by telephone by the Manager of St John (contrary to what the Minister said in this Council and through the press) that it was certainly not agreed that there would be a contractual agreement signed by all volunteers, or at all.

An honourable member: He misled the Council.

The Hon. J.C. BURDETT: Yes. What would happen would be that the St John Ambulance Service would require that volunteers maintain a certain minimum specified level of experience. Honourable members may recall that in my Address in Reply on Tuesday last I said that I was very suspicious of the contractual agreement to be signed by St John volunteers with the St John Ambulance Service because the conditions could be imposed in this way.

Yesterday afternoon I met with the St John Commissioner, who confirmed that it had not been agreed that all volunteers would sign a contract of service. He said that such a concept was totally unacceptable; this had not been agreed and it would not happen. Nor would he sign any kind of agreement on behalf of volunteers, but he would impose the requirements as to minimum experience and any other appropriate requirements by way of routine order. A special routine order issued on 17 August 1983 (Wednesday last) states, among other things:

> It is unfortunate that public discussion of the voluntary service has been clouded by a serious misunderstanding of the conditions under which the volunteer serves. The words 'contract service', emanating from the Opit Report, have been used with the quite false perception that the volunteer would be required to sign some form of legal or formal contract personally, before performing duties with the ambulance service. As Commissioner, I want it to be widely and clearly understood that no form of written and

signed contract has ever been envisaged at my level. Whoever may have taken such a line was seriously ill-informed.

I wish to state in simple terms just what is to occur. Brigade members may volunteer for duty with the ambulance service, by informing their respective divisional superintendents, who will in turn inform me. I will then, through brigade routine orders, give my authority for them to be seconded from the brigade to the ambulance service for duty with that service as agreed by the operations manager.

My authority to second is the only formality needed or to be used, to authorise this particular voluntary service. The volunteer does not have to sign anything.

However, it needs to be understood that when a volunteer is seconded, he is in effect temporarily transferred for duty with the ambulance service and is to comply with the requirements of the operations manager of the ambulance service. Specifically, the volunteer must:

A. Conform with the St John Ambulance Service policies, procedures and regulations;
B. Render such minimal service as specified over fixed lengths of time (for example, this may mean perform not less than say 12 duties over three months, but further details on this aspect will be advised later); and
C. Possess current certification as being qualified in emergency care and transport (or in casualty care and transport until 1 January 1984.)

The Minister told the Parliament on Wednesday 17 August, and the public on Friday 19 August, that a contract of service document would be signed by all volunteers, and that the St John Ambulance Service meeting on the night of 16 August 1983 agreed to this course.

The Hon. K.L. MILNE: I rise on a point of order. Is there not some limit to the time allowed for an explanation of a question? That was suggested a while ago by members opposite when I was asking a question. I believe that the honourable member has had a fair go.

The PRESIDENT: In answer to the point of order, I can only say that it is up to the good behaviour of honourable members and, of course, the members who granted leave in the first place. The Council can cancel that leave by merely calling 'Question'. At any other stage I presume it is within my bounds to question the validity of the explanation.

The Hon. J.C. BURDETT: I have almost finished, anyway. In fact, the communication which I have had from the Manager and the Commissioner indicates the contrary to what the Minister said both through the press and in this place. It is documented in the routine order which I have read out. First, will the Minister advise the true position in this matter and, secondly, why did he mislead the Council in this matter?

The Hon. J.R. CORNWALL: The honourable member is getting further into the politics of boredom. It is interesting to note that the people in the press gallery sat on their hands for the whole 12 minutes of his explanation. It was an extraordinary apologia. It was a long explanation and, regrettably I fear, it may require a very long answer. Specifically as to whether or not there would be a contract signed between the volunteers and the St John organisation, the shadow Minister has asked, 'What is the true position?' Specifically with regard to the contract of service entered into between volunteers and the St John organisation, it is precisely that—an agreement, a contract (call it what you will—the words are not that important). It is an agreement between the volunteers and the St John organisation.

Apparently, because there has been some kerfuffle about actually signing a contract, what is now to happen is that brigade volunteers are to be seconded from the brigade to the St John Council management, where they will enter into an agreement that they will serve and be available for a minimum of duties in any given month.

The Hon. J.C. Burdett interjecting:

The Hon. J.R. CORNWALL: The Hon. Mr Burdett is like a dog with a bone—he keeps gnawing and carrying on. He is behaving, quite frankly, in a most extraordinary way.

I am afraid that I am going to have to bore you, Mr President, by reading into the record a series of letters that are now available. The first is from the St John Council for South Australia Incorporated. It is over the signature of one D.W. Jellis, General Manager, and is dated 22 August 1983, which I would have thought would be yesterday. The letter is addressed to the South Australian Health Commission, Southern Sector, 52 Pirie Street, Adelaide, and marked 'Attention: Mr R.J. Sayers'. Mr Sayers, of course, is the Executive Director of the Southern Sector and, as such, is directly responsible for dealing with the St John Council. I am afraid that I am going to have to read the whole of these letters into *Hansard*. The first letter states:

Dear Sir,
Further to your letter under the above reference—

and perhaps I should put the reference in, too, which is S.A.H.C. 465/76/001—

we wish to advise that the proposed agreement between the South Australian Health Commission, St John, the Ambulance Employees Union and the Federated Miscellaneous Workers Union has been fully discussed by this organisation and accepted.

That was yesterday's date. The letter continues:

We look forward to the implementation of the agreement and its ratification by the Industrial Commission.

Finally, may I express our appreciation for the co-operative way in which you have conducted these difficult negotiations.

Yours faithfully,

D.W. Jellis,
General Manager

I also have a letter from the Federated Miscellaneous Workers Union of Australia, South Australian Branch (incorporating the Australian Government Workers Association), 304 Henley Beach Road, Underdale, South Australia 5032. This letter is also addressed to Mr R.J. Sayers, Executive Director, Southern Sector, South Australian Health Commission, 52 Pirie Street, Adelaide, South Australia 5000, as follows:

Dear Ray,
re: St John's Draft Agreement.

This letter, incidentally, is dated 18 August 1983. It continues:

I have taken the draft agreement to our Executive, and they have endorsed the document.

Just to clarify one point. The union has three (3) officers working in the Health Commission area: that being—Mr Don Duffy, Mr Rob Bonner and myself. As we work as a team, it is best to put 'attention' to all three. On two (2) occasions now, you have addressed material to Mr Duffy, and delays have occurred, because he was not available at the time. By referring to the three (3) of us, this overcomes such difficulties.

Yours faithfully,

Gay Walsh, Organiser, A.G.W.A./F.M.W.U.

So, again, there is agreement between that section of the paid employees, who also work as volunteers with the St John organisation. The third letter is under the heading of the Ambulance Employees Association of South Australia and is dated 22 August 1983, which I believe was Sunday. This letter is also addressed to Mr R.J. Sayers, Executive Director, Southern Sector, South Australian Health Commission, 52 Pirie Street, Adelaide, South Australia 5000, and states:

Dear Mr Sayers,

I refer to your correspondence dated 16 August 1983 which details the heads of agreement arising out of our discussions on Tuesday 16 August and we note also the addendum to clause 2 of the same agreement, outlined in your correspondence dated 18 August.

The Executive Committee of the Ambulance Employees' Association has met to consider this proposal and as a consequence of that meeting I am now able to advise you that the proposal is acceptable to the A.E.A. Similarly to the St John Council, the A.E.A. does have some reservations about certain areas contained within the proposal; however it is our belief that in keeping with the spirit in which this proposal has been formulated, it would be more appropriate to remedy any areas which are causing problems on an ongoing basis between the parties.

As this correspondence outlines the association's acceptance of the proposal, we would appreciate being informed as to the timetable which will apply to the recruitment of the necessary personnel required to establish the four afternoon shifts.
Yours faithfully,
M.J. Doyle, General Secretary.

I am also in possession of a letter over the name of Mr R.J. Sayers, Executive Director, Southern Sector, copies of which went to Mr John Webb, Press Secretary to the Minister of Health, and Professor Gary Andrews, Chairman of the South Australian Health Commission. The letter is dated 22 August 1983—yesterday. It is obvious that everyone was doing their homework yesterday, although it was the Lord's day. The letter states:

To:
The General Manager, St John Council for South Australia Inc.,
P.O. Box 23, Eastwood 5063
Attention: Mr Jellis
The Secretary, Ambulance Employees Association,
150 South Road, Torrensville 5031
Attention: Mr Doyle
The Secretary, Federated Miscellaneous Workers Union,
304 Henley Beach Road, Underdale 5032
Attention: Mr Duffy/Mr Bonner/Ms Walsh
Dear Sir,
Re: St John—Professional/Volunteer Crew Interface Agreement
In accordance with the spirit in which the above agreement has been negotiated—

I ask the Council, particularly the shadow Minister, to note that—

the three representative bodies of St John, F.M.W.U., and the A.E.A., have all formally accepted the conditions included in the draft document.

As a consequence of the above, the following sequence of events will now take place:

1. Copies of the agreement will be signed by all parties, including the South Australian Health Commission as facilitator.
2. A signed copy will be presented to the Industrial Commission for formal ratification.
3. Immediately the agreement is ratified, St John will:
   (a) Advertise and appoint four (4) new afternoon shift crews.
   (b) Arrange for volunteer crews to commence duty from 1 800 hours in all metropolitan centres.
   (c) Arrange for the implementation of the tasking and other matters included in the agreement.

I will endeavour to have copies of the agreement circulated for signing prior to Friday, 26 August 1983, and for presentation to the Industrial Commission during week beginning 29 August 1983. Your co-operation is sought to enable the timetable to be met.

I am sorry to bore you, Mr President, but the laborious Burdett forces me to go further. The document attached to the letter, which is a draft agreement headed 'St John Ambulance Service, paid/volunteer crew interface agreement', states:

We the undersigned, being duly authorised by our respective organisations, agree to the following terms and conditions in relation to the interface between the full-time paid and the volunteer crews, who together man the State's emergency ambulance service:

1. The existing award clause 9 (1)—Overtime being varied to give St John the full authority to allocate overtime as required. In this regard, the following wording is hereby agreed:

   An employee may be required by the employer to work reasonable overtime, and such employee shall work overtime as directed in accordance with such requirement.
2. Four new afternoon shift crews be employed, and rostered initially from 1400-2200 hours with a crib break included. The times should be reviewed in six months after actual experience data becomes available.
3. The new afternoon shifts be initially located at Hindmarsh (2), Campbelltown and Noarlunga, but on the understanding that St John can vary that deployment to meet operational needs.
4. All ambulance officers be rotated through the afternoon shifts in the same manner as currently operates for night shift personnel.
5. As the afternoon shift will initially operate from three metropolitan centres, and in order to provide a satisfactory overlap of both paid and volunteer crews either side of 1900 hours—

that is, 7 p.m.—

   volunteer crews will be permitted to commence duty from all metropolitan centres from 1800 hours onwards. Once a volunteer crew is on centre and has agreed to assume duty as a replacement for the paid crew, and the communication controller has been notified, the paid crew can stand down prior to their scheduled end of shift, should they so wish.
6. No special preference be given to the tasking of responding crews, be they paid or volunteer. When two crews are available on centre, the task will normally be given to the crew with the most duty time still to complete.
7. Some current daytime shifts should be rerostered to reduce midday overstaffing, and improve the early morning overlap of shifts.
8. Night shift crews should not generally be tasked as the first responding car from 0600 hours.
9. Serious negotiations should be commenced in an endeavour to reach agreement on the integration of volunteer and professional crews.
10. All parties to the agreement accept their respective responsibility to successfully implement this agreement and recognise that it will require an ongoing commitment to achieve a spirit of co-operation between regular staff and volunteers.

That was signed by the various respondents, for and on behalf of the St John Council of South Australia Incorporated, the Ambulance Employees Association of South Australia, the Federated Miscellaneous Workers Union of Australia, South Australian branch, the South Australian Health Commission, and, when ratified, the South Australian Industrial Commission.

The Hon. Frank Blevins: That's not bad.

The Hon. J.R. CORNWALL: As my colleague says (and he has had vast experience in industrial negotiations), it may not be a contract, but it is not bad. It ties things up in the most responsible way, and that has not been possible in this State for more than a decade. I will be very interested to see the reaction of the St John Council, and, more particularly, of the General Manager, Mr Don Jellis, to the extraordinary ploy of the Opposition today in its moving to set up a select committee. I would have thought that in industrial matters the St John Council—

The Hon. J.C. Burdett interjecting:

The Hon. J.R. CORNWALL: The Opposition should bring on another no-confidence motion and give me the floor for another hour! I could not be that lucky. I would have thought that enough time has been wasted in this Council. I must say that I am not too well today (I have the flu), but I am managing *vis-a-vis* what is opposite. There have been more than enough attempts to create mischief. Knowing Mr Jellis reasonably well as I do, I should have thought that he would be absolutely livid because of the actions taken by the shadow Minister of Health today. It is totally—

The Hon. M.B. CAMERON: I rise on a point of order, Mr President. I think that the Minister is debating the question, which is the subject of a notice of motion. If that is to continue, I believe that you, Sir, should ask the Minister to complete his question.

The PRESIDENT: I think that the honourable member has a point.

The Hon. J.R. CORNWALL: It may well be a point. The shadow Minister led with his chin, as he usually does, and he wants to know the true position. I had a duty to answer the question at great length.

An honourable member: 'Question' was called.

The Hon. J.R. CORNWALL: It was not called at all. The honourable member can do so if he likes, but it will have no effect on me.

The Hon. J.C. Burdett: You still haven't answered the question.

The Hon. J.R. CORNWALL: I suggest that members opposite read *Hansard* tomorrow. The press is showing quite a deal of interest in this whole matter. It really is a joke in very poor taste, because members opposite are trying to undo all the good negotiations: they have been doing that for months. A lot of sweat and a few tears have gone into these negotiations, and we are now in a position where an agreement is signed, sealed, and ready to deliver to the Industrial Commission, and it will be enshrined in the law of this State. What members opposite are trying to do is totally disgraceful, and it reflects no credit on them whatsoever. As I said the other day, they are the greatest ragtagged, bob-tailed lot of jackasses that have ever sat in this Council.

The PRESIDENT: Order! I call on the Hon. Mr Burdett.

The Hon. J.C. BURDETT: I wish to ask a supplementary question. Why, despite all the irrelevant explanations that we have heard, did the Minister tell the Council last Wednesday that a contract of service document would be signed by all volunteers when, in fact, this was not agreed to and will not happen?

The Hon. J.R. CORNWALL: For the very simple reason, Sir, that Mr Ray Sayers, Executive Director of the Southern Sector, sent to me a minute that explained the matter in those terms. Quite frankly, it does not matter a great deal whether or not it is a signed contract or whether the brigade decides to go through this business of seconding people to the St John Council, where they will be obliged to work under Standing Orders and according to the directions of the Commissioner of the brigade, and so forth, and all the paraphenalia that goes with the St John organisation.

The reality is and the practice will be that those volunteers will be required to make themselves available for a minimum number of duties in any given month in order (and this was the thrust of the whole arrangement) to maintain a situation where they have enough exposure to priority one calls to keep up their clinical skills. Whether this is done by signed contract or on orders—

The Hon. J.C. Burdett: You said 'contract'. You said that it was agreed to.

The PRESIDENT: Order!

The Hon. J.R. CORNWALL: —from the Commissioner, frankly, in practice, does not make a great deal of difference.

The Hon. J.C. Burdett: That's what I said last week, but you insisted that it was a signed contract.

The Hon. J.R. CORNWALL: The honourable member really does need medical attention.

The Hon. L.H. Davis: You are just a refugee from Psycho II.

The PRESIDENT: Order!

TRUST ACCOUNTS

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question about lawyers' trust accounts.

Leave granted.

The Hon. K.T. GRIFFIN: In the *Sunday Mail* of 29 May 1983, the Attorney-General was reported to have referred to the negotiations between the Law Society and Westpac banking group with respect to interest on lawyers' trust accounts. It was indicated that some of the increased revenue that might flow might go to legal aid, to the Law Foundation, and to other objects.

On 27 July this year, that announcement was recycled in a similar statement, which indicated that 'South Australia's legal aid services could reap an extra $100 000 in funds under a scheme announced by the Attorney-General last night'. The Attorney is reported to have referred again to the agreement between Westpac and the Law Society and also to the fact that there might have to be some legislation with respect to the implementation of the new agreement, at least in regard to Westpac. I ask the Attorney the following questions:

1. What involvement has the Attorney had in negotiations with the banks?
2. What is the current state of negotiations?
3. If negotiations have been concluded, which banks have agreed to pay interest on the whole of lawyers' trust accounts? When will that commence; to what objects will the money be paid; and is any legislation proposed?

The Hon. C.J. SUMNER: This situation first arose some time ago when it was reported that Westpac in Victoria had agreed with the Law Institute in that State to pay interest on solicitors' trust accounts beyond the current arrangements which existed. As a result of that, I approached Westpac in this State to see whether a similar arrangement could be entered into, and I subsequently had discussions with Westpac and the President of the Law Society. Since then, further discussions have been held, primarily between the President of the Law Society and the banks concerned, as the arrangement is basically one that has to be entered into between the Law Society and the banks. Those negotiations are still proceeding.

I understand that firm arrangements have been entered into with at least some of the banks, including Westpac and the Commonwealth Bank. Certainly, the State Bank and the Savings Bank of South Australia have also indicated their willingness to participate by paying interest on the trust accounts. I do not know at this stage whether all the banks have agreed. Certainly, as I said, some have and dates have been fixed on which interest will be paid to the Law Society. However, I will ascertain for the honourable member the precise stage of negotiations.

The Hon. K.T. Griffin: Do you know what the dates are?

The Hon. C.J. SUMNER: I will also advise the honourable member of the dates on which the payment of interest will be made. I know that dates have been fixed in relation to some of the banks, but I would prefer to obtain precise information for the honourable member. Basically, the objects to which the extra money will be applied have not yet been finally determined. Legislation has been approved for introduction to ensure that this interest can be paid and applied to purposes which will be subject to the consent of the Attorney-General. The current thinking is that 50 per cent of the money will be applied to the Legal Services Commission, 40 per cent to the supplementary guarantee fund, and 10 per cent to the purposes of a legal foundation.

They are purposes which the Government at this stage has generally approved. Legislation will be introduced in the near future to ensure that this agreement can be given effect and that the payments can be made as eventually agreed. Those figures which I have outlined would be subject to variation after discussions between the parties and with the consent of the Attorney-General. I expect legislation to be available in the reasonably near future, at which time full details of the scheme can be outlined to the Council.

OVERSEAS QUALIFICATIONS

The Hon. C.M. HILL: I seek leave to make a brief explanation before asking the Minister of Ethnic Affairs a question about the recognition of overseas qualifications of migrants.

Leave granted.

The Hon. C.M. HILL: Late in 1981 a Committee of Inquiry into the Recognition of Overseas Qualifications was established by Ethnic Affairs Ministers throughout Australia

in conjunction with the Federal Minister for Immigration and Ethnic Affairs. The announcement of the committee was made on 16 December 1981, and it commenced its work in January 1982; the Chairman was Mr R.G. Fry, M.B.E. The committee sat all through 1982 and completed its report, which was dated December 1982.

The previous Government placed great importance on the committee because of the need for recognition of overseas qualifications and because we were concerned by the fact that both professional and trades people from migrant communities were disadvantaged as a result of this problem. One recommendation in the report was for the establishment in all States of overseas qualification units and the extension of appropriate counselling on this matter to all immigrants. It is now eight months since the report was issued in December 1982, and I ask the Minister of Ethnic Affairs what decisions have been made at the Australia-wide level (that is, within the Ministerial conferences of Ethnic Affairs Ministers) in regard to this report? Secondly, what has the Minister done to help disadvantaged migrants in this State to implement the findings of this report?

The Hon. C.J. SUMNER: The report was made public by the Federal Government and was drawn to the attention of Ministers at the last Ministerial Council meeting. Submissions and comments are being elicited from the various States to the recommendations of the report, and the South Australian Ethnic Affairs Commission is participating in that. Assistance in an advisory capacity has already been given by the Ethnic Affairs Commission to people who make inquiries of the commission about overseas qualifications, and the Hon. Mr Hill will be well aware that that service has been provided for some time.

The precise structure of any additional support that would be given by the South Australian Ethnic Affairs Commission will have to wait for final decisions on the recommendations in the report and, indeed, on the recommendations that flow from the review of the Ethnic Affairs Commission which is currently in train, the report of which I expect will come to me in the near future. That is the current situation; I should be in a position to provide more information to the honourable member and the Council once the Ethnic Affairs Commission review is completed and the final comments are made regarding the Fry Committee.

RIMMINGTON REPORT

The Hon. M.S. FELEPPA: I seek leave to make a brief explanation before asking the Minister of Ethnic Affairs a question about the Rimmington Report.

Leave granted.

The Hon. M.S. FELEPPA: On Thursday 18 August I asked the Minister a question relating to this matter and I indicated then that I had not studied the report in full detail. Now that I have read the report, I take this opportunity to ask the Minister further questions, but prior to that I will make some comments in response to the Minister's reply. I agree with the Minister that the report has limited scope. The fault does not seem to lie with the researcher but rather with the terms of reference assigned to him as well as the limited resources available to him—

The Hon. C.M. Hill: Hear, hear!

The Hon. M.S. FELEPPA: The honourable member should wait another moment. This surely must be the responsibility of the previous Government, which often demonstrated failure to respond to migrant needs with a sop and a band-aid, rather than with total thoroughness. However, even taking into account these limitations, the report offers recommendations and comments which can be acted upon—some of them immediately. The report can be valued, not only for the statistical information it provides but also for the comments it makes. Many of those comments, the researcher points out, cannot be proven by his data but are nonetheless real. The figures prove that the migrants are under-represented in the Public Service, particularly at the most senior levels. Promotion of 'ethnics' seems to stop just before these levels, as the report points out. Overseas-born male officers have difficulty in progressing, as stated on page 18 of the report. On page 24 the report states that the possibility of formal or informal barriers of recruitment into the Public Service, other than individual job capability, must be of concern. However, it is in the area of 'attitude' that the report is damaging of the current practices in the promotion of public servants, and in this context I draw the Minister's attention to pages 27, 30, 31 and 32.

In the area of English language ability and the variety of accents which can be heard, even in this Chamber, there are also revealing comments on page 36 of the report. I invite the Minister to pay attention to those comments. The morale of overseas-born people, the report reveals, has been severely affected. That point is made on page 37 of the report. However, it also affects local-born officers and there is widespread reluctance, as stated on page 37 of the report. The unfortunate conclusion of most of the comments is that discrimination, by reason of race, is very difficult to detect. It is sufficient for me that the report has proven three things: first, that the presence of overseas-born people is under-representative of their numbers in the community; secondly, that the overseas-born people are almost totally excluded from executive levels; and, thirdly, that the Public Service has officers in senior positions with racist attitudes. That is blatantly clear. I add that I cannot see reasons why my Government—and, in particular, my Minister—can delay any further taking action with the excuse of requiring 'more research and more submissions'. What we need now is simply more action. My questions are as follows:

1. Will the Minister consider asking the Public Service Board to develop a system, which can be used to monitor the ethnic composition of the Public Service, as indicated in recommendation 1 of the report?
2. Will the Minister ask the Equal Opportunity Unit to develop an equal opportunity programme on ethnic differences, to be made compulsory for every officer appointed to a senior position in management, as suggested by recommendation 2 of the report?
3. Will the Minister ask the Minister of Community Welfare to suggest to the current task force on migrant welfare that a survey be conducted amongst departmental staff on attitudes towards cultural issues?
4. Finally, as the senior administrators in the Public Service of South Australia are responsible to their Minister for efficient and effective delivery of Government programmes to the entire community in South Australia, will the Minister advise this Council what proportion of officers, engaged by the Departments of Community Welfare, Education, Technical and Further Education and the South Australian Health Commission, are of ethnic background, particularly at decision-making and policy-development level?

The Hon. C.J. SUMNER: In response to the honourable member's comprehensive questions, I commend him on the interest that he has taken in the report and in the issues that he has raised in this Chamber. I should correct one misapprehension he has gained; namely, that I said that the Government would not be taking any action on the report but would be carrying out a further survey. At no stage did I say that. I said that the report itself dwelt on the ethnic

minority composition of the Public Service and recommended that further research be undertaken, particularly in the area of employment in the non-public service sector of the public sector. In fact, that question was one of the specific recommendations of the report to which the honourable member has referred. That recommendation, together with the other recommendations in the report, is with the Equal Opportunities Unit of the Public Service Board for it to prepare an action plan based on the report. On Thursday last week I indicated the initiatives that the Government took, one being the action plan. I further stated that I would ascertain from the Equal Opportunities Unit the status of that plan and, indeed, whether or not it could be made available to the Council. Those inquiries are proceeding. I will report further to the honourable member on that point as soon as I am in a position to do so.

There were other aspects of the Government's equal opportunity policy that I also outlined last Thursday. In respect to the honourable member's specific questions, I will refer questions 1 and 2 to the Equal Opportunities Unit to take into account, along with the matters referred to it following the honourable member's question last week. I will also convey to the Minister of Community Welfare the matters to which the honourable member referred in question 3; namely, that a survey of departmental staff attitudes on cultural issues within the Department of Community Welfare be undertaken as part of the task force inquiries into migrant welfare. The fourth question I will refer also to the Equal Opportunities Unit of the Public Service Board. I am not sure to what extent the information that the honourable member has requested will be readily available. That was one of the difficulties that the original reported faced: it is partly a question of definition as to how one determines who is of ethnic minority background. Indeed, at present, no requirement exists for people to declare their ethnic minority background.

I suspect that, if there were that sort of requirement imposed by a Government, or by the Public Service Board, there would be an outcry (quite probably rightly so). The fact is that this information will have to be ascertained by some kind of criteria being established as to who is of an ethnic minority background. For instance, the Hon. Anne Levy has some parental connection with a non-Anglo Saxon country, so would she then be classified as being of ethnic minority background if a survey was carried out?

The Hon. Anne Levy: I should hope so.

The Hon. C.J. SUMNER: The Hon. Ms Levy says that she hopes so, and she may well be correct. However, the question is which criteria one uses to determine that certain individuals are of ethnic minority background. Once that is determined, the question is how one then conducts the survey in relevant Government departments to elicit the information, particularly as there is a reluctance on the part of some public servants to provide that information. Nevertheless, the honourable member's question will be referred to the Equal Opportunity Unit of the Public Service Board for its consideration.

ROYAL ADELAIDE HOSPITAL

The Hon. R.J. RITSON: I seek leave to make a brief explanation before asking the Minister of Health a question about cuts in Royal Adelaide Hospital visiting staff sessions.

Leave granted.

The Hon. R.J. RITSON: In response to two questions in this Council on 10 August 1983, one by the Hon. J.C. Burdett and the other by me, the Minister gave clear assurances that there would be no cuts in jobs or services in the health area. In his reply he went on to claim credit for an additional 300 jobs in the health area as at 30 June 1983. The Minister said the following:

> What I can say with regard to the 1983-84 budget in general terms (so as not to pre-empt any details, which would be quite improper) is that we would certainly not anticipate any staff cuts. In 1983-84 it will be essentially a stand-still situation.

Later, in answer to a question from me, he said:

> I am not about to give an absolute assurance in this matter, but I certainly anticipate that there should not be any extension of surgical waiting lists in the long term.

Elsewhere he said that there certainly would be no cuts. I am advised that the possibility of reductions in visiting staff at R.A.H. have been discussed at great length. A Royal Adelaide Hospital Medical Staff Society newsletter states, in relation to 'visiting staff sessions':

> The medical staff will be aware that the board has decided that, because of financial restrictions, the visiting staff sessions should be cut by approximately 30. These cuts have occurred in nearly all departments and, while in many cases they have been achieved by attrition, this has not been the case with all departments.

It has been a common occurrence, because of the desire to conserve money at R.A.H., that operating lists have been arbitrarily limited to 3½ hours. This has meant that frequently patients have been cancelled because their operations cannot be completed by closing time. Thus the situation arises that patients are called into the hospital, stay for 24 hours, their operation is cancelled because of these cuts and they are sent home. The proposed cuts will affect over 5 per cent of the total visiting staff sessions. Therefore, my questions are as follows:

1. Does the Minister agree that the cutbacks in visiting staff sessions conflict with earlier statements by the Minister that there would be no cuts, and that 1983-84 will be essentially a 'stand-still' situation?
2. Is the Minister aware of the potential resulting delays in surgery?
3. Will the Minister take action to ensure that the proposed reductions do not take effect in line with his previous commitments?
4. Does he consider that funds are being wasted when patients are called into hospital in anticipation of an operation and then sent home again up to 24 hours later due to the lack of operating time preventing surgery taking place at Royal Adelaide Hospital?

The PRESIDENT: The Minister will note that Question Time has nearly expired.

The Hon. J.R. CORNWALL: This Opposition never fails to amaze me as it jumps up and down about the autonomy of hospital boards and says that boards of management should be able to do whatever they wish. Yet, when a board of management takes a minor decision (on the honourable member's allegation) to set aside 30 sessions involving about $150 000—

The Hon. R.J. Ritson: No, $180 000.

The Hon. J.R. CORNWALL: —in a Budget of $100 000 000, honourable members opposite are suddenly leaping about. I told honourable members opposite the other day that they do not learn, that they are are very slow either on their feet or where they sit. I am not in the business of running down every little rabbit burrow around the place—

The Hon. R.J. Ritson: You did when in Opposition.

The Hon. J.R. CORNWALL: No, I ran down very big burrows and embarrassed the Tonkin Government enormously, because I was very well informed.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.R. CORNWALL: Speaking of rabbit burrows, there sits one, the Hon. Mr Lucas on the back bench.

The PRESIDENT: Order! The Minister will have to be quick if he wishes to finish his reply before I call on the Orders of the Day.

The Hon. J.R. CORNWALL: I have not much more to add. This whole thing, as far as I can gather, is a furphy. However, I gave an undertaking the other day that I would look into allegations made by the Hon. Mr Ritson, whose contribution in this Chamber up until this time has been extraordinarily limited (and I believe that it will not improve).

LOTTERY AND GAMING ACT AMENDMENT BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Lottery and Gaming Act, 1936. Read a first time.

The Hon. C.J. SUMNER: I move:

That this Bill be now read a second time.

This amendment to the Lottery and Gaming Act results from the 68th Report of the Law Reform Committee of South Australia relating to Inherited Imperial Law on Gaming and Wagering. The committee canvassed a series of Imperial enactments ranging from the year 1541 to the year 1836 concerning gaming and wagering.

The committee found that many of the enactments are totally obsolete and ought to be repealed outright, as has been done by the English Legislature itself. The committee also identified the enactments that still have a residual role to play, and recommended that these be repealed and the substance of the provisions be continued in the Lottery and Gaming Act. The committee also recommended that the Acts known as the Sir John Barnard's Acts dealing with the illegal practice of 'stock jobbing' (that is, the unscrupulous speculation in shares and securities) be repealed because the Commonwealth securities legislation, as applied in South Australia by the Securities Industry (Application of Laws) Act, adequately covers this matter. This legislation implements these recommendations of the committee. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Explanation of Clauses

Clause 1 is formal. Clause 2 inserts in section 3 a new subsection providing for the repeal of the Acts of the Imperial Parliament in the second schedule. Clause 3 inserts an additional section in Part V of the Act, relating to unlawful gaming. An Act of the Imperial Parliament (9 Anne c. 14) provides that agreements made in relation to gaming transactions are voidable. (Section 50 of the principal Act has the same effect.) However, a later Imperial Act provided that securities given in relation to void gaming agreements were to be treated as given for illegal consideration, instead of being void, thus affording innocent third parties the opportunity to enforce the securities. The proposed new section deals with this issue and, in particular, provides that moneys paid in satisfaction of a void agreement, and property taken under a void security, may be recovered. Clause 4 provides a schedule of the Imperial Acts that are to be repealed.

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

CORRECTIONAL SERVICES ACT AMENDMENT BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Correctional Services Act, 1982. Read a first time.

JUSTICES ACT AMENDMENT BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Justices Act, 1921. Read a first time.

The Hon. C.J. SUMNER: I move:

That this Bill be now read a second time.

It deals with three matters: the power of justices to imprison, the maintenance of accurate records relating to justices of the peace, and new procedures to be adopted by a justice upon the completion of the evidence for the prosecution upon a preliminary examination. Last year, Parliament passed legislation amending the Justices Act to prevent justices of the peace from imposing sentences of imprisonment. While that legislation was desirable in principle, it was realised soon after its enactment that there are, at present, certain practical and financial obstacles to its implementation.

On 30 July 1982, a proclamation was made by His Excellency the Governor purporting to suspend the operation of the section under which the authority of justices of the peace to impose sentences of imprisonment was removed. I have received advice from the Crown Solicitor that the proclamation is invalid and that, as a consequence, justices of the peace do not have the power to impose sentences of imprisonment. The Government has consulted with those concerned in the administration of the courts, the police, the magistracy, the Royal Association of Justices and organisations concerned with the provision of legal aid.

The Government has come to the conclusion that it is not practical to remove entirely the power of justices of the peace to impose sentences of imprisonment. This measure provides that justices of the peace have a limited power to impose sentences of imprisonment for periods not exceeding seven days. If a more severe sentence is required or warranted then the court must remand the person in custody or on bail to appear for sentence before a special magistrate as soon as is reasonably practicable. It is possible that in remote areas arrangements may have to be made for the person to be transported to the nearest court of summary jurisdiction constituted of a special magistrate in order to comply with the requirement that the person be brought to appear for sentence as soon as is reasonably practicable.

The second matter with which this Bill is concerned is the establishment of a system of biennial returns to be provided by justices of the peace. Currently, there are no formal procedures to maintain an accurate record of the names and addresses of justices of the peace. Without such a record the Government is unaware of changes of address by justices of the peace and, where a justice of the peace dies, the fact of his death. Consequently, it is impossible to ensure that there is a sufficient number of justices of the peace in each area of the State to provide an adequate service to members of the public.

The Government has recently taken steps to revise its records. The new information is accurate, and the requirement to furnish a return every two years will maintain this accuracy. A fee must accompany the biennial returns to finance the administration of the records. Failure by a justice of the peace to lodge a return or pay a fee may result in his removal from office. The Attorney-General has discussed the proposal with the President of the Royal Association of Justices of South Australia who has agreed with the proposal in principle. The opportunity has also been taken to revise section 18 of the principal Act which deals with the removal of justices from office. Finally, the Bill provides for amendments to sections 105a and 109 of the principal Act to effect new procedures to be followed by justices upon the completion of the evidence for the prosecution upon a preliminary examination.

In a matter heard recently by Mr W.J. Ackland, S.M., two persons were charged jointly with having Indian hemp in their possession for the purposes of supplying, or for otherwise dealing or trading in that drug—an indictable offence. At the conclusion of the preliminary examination the learned special magistrate found that the evidence was not sufficient to put the defendants on trial for that offence, but that it was sufficient to put them on trial for the offence of knowingly having in their possession Indian hemp, which happens to be a minor indictable offence. At that point the matter was adjourned to enable further instructions to be taken, and subsequently both defendants intimated by counsel that they wished the matter to be dealt with summarily, one wishing to enter a plea of guilty and the other wishing to have the matter heard and determined by the special magistrate.

Section 109 (3) of the principal Act provides that if a justice is of the opinion (after having heard the evidence offered by the prosecution) that the evidence is sufficient to put the defendant upon his trial for any offence he may (except in a case of treason, murder or manslaughter) either ask the defendant whether he wishes to plead to the charge and proceed accordingly, or proceed with the preliminary examination. In either case, the result is that the matter will ultimately be dealt with by the Supreme Court or the District Court. This is clearly an undesirable result in a case of a minor indictable offence where all parties concerned wish the matter to be dealt with summarily to avoid the additional costs involved in proceedings before the higher courts.

The Bill provides that, if, after completing his consideration of the evidence, the justice considers the evidence sufficient to put the defendant on trial for an indictable offence, the justice shall review the charges as laid in the information to make sure that they properly correspond to the offences for which the justice considers there is sufficient evidence to put the defendant on trial. In carrying out the review, the justice may amend the information by substituting a charge for an indictable offence other than that with which the defendant was originally charged, amend the information to delete any charges relating to indictable offences for which there is insufficient evidence, or amend the information to include a charge relating to an indictable offence for which the defendant was not originally charged. The procedure to be followed by the justice upon completing his review of the charges is then set out in detail. The Bill thus lays down a clear and explicit procedure to be followed by the justice and removes some obscurities and uncertainties that have previously existed. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 makes an amendment to section 4 of the principal Act by inserting a new definition—a 'major offence' is defined as an indictable offence that is not a minor indictable offence. Clause 4 makes an amendment to section 5 of the principal Act. The present subsection (6) is struck out and new subsections (6), (7) and (8) are substituted. New subsection (6) provides that a court of summary jurisdiction, not constituted of a special magistrate, does not have power to impose a sentence of imprisonment (except a sentence in default of payment of a monetary sum) for a term in excess of seven days. New subsection (7) provides that where a court of summary jurisdiction consisting of justices (not being a special magistrate) convicts a person of an offence punishable by imprisonment and imprisonment is required by law or is in the opinion of the court, warranted by the offence, and the court is, by virtue of subsection (6), unable to impose an appropriate sentence of imprisonment, then the court shall remand the person in custody or on bail to appear before a special magistrate for sentence. New subsection (8) provides that a person remanded in custody under subsection (7) must be brought to appear for sentence as soon as reasonably practicable.

Clause 5 enacts new section 17a. The new section provides, in subsection (1), that a justice (other than a special magistrate) must, within three months before the first day of October 1984, and each biennial anniversary of that date, forward to the Attorney-General a return containing the prescribed information, accompanied by the prescribed fee. Under subsection (2), where a justice fails to comply with the requirements of subsection (1) the Attorney-General may require him to comply within a period specified in the notice.

Clause 6 amends section 18 of the principal Act. Subsection (1) is struck out and new subsections (1) and (1a) are substituted. Under new subsection (1), where a justice (other than a special magistrate) is mentally or physically incapable of carrying out satisfactorily his duties, is convicted of an offence, that, in the opinion of the Governor, shows him to be unfit to hold office as a justice, fails to comply with a requirement made by the Attorney-General under section 17a (2) or is bankrupt or applies to take the benefit of a law for the relief of bankrupt or insolvent debtors, the Governor may, by notice published in the *Gazette,* remove him from office. Subsection (1a) provides that the name of a justice so removed from office must be removed from the roll of justices.

Clause 7 provides for the insertion in the principal Act of new section 105a. Under that new section, where a person is charged with a minor indictable offence but no major offence, the charge shall be dealt with by a court of summary jurisdiction in the manner set out in Division II and a justice (other than a special magistrate) before whom such a person appears must remand him to appear before a special magistrate. Under subsection (2), where a person is charged on information with a major offence (whether or not a minor indictable offence is included), there shall be a preliminary examination in relation to all the charges contained in the information.

Clause 8 amends section 109 of the principal Act. Subsections (2) and (3) are struck out and new subsections are substituted. New subsection (2) provides that if the justice, after considering the evidence offered in the preliminary examination by the prosecution, considers it insufficient to put the defendant on trial for any indictable offence he shall dismiss the information, and if appropriate, order that the defendant be discharged from custody.

New subsection (3) provides that if, after considering the evidence, the justice decides that it is sufficient to put the defendant on trial for an indictable offence, he shall review the charges as laid in the information to ensure that they properly correspond to the offences for which he considers there is sufficient evidence to put the defendant on trial. In carrying out the review, he shall observe the following provisions:

(a) if he considers the evidence insufficient to support the indictable offence charged but sufficient to support a charge for another indictable offence, he shall amend the information to substitute that other charge;

(b) if he considers the evidence sufficient to support some, but not all, of the indictable offences charged, he shall delete from the information those charges which cannot be supported;

(c) if he considers the evidence sufficient to support an indictable offence with which the defendant has

not been charged on the information, he may, in addition to any other amendment, amend the information to include such a charge.

New subsection (4) provides that, upon completion of the review of the charges, the justice shall proceed as follows:

(a) if the defendant is charged with a major offence and no minor indictable offence, he may, in a case other than murder, manslaughter or treason, ask the defendant whether he wishes to plead to the charge in accordance with Division III or he shall proceed with the preliminary examination;

(b) if the defendant is charged with a minor indictable offence and no major offence, the charge shall be dealt with under Division II;

(c) if the defendant is charged with both a major offence and a minor indictable offence (whether cumulatively or alternatively), the justice may deal with the matter as if both charges related to major offences, or where he considers it just and expedient, divide the information into two separate informations, one for the major offence and one for the minor offence, and deal with each separately under whichever of the previous provisions is appropriate.

New subsection (5) provides that where a charge is in pursuance of this section, to be dealt with under Division II by a court constituted of a special magistrate who also conducted the preliminary examination, a witness for the prosecution who appeared personally need not be recalled except on the request of the defendant for cross-examination, further cross-examination or re-examination. Clause 9 is a consequential matter, providing for the repeal of section 124 of the principal Act.

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

ADDRESS IN REPLY

Adjourned debate on motion for adoption.

(Continued from 18 August. Page 349.)

The Hon. K.T. GRIFFIN: I take this opportunity to thank the Governor for the Speech with which he opened Parliament and to reaffirm my loyalty to Her Majesty the Queen. I also desire to place on record my recognition of the contribution that the late John Coumbe made not only to the Parliament of South Australia but also to the Government of which he was a member and to the wider community. He was very well respected in the time that he was a representative of the people and a member of this Parliament. I extend to his family the same sympathies as other members have extended in recognising his service to South Australia.

In 1981 the Australian Bureau of Statistics conducted a national survey of disability at the request of the Federal Government and State Governments as part of the initiatives for the International Year of the Disabled Person. The survey was conducted between February and May 1981, and focused on disabled persons and handicapped persons. For the purposes of the survey, a disabled person was regarded as one who had one or more disabilities or impairments, and a handicapped person was regarded as one who was limited by his or her disability in the performance of certain activities involving self-care, mobility, communication, schooling and employment. That survey identified 1 950 000 Australians who were disabled and, of that group, 1 260 000 were handicapped. Of a population of between 14 000 000 and 15 000 000 people, more than 10 per cent were disabled and more than 10 per cent were handicapped. The principal features of the findings of the survey, from a report in the magazine *Breakthrough*, which is published by the National Advisory Council of the Handicapped, were as follows:

There were 1 264 600 handicapped persons, of whom 295 800 were mildly handicapped, 253 700 were moderately handicapped and 514 000 were severely handicapped. The rest had a schooling or employment limitation only or were aged less than five years. 91.2 per cent of all handicapped persons live in households. The likelihood of being handicapped increases with age.

More persons in households and institutions were handicapped in mobility than in each of the areas of self-care, communication, employment and schooling. There were almost equal numbers of handicapped males and females in households, but almost two-thirds (65.7 per cent) of the institutionalised handicapped population were females. Aids such as hearing aids, walking sticks, wheelchairs, are used by more than one-third (38.3 per cent) of handicapped persons. More than-one third of these (35.5 per cent) used at least two aids. Older persons used aids more.

120 700 handicapped persons received medical services at home. Most were severely handicaped, aged and female, 90.9 per cent had a mobility handicap, 75.8 per cent were visited by doctors and 29.4 per cent were visited by nurses. One-quarter (25.2 per cent) of handicapped persons received non-medical assistance at home. Most common was housework help (43.2 per cent) and maintenance, gardening and odd jobs (50 per cent).

Handicapped people had a lower participation rate in the labour force than the general population (70.1 per cent for all persons compared with 39.5 per cent for the handicapped), 6.8 per cent of all persons aged 15 to 64 were handicapped, but only 3.8 per cent of the labour force aged 15 to 64 were handicapped, 12.2 per cent of the 257 700 handicapped persons in the labour force were unemployed, double the general unemployment rate of 6.1 per cent at the time of the survey, 73.4 per cent of those employed were in full-time work compared with the general rate of 84.0 per cent.

79.2 per cent (107 000) of handicapped persons aged five to 20 years attended school; 95.5 per cent of these resided in households, and 4.1 per cent in institutions.

The findings of that survey are particularly significant because they reflect a disadvantaged position of persons with a handicap or disability in our community in Australia. It can hardly be said that 1 950 000 disabled people or 1 260 000 handicapped persons are a minority group. The group ranges across the whole spectrum of the community—men and women; young persons, older persons; those of ethnic, Aboriginal, and native-born Australian backgrounds—yet this is a substantial group in the community which has largely been ignored by Governments and by the community at large. It was that ignorance, and perhaps lack of familiarity with disability, which prompted Australia to focus on the disabled during the International Year of the Disabled Person in 1981, and this State placed special emphasis on the rights of those persons rather than focusing on care or provision of services—although those aspects are particularly important in the recognition of the rights of persons with disability.

In Government we place a special emphasis placed on the disadvantaged position of many women; so, not only do we have a women's adviser to the Premier but women's advisers to the Minister of Education and to other Ministers and departments. We place a special emphasis in Government on Aboriginal education and, of course, on making some special provision for Aboriginal people in the workforce; we have an Ethnic Affairs Commission which places a special emphasis on the difficulties of persons from different ethnic backgrounds; yet, we place very little emphasis in Government on equal opportunity for persons experiencing disability.

It must be said, however, that there is now within the office of the Commissioner for Equal Opportunity a group which has a special responsibility for identifying discrimination against persons with physical handicaps, and in the Public Service Board the Equal Opportunities Unit endeavours to ensure that persons with experience of physical disability are properly placed within the public sector of the workforce. In the various Government departments, in one

way or another, there has been some recognition of the special needs of persons with disability, particularly in the education and health areas, but it has largely been uncoordinated.

In 1981 the Liberal Government had before it various objectives in respect of persons with disability: first, to enable persons with disability to realise their full potential and to participate in community life; secondly, to have access to opportunity equally with other South Australians; and, thirdly, to live as independently as their circumstances allow. Those objectives were generally shared in principle by all political Parties and by all South Australians, but were not as actively promoted by some South Australians as they should have been.

As part of the South Australian emphasis on I.Y.D.P., the Attorney-General was the Minister responsible for activities of the Government during that year. An Advisory Council was established, with persons with specific experience of disability forming its membership. There was an I.Y.D.P. secretariat, adequately staffed. There was an emphasis on Government and voluntary sector co-operation not only through the Advisory Council but also through a Government Officers Sub-Council, which was itself serviced by a full-time Chairman and assistant. The Advisory Council was particularly important because it sought to focus on people with experience of disability making and effecting decisions, and not having councils and others tell them what they ought to be doing for the disabled. That was a very important ingredient of the initiatives taken by the I.Y.D.P.: persons with disability ought to be encouraged to make their own decisions, to participate in broader environmental and community decisions, and to do the sorts of things that they regard as important to ensure that they have adequate independence, mobility and equal opportunity.

The Government Officers Sub-Council was designed not only to ensure that State Government Officers had a positive obligation to participate in I.Y.D.P. but also to allow some cross-fertilisation of ideas and experience and to ensure that some of the enthusiasm of some of the officers rubbed off on those who were perhaps less enthusiastic. During the year, some 34 State Government departments, 15 Commonwealth departments and 15 Government instrumentalities (a total of 64 Government or semi-government bodies) were represented on the Government Officers Sub-Council. The conclusion of the sub-council at the close of I.Y.D.P. was as follows:

> In the perspective of Australia's I.Y.D.P. activities, the Government Offices Sub-Council in South Australia accomplished what few would have expected. It demonstrated the possibility of all formal governmental structures contributing to a common objective—'Full Participation with Equality'. The newness of the task demanded a learning and sharing of knowledge and resources in a co-operative venture which brought innovation, rationalisation and tolerance. The results of the action initiated by organisations of the sub-council, summarised on the following pages, are the first, tangible measurements of achievement, yet do not reflect the total impact. People with disabilities are already feeling the beneficial effects of the co-ordinated effort of the public sector in this State and will hopefully be alerted to future possibilities.

Governments and Government departments often have a reputation for being insensitive and impersonal. It could be fairly said that during I.Y.D.P. the Government officers involved in the programmes of their departments for that year ensured that they were conducted with some sensitivity and awakened new enthusiasm and interest on the part of the particular Government officers, and I hope ensured that those Government departments would in future years have a sensitivity towards disability which maybe was not as developed or even as obvious as it was before 1981.

Towards the end of 1981 the Government recognised that the considerable momentum which had been generated during 1981 in the private and public sectors ought to be continued, because 1981 only scratched the surface of what was needed for persons with disability to enable them to have the equal opportunity that we talked about as a principle.

So, the Government announced some major on-going initiatives, including the establishment of a Disability Advisory Council on a permanent basis, adequately serviced through the Attorney-General's office. Incidentally, the Attorney-General should remain the Minister responsible for the overall co-ordination of policies and programmes relating to persons with disabilities. That Advisory Council should, in the view of the then Liberal Government, include members representing various Government agencies, various Ministers and persons with personal experience of disability.

So, it was not another Government agency making decisions for disabled people but rather an agency where people with disability contributed and, in fact, dominated the decision-making process. It would also enable an on-going momentum to be maintained for the rights of persons with disability. The terms of reference set by the Liberal Government for the Advisory Council were that it should advise the Government, through the Attorney-General, on issues affecting the disabled in South Australia, in particular, on the broader issues extending beyond service delivery policy to questions on rights and community awareness; it should have an advisory role in the establishment of an information-resource centre; it should consider any matters referred to it by the Attorney-General; it should liaise and co-ordinate studies with the National Advisory Council on the Handicapped; and, on an administrative basis, it should meet at least once a month.

The Liberal Government also believed that there ought to be an Inter-departmental Committee on Disability, serviced by an officer of the Public Service with specific responsibility for that committee. The Inter-departmental Committee should, in the Liberal Government's view, be responsible to the Attorney-General and have the following responsibilities: first, to raise and maintain awareness of issues affecting disabled persons within Government; second, to ensure that the impact of Government programmes on the disabled is properly considered; third, to initiate inter-departmental action and co-ordination where necessary and appropriate; fourth, to collect and disseminate information to the Government on matters within Government affecting the disabled; and, fifth, to identify problem areas within Government. The committee was, in effect, a conscience for the Government on programmes and policies likely to have some impact on the disabled.

The third major on-going initiative proposed by the Liberal Government was the establishment of an information and resource centre which would be a focal point for, particularly, volunteer organisations involved in representing the interests of persons with disability and for persons with disability themselves. That resource centre was to endeavour to achieve the concept of one-stop shopping, providing information on a wide range of facilities, services, benefits and programmes available to persons with disability under the one roof, as well as providing to various organisations a facility that would enable them to more effectively undertake their responsibilities and programmes and co-ordinate those activities. We decided, as a Government, in 1982-83 to allocate $60 000 to the information resource centre. That amount was included in the 1982-83 Budget. We also originally believed that something like $96 000 should be appropriated for a full year's operations but finally we committed ourselves, in the context of budgetary constraint, to a full-year commitment of $80 000.

At the Disabled Persons International forum on 19 July, Liberal and Labor representatives discussed their respective

policies for the disabled. The Minister of Health represented the Labor Government on that occasion. He referred to five policy decisions which the Labor Government had taken. He said that there would be a major policy announcement by the Attorney-General on 9 August. The Minister of Health referred to the following five policy initiatives of the Labor Government: first, to establish a permanent Cabinet subcommittee responsible for reviewing the Government's policies on human services; second, to appoint an adviser to the Premier on disability; third, to establish an inter-departmental committee on disability; fourth, to maintain the information-resource centre established under the Liberal Government; and, fifth, to support some umbrella organisation representing all disabled people. On 9 August 1983, the Attorney-General spoke to the annual meeting of ACROD. However, he did not make any major policy announcement. He merely repeated the five policy initiatives to which the Minister of Health had referred at the Disabled Persons International forum on 19 July. That was particularly disappointing for persons with disability who expected the Labor Government to develop initiatives involving people with disability during the ensuing years and also to give them adequate support in moving towards equality of opportunity in the public sector as well as in the wider community.

On 9 August the Attorney-General said that the human services subcommittee of Cabinet would consider all policy matters affecting the disabled. From my experience of Ministers acting as a subcommittee of Cabinet, I found that it was difficult to maintain the momentum, as Ministers are very busy. I believe that disability needs the consistent and conscientious attention of a Minister or group of Ministers so that the momentum is not lost. Issues can then be given attention on a regular basis and not on an *ad hoc* basis.

The second matter is that of adviser to the Premier on disability. As I understand what the Attorney-General had to say on 9 August, it was likely to occur later this year, and a bid had been made for it in the State Budget. However, he was not sure whether it would finally go ahead because of the financial position of the Government, although he said that he hoped that it would happen. The appointment of an adviser to the Premier on disability is all right as far as it goes, but what support services are to be provided to that adviser? That was something which the Attorney-General on that occasion was unable to answer adequately. If there is to be an adviser to the Premier on disability, as there is an adviser on women's affairs, then that adviser has to have adequate resources, staff and back-up. It is not even known at this stage at what level within the Public Service the adviser responsible to the Premier will be placed.

It is important to have a reasonably senior classification to enable that person to have adequate influence within the Public Service, where classification of officers seems to have particular and special significance. The other point, of course, is that it is already difficult to see the Premier, so how likely is it that an adviser to the Premier on disability will get the policy attention and administrative back-up from the Premier that I believe is important in this area?

The third initiative announced by the Attorney-General and the Minister of Health was an inter-departmental committee on disability. I think that that is a good thing because there needs to be constant and consistent attention to programmes and policies within Government departments in so far as they affect people with disabilities. However, the questions are, 'What sort of support will there be for the inter-departmental committee?', 'What service is to be provided?', and 'Is it to have an Executive officer who has a special responsibility for servicing not only the decisions of the committee but also the policy development and co-ordination that may occur?'

During the International Year of the Disabled Person, as I have already indicated, there was a full-time Chairman of the Government Officers Subcouncil who had a full-time assistant. That really was not enough to enable all the necessary work to be done. Therefore, the question still remains whether the interdepartmental committee will be effective and adequately serviced, or whether it will merely be a token gesture to persons with disabilities.

I am pleased to see that a resource centre is to be supported by the present Government. The only comment I make here is that I hope that it will be adequately funded. As I have already indicated, the Liberal Government provided $60 000 for the Information Resource Centre in its first year of operation with a commitment of at least $80 000 (at then money values) for a full year of operation. Of course, that would need to escalate because of inflation, and would probably be about $90 000 in 1983-84 terms.

The other policy initiative was support for an umbrella organisation. I understand that there is still debate within Government as to who should represent disabled persons—ACROD or some other organisation. My experience with all these voluntary organisations is that it will be very difficult to bring them under the one umbrella organisation. If we tried to do that we might be here for another 10 years before we gave support to that umbrella organisation, having waited for it to be established. I therefore urge the Government to look carefully at that decision and to move towards some other mechanism for supporting the disabled through, for example, a properly representative, adequately serviced advisory council.

I suppose that the difficulty with creating an umbrella organisation for disabled groups is that the majority of organisations representing the disabled focus upon one, two or maybe three specific disabilities. For the people involved in that organisation, those disabilities are the major focus of their lives, because they must live with them. It is all very well for us able-bodied people to talk about being concerned for people with all ranges of disabilities, but the fact is that when one has a specific disability it often takes all one's time and resources to live and cope with that disability and to take advantage of the opportunities which are available without having to focus upon all the disabilities that other people experience.

I make a strong plea to the Government to reassess this question of support to an umbrella organisation, if only for the sake of getting something moving to ensure that momentum generated in 1981 and subsequently does not dissipate (and I would think dissipate fairly quickly) to the severe disadvantage of all people who have experience of a disability.

It is correct that the Attorney-General said that some task forces were being established within Government departments, but I again suggest that they need to be adequately serviced and co-ordinated if we are to make a genuine attempt to adequately provide for people with experience of disability and to move towards equality of opportunity.

The other area of concern is the question of co-operation with, and the co-ordination of, activities of State and Federal Governments and their respective agencies. The Liberal Government proposed to achieve some measure of co-ordination through the Advisory Council on Disability in South Australia and representation on the National Advisory Council for the Handicapped. That is something of an umbrella organisation Federally covering a wide range of organisations having some involvement in the area of disability.

It is most important for there to be adequate co-ordination between State and Federal agencies, but so far the Government has not explained what mechanisms would be established to enable that co-ordination and co-operation to be

achieved between this State Government and the present Federal Government and their respective departments.

I have some disappointment with the time that it has taken for the Government to announce some initiatives, a number of which will not come into effect until after the Budget, if funding for them is provided in the Budget. It is urgent that the Government act to place a special emphasis on persons with a disability.

The question is, 'Where do we go from here?' I think, in terms of principle, that we have as a Parliament and as people in Government to ensure that people with a disability are involved in decision making.

We must make it mandatory for departments to assess the impact of policies and programmes on the disadvantaged and to take some positive action to develop programmes and policies affecting the disabled. We need to ensure that there is constant exposure of disability so that within the able-bodied community there comes a familiarity, as was started in 1981, with disability and with persons experiencing disability.

Part of the difficulty within the community is that so many people who talk about equality of opportunity have not really been exposed sufficiently to disability or to persons with experience of disability to allow their concerns and prejudices to be eliminated. We must also focus upon employment opportunities in the Government and private sectors. I know that in times of financial constraint and economic recession that is difficult, but, as I said at the commencement of my speech, statistics indicate that persons with disabilities are severely disadvantaged in relation to employment opportunities.

Therefore, we must place special emphasis on employment opportunities within the public sector and in the private sector. I would like to think that initiatives could be taken within the Government to encourage private employers to take an even greater interest in providing job opportunities for persons with a disability.

Independence for people suffering from disabilities means that they do not have to live on Government hand-outs and charities.

The giant I.B.M. Corporation in the United States of America has a programme of training intellectually handicapped people to become computer programmers. Indeed, it has some 600 intellectually handicapped persons undertaking that training course. I believe that Australian businesses should be following that example in relation to the physically disabled and the intellectually handicapped.

I have taken a special interest in the area of disability. I believe that Governments need to maintain the interest and momentum in this issue and positively undertake programmes to ensure that equality of opportunity and full participation in community life, which were the principles of 1981, are put into practice. I know that Governments, the community and commerce and industry have many things to worry about, but there is a large, untapped resource in the area of the disabled who, if encouraged and given opportunities to participate in community life, would enrich that community life.

The 1 900 000 disabled people in the community deserve and require much more attention than they have received from Governments so far. I certainly encourage the Labor Government to make equality of opportunity for the disabled a reality; the Opposition would welcome participation in that area. I support the motion.

The Hon. L.H. DAVIS: I join with my colleagues in expressing sympathy to the relatives of the late John Coumbe, who made a unique contribution to the Liberal Party as a member of Parliament and as a key member of the Liberal Party organisation. He served in the House of Assembly for many years, eventually becoming Deputy Leader, and was admired by friend and foe alike for his kindness, genuine attitude and diligence in relation to Parliamentary matters. John Coumbe also made a significant contribution to the commerce of this State. I suspect that John Coumbe may be the only person who has served as a member of the South Australian Gas Company Board and, in his retirement, as a member of the Electricity Trust of South Australia Board.

In his Speech to open this session of Parliament, His Excellency the Governor mentioned the encouraging rains that have marked the opening of the season. Since then there have been further rains which indicate that both the pastoral and agricultural areas of South Australia will enjoy a good season. It is all too easy to forget that the agricultural and pastoral industries of this State have, since their inception, made a significant contribution to the wealth of the South Australian economy. I remind the Council that 930 000 of South Australia's 1 330 000 people live in the capital city of Adelaide. Therefore, it is quite apparent that the number of people employed in the agricultural and pastoral industries in this State is an ever-diminishing number. In fact, the 1981 census indicates that only about 7 per cent of South Australia's population is employed in pastoral and agricultural activities. That figure is in sharp contrast to the figure at the turn of the century, when nearly 30 per cent of South Australians were engaged in primary industry activities.

The agriculture industry in South Australia got away to a slow start. Although South Australia was formally settled in December 1836, the selection of the first country sections was not made until May 1838. Therefore, there was little or no cultivation of land in the first 15 or 16 months outside the metropolitan area. Because there was a general frustration at the failure to make country sections available, many agricultural implements were sold off at auction to raise money for many of the early residents of Adelaide who found themselves in difficult economic circumstances. Food was scarce and crops failed in the early years of the settlement of the colony. The economy was in such a critical state that an export duty was imposed on grain and flour. However, after an early difficult start in the field of agriculture South Australia quickly became known as the bread basket or granary of Australia.

By the year 1860, 30 per cent of area under crop in Australia was located in South Australia. By 1880, nearly half the area under crop in Australia was to be found in South Australia. In the mid-1870s, South Australia produced nearly 60 per cent of Australia's wheat, whereas today it produces something like 12 per cent thereof. The opening up of lands in Western Australia and Queensland has meant that South Australia is no longer the most significant grain producer in Australia.

Similarly, the number of sheep in South Australia grew quickly as a result of the foresight of the first settlers. Merinos, southdown and leicesters came to South Australia in the first fleet and were supplemented by sheep from the Cape of Good Hope, New South Wales and Van Diemen's Land.

Wool accounted for over 80 per cent of the colony's exports in the early 1840s. Later, we had the foresight of people such as Hawker, Dutton and Angas, who opened up this State's pastoral industry. There are many examples of the entrepreneurial skill and resourcefulness of pioneer pastoralists who opened up large areas of land, particularly in the drier northern areas of South Australia. Sir Thomas Elder is one such person who could be regarded as one of the outstanding South Australians of the nineteenth century. He arrived in South Australia in 1854 and established a successful business. Sir Thomas was instrumental in starting the Wallaroo and Moonta copper mines, which became the

biggest copper deposit in the world. As a result, Sir Thomas became a wealthy man. He donated £20 000 to the Adelaide University and large sums to various charities.

He presented to Adelaide the rotunda on the banks of the Torrens and he was one of the entrepreneurs and outstanding men that South Australia boasted in the nineteenth century. So we see that the agricultural and pastoral industries in South Australia were particularly important in those early years, and were later supplemented by important mineral discoveries first at Kapunda and Burra and then at Wallaroo and Moonta.

One should not forget that over 80 per cent of South Australia, as was stated in the *Commonwealth Year Book* of 1908, receives less than 10 inches of rain.

South Australia is at least the driest State of the driest continent in the world, and the early settlers found that out often to their loss. One only has to travel into the Flinders Ranges to realise that; one sees that more houses have been allowed to run down than are still occupied. Of course, that reflects the unseasonal nature of the Mid North in those days. Good rains enabled people to plant wheat as far north as Quorn, but they found out to their loss that Goyder's observations were indeed true and that Goyder's line marked the end of the agricultural land and the beginning of the pastoral regions of this State.

South Australia is well known as the leading wine State in Australia, and even at federation 40 per cent of Australia's wine was produced in South Australia. The second *Commonwealth Year Book* of 1908 observed:

> The production of wine in Australia has not increased as rapidly as the suitability of soil and general favourableness of conditions would appear to warrant.

There was a further observation that Australians were not wine-drinking people and that it was difficult to establish a footing in the markets of the old world for the new and comparatively unknown wine of Australia, because of competition of wellknown brands. One could only observe that Australians are now drinking much more wine. However, there is still great difficultly in Australian wines competing successfully in the export markets of the world. Those early trends in the pastoral, agricultural and wine industries were important in providing not only exports but also jobs for the economy of Australia before federation.

One of the interesting aspects that is often ignored in discussions of economic trends is population. South Australia for the most part has suffered in comparison with the national average in terms of population growth, and this has been true for most of the time since South Australia was founded in 1836. There have been some notable exceptions when the population growth in South Australia out stripped that of other States, but they have been few and far between. I seek leave to incorporate in *Hansard* a table of a purely statistical nature relating to population from 1840 to 1900.

Leave granted.

ESTIMATED POPULATION 1840-1900

	South Australia	Queensland	Western Australia	Australian Population	Sth Aust. % of Aust. Population
1840	8 272			127 306	6.5
1850	35 902			238 683	15.0
1860	64 340			668 560	9.6
1870	94 894			902 494	10.5
1880	147 438	124 013	16 985	1 204 514	12.2
1890	166 049	223 252	28 854	1 692 831	9.8
1900	184 637	274 684	110 088	1 976 992	9.3

Source: *Commonwealth Year Book* No. 2, 1908.

The Hon. L.H. DAVIS: This table indicates that in 1850 South Australia enjoyed about 15 per cent of the total population of Australia, but this figure declined until the expansion that occurred with the discovery of the copper province at Wallaroo and Moonta. In 1880 the South Australian population was about 12.2 per cent of the Australian population. However, by the turn of the century that figure had dropped to 9.3 per cent, and that is close to the level that we see in 1983.

A valuable monograph, on South Australia's changing population, was prepared by Dr Graeme Hugo, the Senior Lecturer in Geography in the School of Social Sciences at Flinders University. This publication was prepared by the Royal Geographical Society of Australasia and is the most comprehensive document in recent times on South Australia's population trends, both in the past and in the future.

We have already noted that, unlike the population of most other countries, Australia's population is heavily concentrated in urban centres; indeed, in 1980 our 11 largest cities contained nearly two-thirds of the population. That is a much higher figure than one would see in Japan, America, Canada, or England. Our 11 largest cities, that is, those with populations over 100 000 people, contained nearly two-thirds of the population.

Changing populations and population trends are of enormous consequence to Governments and business. Fluctuations in the population growth rate were most notable in the early years of settlement of South Australia and other Australian States, and especially following the Second World War, when there was a post-war baby boom, accompanied by the commencement of a migration programme. It is quite obvious that that post-war baby boom in itself had important economic consequences for Australia in terms of jobs and demand for goods and services.

The demand for toys, maternity hospitals and housing worked through into the teenage market, with a demand for teachers, kindergartens, primary and secondary schools, right through to universities, with a spill-over into the 1970s and an expanding demand for houses. The middle-ageing of the so-called baby boomers has led not only to the expansion of the housing industry in the 1970s but also to an increased demand for consumer durables, such as refrigerators and other white goods, floor coverings and so on.

However, in the 1980s we have seen a slow-down in population growth, most noticeably in South Australia. This recent trend has, of course, been the subject of some discussion. Singularly unhelpful comments have been made about South Australia's slow population growth, and one can refer to the Labor Party's campaign at the last State election and in the months prior to that. In recent weeks I have noted that last August the Labor Party took a full-page press advertisement to declare that South Australia had the lowest population of any mainland State, which the A.L.P. blamed on the policies of the Fraser-dominated Tonkin Government. That was quite a remarkable allegation, given that the population trends are rather of a longer term consequence than the three-year life of any Government.

The Hon. R.I. Lucas interjecting:

The Hon. L.H. DAVIS: That is right. There has been no evidence that the Premier is producing any more babies. Mr Hawke, of course, lays claims to miracles, and maybe we will see some evidence in the Budget tonight that the Federal Government will encourage a baby boom in Australia.

I want to return to the paper of Dr Graeme Hugo on South Australia's changing population. In his introduction he makes the point that demographic changes influence the pattern of demand for services in at least four ways: first, and most obviously, it will lead to a fluctuation in the demand for goods and services; secondly, it will lead to variations in the level and type of demand for particular resources and services—and quite obviously if, for instance, there is a high level of immigration, the particular characteristics of that population will shape the nature of the demand for goods and services; thirdly, many services are

consumed by households rather than individuals so that demographic patterns will be influential in determining to what extent new households are formed and, in turn, that of course will influence the level of demand; finally and obviously, the level of migration at any particular time also has an economic impact on the demand for goods and services.

I seek leave to have incorporated in *Hansard* a table of a statistical nature setting out South Australia's annual growth rate as against the growth rates in Australia in the period 1861-1991.

Leave granted.

INTERCENSAL COMPOUND ANNUAL POPULATION GROWTH RATES IN AUSTRALIA AND SOUTH AUSTRALIA, 1861-1982 (SOURCE: AUSTRALIAN BUREAU OF STATISTICS)

PERIOD	Percentage Growth Rate Per Annum AUSTRALIA	SOUTH AUSTRALIA
1861-71	3.70	3.72*
1871-81	3.08	4.25*
1881-91	3.51	1.25
1891-1901	1.80	1.02
1901-11	1.63	1.55
1911-21	2.03	1.81
1921-33	1.85	1.35
1933-47	0.85	0.76
1947-54	2.47	3.04*
1954-61	2.25	2.83*
1961-66	1.98	2.47*
1966-71	2.21	1.46
1971-76	1.44	1.20
1976-81	1.24	0.70
1981-82	1.66	0.91
1981-91 (projected)[1]	1.21	1.00

[1] ABS Projections. Series D. Inclusive of Overseas and Interstate Migration . . .

* Years in which South Australian population growth rates exceeded national rates.

The Hon. L.H. DAVIS: This table clearly demonstrates the point that I made earlier: that in only two periods of South Australia's history has the population growth exceeded the Australian population growth. Between 1861 and 1881 South Australia's annual population growth rate was in excess of the national average, and again in the period 1947-66 South Australia's population growth rate exceeded the national growth rate. Those two periods are easily explainable: in the period 1861-81, as I have already mentioned, there was the discovery of the copper provinces, which led to enormous population growth centred not only in the copper provinces themselves but also in Adelaide, servicing that mining industry.

In the period 1947-66 this exceptional growth was occasioned by two factors: first, the commencement of the post-war migration programme and, secondly, and most importantly, the development of South Australian industry under the Government of Sir Thomas Playford. It was that post-war industrialisation in South Australia that led to the formation of many of the basic industries that are still with us today. It attracted an above-average share of the average national migration, and an above-average inflow of people from other States. So, for example, in the period 1947-54, as the table indicates, South Australia's annual population growth rate was 3.04 per cent, compared with the national average of only 2.4 per cent. The underlying point of this table is that for South Australia's 147 years there have been only two periods (1861-81 and 1947-66) when we have achieved an above-average population growth rate.

Our population growth rate is quite clearly influenced by four factors: the levels of births, deaths, immigration (whether it be from overseas or interstate) and emigration (likewise to interstate or overseas). In turn, the factors influencing those points include mortality and fertility rates. Dr Hugo demonstrates that South Australia's fertility rate is below the national average. Indeed, throughout the past 100 years that has generally been true. That, of course, does impact on the level of births in South Australia and means, other things being equal, that the rate of natural increase in population will suffer.

Dr Hugo makes the point that South Australia's fertility level is now below the zero population growth threshold, although because of our age structure natural increase will still take place for another 50 years. Another important influence in population is migration and, again, in this area South Australia has received less than its share of migrants in all but a few years since the war. I seek leave to have incorporated in *Hansard* a table of a statistical nature relating to immigration from Dr Hugo's publication.

Leave granted.

TABLE 3. NET OVERSEAS IMMIGRATION, TOTAL AUSTRALIA AND SOUTH AUSTRALIA (SOURCE: AUSTRALIAN BUREAU OF STATISTICS, CANBERRA)

	Australia Number	South Australia Number	S.A. Percentage of Australian Net Migration Gain
1966	114 725	17 679	15.4
1967	104 215	10 066	9.7
1968	126 595	10 463	8.3
1969	149 785	12 885	8.6
1970	148 031	13 673	9.2
1971	114 403	9 723	8.5
1972	66 587	6 182	9.3
1973	61 573	6 329	10.3
1974	87 298	6 287	7.2
1975	13 511	−352	—
1976	25 013	378	1.5
1977	54 778	2 687	4.9
1978	51 623	853	1.7
1979	69 020	1 747	2.6
1980	93 426	4 906	5.2
1981	127 077	7 663	6.0

The Hon. L.H. DAVIS: This table demonstrates that, apart from a few years in the 1950s (more particularly, the table refers to the 1960s) South Australia's share of overseas migration has been below average. Indeed, in 1975 South Australia's net migration gain was nil. In 1981 the June census reports that it was 6 per cent although, of course, South Australia's share of national population is closer to 9 per cent. The picture of interstate migration is similar: the figures reveal that South Australia for the past 100 years has in all but a few decades lost population to other States. I seek leave to have incorporated in *Hansard* a purely statistical table setting out estimates of net interstate migration gains for the period 1881-1981.

Leave granted.

SOUTH AUSTRALIA: ESTIMATES OF NET INTERSTATE MIGRATION GAINS AND LOSSES, 1881-1981

Intercensal Period	Net Migration	Intercensal Period	Net Migration
1881-1891	−31 637	1947-1954	6 967
1891-1901	−16 660	1954-1961	4 144
1901-1911	−11 149	1961-1966	799
1911-1921	5 578	1966-1971	−14 977
1921-1933	−5 490	1971-1976	1 709
		(est.)	
1933-1947	−5 234	1976-1981	−13 653

The Hon. L.H. DAVIS: The table shows that, apart from the decade 1911-1921, in the period immediately after the Second World War (1947-66) and in the early 1970s, in all other years South Australia has lost population to other States. This is, again, an inhibiting factor on population growth. So, when one looks in summary at these figures I have tabled, it becomes clear that, if one takes the sum of the net interstate migration and the net overseas migration, together with the total natural increase (given that that has been inhibited by a low fertility rate), South Australia's population growth has not surprisingly been consistently lower than the national average. The projections for the years ahead would indicate that this trend is unlikely to

change. Projections which have been undertaken both at a State and Federal level indicate that South Australia's projected annual growth rate in the period 1976-91 is going to be significantly lower than the national average. That will be carried through into the twentieth century. This, of course, has important consequences not only for economic growth but also in terms of planning for schools and for the aged.

The Council should note that the projections for 1976 to 1991, according to the series D projection assumption of the Australian Bureau of Statistics for that period, indicate that South Australia's growth rate for people aged 65 and over will be in the order of 3 per cent per annum, as against the Australian figure of only 2.25 per cent. So, South Australia's population growth will not only be lower but the population will be an ageing one. This, of course, will reflect on the school-age population. There has been a steady fall in primary school enrolments in recent years as a result of the sharp and perhaps unexpected fall in the number of births since 1971. However, it is expected that that position will improve in 1986 onwards as we have the echo effect of the baby boom. It is hoped that the school population, at least at primary level, will start increasing from 1986 onwards.

The Borrie Report, which set the level for the debate on population in the early 1970s, made several important observations about population trends. It introduced, for the first time, the realisation that our population growth had declined and was heading towards zero population growth. That debate is now behind us and, of greater interest, is the debate as to what should be the level of population increase and should State and/or Federal Governments take an active role in regard to population movements, given the economic importance of population in the scheme of things. The National Population Inquiry of 1978 found:

> Unlike the pattern in the U.S.A. where there has been substantial redistribution between States during the post-war period, the Australian pattern has been one of minor redistribution, especially as a result of post-war industrialisation, the minerals boom and increased Federal Government expenditure on decentralised urban development, most notably in Canberra.

I seek leave to have a purely statistical table, which sets out the percentage distribution of the Australian population amongst States and Territories from 1901-81, incorporated in *Hansard*.

Leave granted.

PERCENTAGE DISTRIBUTION OF THE AUSTRALIAN POPULATION AMONG THE STATES AND TERRITORIES, 1901 to 1981 (SOURCE: AUSTRALIAN BUREAU OF STATISTICS, 1982A AND DI IULIO AND CHOI, 1982)

State/ Territory	1981 Census Population	Census Counts, Actual Location [1] 1901	1921	1933	1947	1961	1966	1971	Estimated Resident Population [2] 1971	1976	1981
N.S.W.	5 237 068	35.90	38.64	39.23	39.38	37.28	36.54	36.07	36.16	35.41	35.09
Vic.	3 948 555	31.82	28.17	27.46	27.11	27.88	27.77	27.46	27.56	27.15	26.45
Qld	2 345 335	13.20	13.91	14.29	14.60	14.45	14.44	14.32	14.17	14.91	15.71
S.A.	1 319 327	9.50	9.11	8.76	8.53	9.23	9.44	9.20	9.18	9.08	8.84
W.A.	1 299 094	4.88	6.12	6.62	6.63	7.01	7.31	8.08	8.06	8.40	8.70
Tas.	427 308	4.57	3.93	3.43	3.39	3.33	3.20	3.06	3.05	2.94	2.86
N.T.	122 844	0.13	0.07	0.07	0.14	0.26	0.49	0.68	0.66	0.70	0.82
A.C.T.	227 255	—	0.05	0.14	0.22	0.56	0.83	1.13	1.16	1.48	1.52
Aust.	14 926 786	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00

[1] Estimates as at census date, not adjusted for under-enumeration.

[2] Estimated Resident Population (on the basis of usual residence and adjusted for under-enumeration).

The Hon. L.H. DAVIS: The table clearly demonstrates the point I make, notwithstanding the fact that Western Australia has just passed South Australia as the fourth most populous State in Australia. This has been the first change in order of population amongst Australian States this century. We have not had in Australia the dramatic population shifts that have been a feature of many other countries. One country in which there has been a dramatic shift is the United States of America. Older cities of the mid-west and north east—the so-called snowbelt cities—have lost significant numbers of people to the so-called sunbelt cities of the south. Cities such as New York and Chicago have lost over 10 per cent of their population in the decade 1970-80. The same has applied to Philadelphia, Detroit, Cleveland, and St Louis, which have lost more than 20 per cent of their population in the decade 1970-80. The sunbelt cities have largely been the recipients of this exodus—cities such as Phoenix, Houston, San Diego, San Antonio and Atlanta, which could be regarded technically as being part of the sunbelt. The reasons for this are many: the aesthetics of the newer cities, the climate, the argument that wages and salaries are somewhat lower in these newer and developing areas, and that the power of the unions is weakened in such cities is also a factor, I am told. The very relaxed life style of some of these newer cities is also an obvious attraction.

This tendency to dramatic population shifts has been a very significant factor in the American economy in the past decade. It has been given added impetus by State Government's encouraging industry in mid-north, mid-west and north-east cities to relocate in their areas. They offer taxation incentives, better life styles and supplement this heavy advertising through aggressive tourist advertising as well. This has some relevance to South Australia, whichever Government is in power. It has already been noted in 'South Australia—A Strategy for the Future', the discussion paper prepared in November 1981, that the population in South Australia has not been growing at a rapid rate. The implications for South Australia were twofold, and I quote:

> The lack of growth in the population means that there will be limited opportunities to expand sales and achieve satisfactory growth in community living standards.

Secondly:

> The continued ageing of the population will mean a swing in product emphasis away from the current one on youth to goods and services for the aged.

What can be done about this? What can be done by a State Government to arrest this quite obvious trend? It is a trend that has been with South Australia for a long time—it is not a new thing. I suggest Governments must become even more aggressive in the area of State development and that we should take a leaf out of the books of the American States, which have Chambers of Commerce and State development officials continually on the move with taxation and other incentives seeking out industry.

When we are talking about industry we are not talking about large industry because the observation increasingly is that it is in the smaller firms where most job opportunities are being created. In fact, a recent survey in America found that 80 per cent of net job creations were by establishments with less than 100 employees. Indeed, the O.E.C.D. Secretariat's recent meeting in Paris, which had been convened to discuss small business, made the observation that small and medium sized enterprises represent 80 per cent to 90 per cent of all enterprises in O.E.C.D. countries, employ more than two-thirds of the active population and contribute

to a large extent to the training of young persons and to the improvement of professional qualifications of all persons.

What we need is active Government encouragement in this area. We also need entrepreneurs, people in the private sector who are prepared to do more work in this area. Entrepreneurs such as Thomas Elder, who assisted South Australia's early growth, have set a fine example. The entrepreneurs of the 19th century in South Australia are not so readily found in the 20th century and there would be many people today in South Australia who would be hard pressed to name the entrepreneurs in South Australia in comparison with the entrepreneurs who readily come to mind in Western Australia. It is one thing to encourage small firms through fairly standard packages, whether Federal or State Government, but it is another thing to encourage entrepreneurs. I believe that Governments have a great responsibility to offer more encouragement to entrepreneurs: there should also be greater encouragement to universities to develop closer liaison with the communities they serve so that their research is of practical importance. Post graduate students in American universities generally know that if they have a new idea they will be able to market it somewhere. That is not necessarily so in Australia. In America there has been specific taxing encouragement given to create a new breed of entrepreneurs. There have been modifications in capital gains tax legislation in America recently and capital increasingly is switching to smaller firms, believing that they are more flexible, adaptable and creative when it comes to high technology development.

The Hon. Barbara Wiese: Are you in favour of a capital gains tax?

The Hon. L.H. DAVIS: I was only making the point that in America they have reduced capital gains taxes to give more encouragement to people involved in high technology industry.

The Hon. Anne Levy: But they still have them.

The Hon. L.H. DAVIS: Yes, but they are very modest, of the order of 15 per cent or 20 per cent. We can take a leaf out of the book of the 19th century entrepreneurs and, indeed, we can take note of more recent examples such as Santos, which searched for oil and gas for about 15 years before meeting with commercial success. The 1980s and 1990s are not going to be periods of large-scale growth of manufacturing in this State (if not in the rest of Australia). Nor are there going to be jobs generally created on a large scale in many traditional areas. Certainly, one would hope that there are exceptions in areas such as Roxby Downs, but the opportunities that exist and that must be grasped are in areas already being exploited by the United States of America, Japan and other South-East Asian countries. They are in the high technology areas where enterprise, skill and flair are a prerequisite. It is in this area where Governments, both at a Federal and regional level, have an important task to perform.

The recent Espie meeting report on financing high technology highlighted the shortage of risk capital in Australia. There are few sources of risk capital here. It was interesting to see that the Victorian Government recently acquired equity in two high technology projects. It is a matter of debate as to whether direct Government participation in projects or, rather, indirect encouragement through tax incentives encouraging private sector participation in high technology development, is the best approach. However, it is not my purpose to debate that matter today.

In conclusion, I suggest that if South Australia is going to maintain a reasonable population growth rate, given the economic consequences that flow from a stagnant population, we have to endeavour as a Parliament, because of our attractive lifestyle, with all the advantages of a pleasant city and an excellent environment, to promote the important small businesses and, in particular, those businesses which, through their entrepreneurial skills, can develop these new industries which are going to be so much a feature of the decade or so ahead of us.

The Hon. BARBARA WIESE: I support the motion. I join with other honourable members in expressing my condolences to the family and friends of the late John Coumbe. I first met Mr Coumbe in the late 1960s when I took my first job with a firm of chartered accountants who happened to be employed by him in relation to his business interests. Then, of course, I met him again when I joined the staff at Parliament House in 1972. Mr Coumbe was always very courteous and friendly to staff in both places in which I worked and in the capacity in which I knew him. I know that those who knew him well will miss him.

Mr President, as you are aware, during the winter recess I went overseas on a study tour. I collected much information on two topics of interest to me: first, on the question of the legal status of transexuals (which I have raised in this place before); and, secondly, on the numerous matters relating to equal opportunities for women. I want to spend some time talking about some of the things that I have learnt. First, I will talk about the general question of law reform for transexuals and, secondly, about matters relating to rape.

In a similar debate in this Chamber in March I outlined some of the legal dilemmas facing transexuals in Australia. I also indicated that, in other parts of the world, laws have been changed to address some of these legal problems. When I was overseas I visited the United States and Sweden. The approach in both of these countries is quite different. I think much can be learned from both approaches, about what to do as well as what not to do. Generally, I believe that the United States provides a good example of what not to do. Change has occurred in the United States in a piecemeal way as problems have arisen. In those States where change has occurred it has been largely through administrative decisions rather than through legislation. In some States (for example, California) extensive changes have been made both administratively and legislatively, whereas other States have done little or nothing to assist transexuals.

In some cases in the United States the rights of transexuals have only been recognised through litigation on particular issues through the courts. Where this has occurred and the rights of the litigants have been established, this is not always a precedent for others in the same situation (because of the nature of the legal system in the United States). Some court decisions may provide a precedent, but others do not. Some decisions may provide precedents in a particular State, but cannot be used in other States. Therefore, change through the courts is time-consuming, costly, risky and by no means universal. The situation in the United States is unsatisfactory because it leaves transexuals in a difficult situation.

It is not possible for transexuals to move from one State in the United States to another and be sure that their rights will be protected. Even professionals working in this area are not always sure of the situation that exists from one State to another (as I discovered when I conducted interviews). Changes are difficult to monitor and there appears to be little uniformity in the changes that have already occurred. Of course, where changes occur through an administrative decision rather than through legislation, the rights established are less secure because they rely on the sympathetic office holder staying in office; in other words, those decisions are much too easily reversed. I am aware that legislation can also be reversed. However, because the process of changing legislation is much more complicated, the likelihood of reversal is less likely.

In Sweden, change has occurred in a much more orderly and uniform way. In 1972 a specific and comprehensive

piece of legislation was passed by the Swedish Parliament. That legislation followed a thorough investigation into the desirability of changing the law; that investigation was conducted by a committee established by the Swedish Government in 1966. In general, the law confirmed the established practice that had grown up over the years for dealing with problems of sex reassignment. It does two things: first, it regulates the surgical operations for sex reassignment and, secondly, it provides authorisation procedures prior to sex reassignment.

Change of name and sterilisation procedures are regulated by separate laws. The first paragraph of the law sets out six conditions which must be fulfilled before sex reassignment can be authorised. First, transexual persons must have had a conviction since youth that they belong to a sex other than the sex recorded in the church register. Secondly, they must have behaved in accordance with that sex role for a considerable period (in practice, they are usually required to have lived in that role for about a year, and sometimes longer). Thirdly, they must be able to assure the authorities that they intend to continue living in the new sex role. Fourthly, they must be sterilised and any existing marriage must be dissolved before they can gain approval for sex reassignment. Fifthly, they must be Swedish citizens (this is to discourage people from other countries visiting Sweden for reassignment surgery). Finally, applicants must be 18 years of age or older.

All applications for registration and reassignment are considered by one central committee established by the National Board of Health and Welfare. This committee comprises a judge, three persons with medical expertise and two other members. The two other members are usually people with some interest in the area, perhaps social workers or other professionals who work with transexuals. Before a decision is taken on an application the case is referred for comment to three scientific councils: one representing psychiatry, one representing endocrinology and one representing jurisprudence.

When the National Board of Health and Welfare has granted authority for a change of sex, the decision is made known to the parish office that holds the birth register and from there other official registers are notified and amended. The fact of the new gender identity thereby becomes incontestable, not only in relation to the new sex registration (the entry in the birth register) but also in other legal connections. For example, persons involved have the right to marry, and so on. The question of an individual's sex cannot thereafter be subject to testing by a court of law or any other authority.

It was the intention of the Swedish Parliament that, except in extremely rare circumstances, once a change of sex had been authorised in accordance with the law the possibility of returning to the original sex was ruled out. In other words, sex reassignment should be a single, unrepeatable event in the life of a transexual person. This law has now been operating in Sweden for 11 years. During the first year of operation 40 applications for reassignment were approved. Since then, the number of applications has evened out to about 10 to 15 per year, which is a rather small number. It appears that the incidence of transexualism in Sweden is lower than it is in, say, Australia or the United States. There are numerous probable reasons for this difference, but I do not have time to go into that area today. I believe that that is a topic for sociologists rather than for members of Parliament.

According to the people I spoke with in Sweden, the law has been functioning well since it was introduced in 1972, although there have been some complaints about the length of time involved in having applications approved. An official review of the law was made after it had been operating for three years. A number of recommendations to overcome deficiencies in the law were made. As yet, Parliament has not acted on those recommendations. This law seems to work satisfactorily in Sweden. I am not necessarily putting the Swedish example forward as a model for Australia because I think our situation is different in a number of ways.

For example, Australia does not have nationalised medicine and, therefore, the guidelines for medical procedures may have to be different here from those in Sweden. Generally speaking, Australia's procedures and structures tend to be less bureaucratic and rigid and it is unlikely that we would want to set up a single authority to oversee such matters as reassignment surgery. Nevertheless, the Swedish example provides some useful directions.

Wherever I went while I was researching I asked the people who had been involved with changing the laws in various places about community reaction to such change, and I was especially interested to obtain views on this question, because I am sure that one of the reasons why change has not yet occurred in Australia is that a number of politicians have felt concerned about a possible public backlash or a reaction if those laws were changed, particularly the marriage laws. Everywhere I went I found that in almost every case such fears, if they existed at any stage, were found to be unrealised. Initial reservations were dealt with in a way that satisfied most people who had any interest at all in the matter.

I believe that the Swedes were particularly successful in changing the law with little or no public fuss, and we can learn much from the procedure used, which was based on extensive consultation. As I said, the Government set up an inquiry in 1966 which consulted extensively before drawing up recommendations that were presented to the Government in 1968. The legislation was then drafted, and public comment was called for. Organisations, including churches, that might have had a particular interest in the matter were specifically invited to comment on the draft legislation as presented. Their views were taken into account before the final legislation was drafted, and that final legislation, which resulted from representative and community consensus on the issue, resulted in the Bill being passed through Parliament with no opposition.

I believe that we, too, could adopt this method if members are concerned about community reaction. I have not talked about the way in which specific issues have been handled in the United States and Sweden (for example, the question of discrimination, adoption laws, the way in which people are handled in the penal system, and so on) but I have collected a considerable amount of useful information on some of these matters, and I intend to put together a submission for consideration by the Standing Committee of Attorneys-General.

The Hon. C.J. Sumner: We meet on 1 September.

The Hon. BARBARA WIESE: It is a bit late for that. I hope that the committee will soon reach some conclusions on the best way to change the law in Australia. My talks with people overseas have strongly confirmed my view that change is necessary and that every day that passes without appropriate amendments to the law results in not only an unfair situation but also damage to the health and well-being of transexuals in Australia. A Swedish psychiatrist to whom I spoke told me that over the years he had seen many transexuals from other countries, including Australia, whose psychological condition had been seriously affected by the legal ambiguity or the lack of legal status in their state of origin.

That psychiatrist has been involved with almost every transexual case in Sweden, and he stated in the strongest terms that, if a society cannot promise a transexual the whole reassignment procedure (that is, including full legal

recognition) then he or she should not be offered anything at all. This view was expressed by a very thoughtful and compassionate man who has been extensively involved in, and committed to, his work in this field. I believe that his view indicates just how unjust are our laws and, furthermore, that our failure to act is not merely denying legal rights to a group of citizens in this country but also actually doing damage to those people. We must do something about it soon.

I now refer very briefly to another matter that has concerned me and many others in the community for a long time—rape. Since the emergence of the women's movement in Australia and in other parts of the world, rape law reform has become a priority issue for Governments. With the encouragement of the women's movement, prime attention in that time has quite rightly been focused on protection and the rights of rape victims, and South Australia has been in the forefront of this movement through it all. In the mid-1970s we amended legislation to make it easier for victims to report rape and to improve the procedures during police interviews as well as the procedures in courts. In addition, South Australia was the first State in Australia to introduce a rape in marriage clause to outlaw spouse rape.

These improvements have made a great deal of difference. The plight of victims who report rape is now less horrific than it was previously, and the incidence of reporting rape has increased as a result of that. Even so, some problems have still not been solved, and that is why the Attorney-General recently established an inquiry into our rape laws. I am sure that this will be welcome news not only for victims but also for legal practitioners who have identified deficiencies in the current laws and procedures. However, there is one side of this question that so far has received must less attention, and that is the question of what we should do about the sexual offenders.

As I said previously, when we first focused attention on the problem of rape in the 1970s we correctly looked first at the plight of the victims, and I believe it is now time, in the 1980s, to start looking at what we can do about convicted offenders and more particularly what we can do to prevent rape from occurring in the first place. I raised this question with many women's organisations in the United States and Sweden when I was there, and it seems that very few women's organisations have really begun to think about these matters very deeply. I guess that this is understandable, because their priority is to think specifically about women, especially in times when women's services are being threatened. Those organisations really do not have time to concentrate on issues that are arguably outside their immediate frame of reference.

Nevertheless, I asked people what they thought about the adequacies of penalties for rape, whether they thought that harsher penalties would deter rapists, and whether any innovative programmes were underway for the treatment of convicted rapists. In summary, I think I can say that the answer to each of those questions was 'No'. It seems that very little work has been done by psychiatrists and criminologists on why rapists rape and what should be done about it when they do rape.

I heard of one experimental programme which is being conducted in a prison on the East Coast of the United States where, as part of the treatment, rapists are being confronted by rape victims about their crimes; encouraging results have been reported for this programme, though I am not really sure how such progress could be measured. I recognise that this is one of the problems that we face when we are thinking about such questions. Perhaps, as one woman from a prominent American women's organisation said, we should not spend too much time and effort on rapists at all once they have been convicted; she advocated locking them up and throwing away the key.

On the question of penalties, the general consensus seemed to be that harsh penalties do not deter rapists; they only make it less likely that judges and juries will convict persons accused of rape. A much better way to discourage rape, some people said, was to take whatever steps were possible (whether it be introducing grades of assault, or whatever) to increase the likelihood of obtaining convictions.

Of course, before rapists can be convicted they must be apprehended, and we have to increase the likelihood of rapists being caught so that any person who contemplates rape will think twice. Of course, whether or not people will commit rape also depends on community attitudes to the crime. Societies like ours tend to be rather schizophrenic about rape: on the one hand, we say that it is a heinous crime, committed only by somewhat less than human creatures; on the other hand, there is a view that victims somehow ask for or contribute to what they get. This must in turn affect the way in which rapists view the crime as well. We have to do away with such ambiguity. Potential rapists must get the message loud and clear that this is a society which does not condone rape in any circumstances; it is anti-social, inhuman and intolerable.

Perhaps one way to reduce the number of potential rapists in future would be to encourage programmes in schools which would teach children from an early age that rape is not socially acceptable. We should also encourage discussion about matters like this, and encourage young people to discuss any problems which may later lead them to engage in such forms of anti-social behaviour. For example, when I was in the U.S. I was told that one psychiatrist who has been working with convicted sex offenders has reported that between 60 and 80 per cent of these people suffered some form of sexual abuse themselves as children; this is really an extraordinary finding. Perhaps if those people had been encouraged to discuss at school such questions as sexual abuse they might have received help and advice as children which would have saved them from committing such offences themselves as adults. It is time that we devoted more time to solving some of these problems on the other side of the rape question. I hope that the Attorney-General's inquiry or some other appropriate body will encourage a closer examination of some of these matters in the future.

The Hon. ANNE LEVY secured the adjournment of the debate.

POLICE OFFENCES ACT AMENDMENT BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Police Offences Act, 1953. Read a first time.

The Hon. C.J. SUMNER: I move:

That this Bill be now read a second time.

This Bill is related to the Justices Act Amendment Bill, which confers upon justices a limited power to imprison. In the course of reviewing the power of justices to imprison, it was brought to the Government's attention that many of the offences for which the penalty of imprisonment was imposed by justices were related to drunkenness. The penalty of imprisonment for drunkenness does not deter offenders or rehabilitate them.

This Bill is a first step towards the desirable goal of entirely abolishing the offence of being drunk in a public place. The Government is committed to the ultimate abolition of that offence. Section 9 of the principal Act (which creates the offence of drunkenness) was originally repealed in 1976, but that measure has never been brought into effect because of administrative and funding problems with the

associated machinery for a scheme of sobering-up centres. That scheme, along with other schemes of protective custody orders, which can operate as an adjunct to the criminal justice system, will be examined. Notwithstanding the repealing Act, the Government considers it desirable, as an initial step, to strike out the provisions of section 9 providing for imprisonment, leaving a monetary penalty in its place.

The second matter dealt with by this Bill concerns police bail. Section 78 (2) of the principal Act presently provides that where an arrested person is granted police bail he must be required to appear before a justice on the day following arrest. In most cases, when the person appears as required, the matter is adjourned to be dealt with at a more convenient time.

The Courts Department is investigating procedures to improve the efficiency of court administration in South Australia. It is envisaged that many country courts will be affected: some will close completely, while others will be retained only for the limited purpose of periodic sitting days. Under the circumstances, it is necessary to amend section 78 (2) to accommodate the changes which have been proposed. The amendment will enable the arrested person to be granted bail on recognizance, a condition of the recognizance being that he appear at a specified place and at a specified time (not being more than 28 days from the date of his arrest). I seek leave to have the explanation of the clauses incorporated in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 amends subsection (1) of section 9 of the principal Act by striking out the passages, 'or imprisonment for fourteen days' and 'or imprisonment for three months'. Clause 4 amends section 78 of the principal Act. Rather than requiring that an arrested person admitted to police bail appear before a justice on the day next following arrest, the section is amended to require the person to appear at the time specified in the recognizance (being not more than 28 days from the person's arrest).

The Hon. M.B. CAMERON secured the adjournment of the debate.

CORRECTIONAL SERVICES ACT AMENDMENT BILL

Second reading.

The Hon. C.J. SUMNER (Attorney-General): I move:

That this Bill be now read a second time.

This small Bill makes a single amendment to the principal Act to reflect amendments contained in the Justices Act Amendment Bill. Under that Bill justices are provided with limited powers to impose sentences of imprisonment. This Bill reflects those limitations by limiting the period of imprisonment which a visiting tribunal comprised of two justices of the peace is empowered under section 44 to impose to no more than seven days.

The provisions of the Bill are as follows: clause 1 and 2 are formal. Clause 3 amends section 44 of the principal Act by providing that a visiting tribunal comprised of two justices of the peace is empowered to impose no greater sentence of imprisonment than seven days.

The Hon. M.B. CAMERON secured the adjournment of the debate.

PRISONS ACT AMENDMENT BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Prisons Act, 1936. Read a first time.

The Hon. C.J. SUMNER: I move:

That this Bill be now read a second time.

It makes several minor amendments to the Prisons Act which are consequential upon the Justices Act Amendment Bill. The amendments reflect the limited power to impose sentences of imprisonment conferred upon justices under the Justices Act amendments, and in this case they apply to visiting justices under the Prisons Act. Where visiting justices are justices of the peace, they will not be empowered to impose sentences of imprisonment in cases of prison offences for any period exceeding seven days. If they consider a greater penalty is warranted, they may refer the matter to a visiting justice who is a special magistrate. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 makes an amendment to section 48 of the principal Act. Under the amendment, justices of the peace do not have the power to impose a sentence of imprisonment exceeding seven days. Where one of the justices is a special magistrate, they are empowered to impose a sentence not exceeding one year. Where neither justice is a special magistrate, and each is of the opinion that a greater sentence than seven days is warranted, they may refer the question of sentence to a visiting justice who is a special magistrate. Under new subsection (5), where a question of sentence is referred to a visiting justice who is a special magistrate, he may impose a sentence not exceeding one year.

The Hon. M.B. CAMERON secured the adjournment of the debate.

SUPPLY BILL (No. 2)

Adjourned debate on second reading.

(Continued from 17 August. Page 287.)

The Hon. M.B. CAMERON (Leader of the Opposition): I support the Bill and wish to make a few remarks associated with it. The Government, in its second reading explanation, indicated that the moneys authorised to be spent by this Bill are necessary to enable the Public Service to continue its functions until November, when it is expected that the Appropriation Bill will have been passed and assented to. Again, the Opposition is expected to support a financial measure of this Government without being given the full story of what has occurred with the finances of this State. Just when is the Budget to be introduced? We have already seen financial measures go through that would normally—

The Hon. C.J. Sumner: This is the normal Supply Bill.

The Hon. M.B. CAMERON: I know it is. Measures have gone through which would normally be part of the Budget, and we wonder what other taxation measures are planned. We will hear about it for some time. What is the intended 1983-84 deficit and which of the 750 promises made by the A.L.P. prior to the last election will remain operative? How many will be discarded like the promise not to increase taxes for three years and not to increase State charges as a means of back-door taxation?

I wish to extend that subject further, but before so doing I refer to a matter raised by the Hon. Mr Creedon last week

when he made some rather scurrilous remarks about the Opposition. The honourable member also proved to me that he does not know what he is talking about in this regard. He would be well advised to keep out of the problem of the Finger Point sewerage scheme at Mount Gambier until he has done his research. In that debate he stated:

. . . Finger Point sewerage has had a fair run from members opposite—completely political and without any regard for the truth. Mount Gambier for the moment is served by a perfectly satisfactory sewerage system . . .

The Hon. C.M. Hill: Did he say that?

The Hon. M.B. CAMERON: He did. He stated that it was a perfectly satisfactory sewerage system. I do not know what a 'perfectly satisfactory sewerage system' is. If he means that it collects everything along the way and sends it down a pipe, then it has a perfectly satisfactory system. However, the end result is not perfectly satisfactory. I invite the honourable member to come down some time and I will show him how perfectly satisfactory it is! He continued:

. . . (initiated by the Labor Government, I must add) . . .

That may well be true. I ask members to take note, as the honourable member then stated:

. . . and drains about 25 kilometres out to sea . . .

I do not know whether the honourable member has been down there, but 25 kilometres is a long way. It is not the North-West Shelf gas fields! It would be lucky if it ended up 25 metres out to sea as it is washed back in. The outfall is about 300ft offshore and not 25 kilometres. The honourable member further stated:

The Public Works Committee had occasion to examine this site nearly 12 months ago.

If that committee did examine the site, the Hon. Mr Creedon obviously was not present because, if he had been present, he would have seen where the outfall was.

The Hon. G.L. Bruce: There might have been an offshore wind.

The Hon. M.B. CAMERON: That is quite possible, but it is obvious that the Hon. Mr Creedon does not know what he is talking about. He continued:

The pollution in the way of any waste is nil . . .

If the pollution is nil, why is the beach closed for a considerable area around Finger Point? It is surrounded by a large fence with barbed wire on the top to prevent anyone from going on to the beach. Warning signs state that swimming is dangerous in the area as a raw sewage outlet is nearby. If one walks along the beach one will see what those signs mean.

The Hon. Frank Blevins: It is an abundance of caution.

The Hon. M.B. CAMERON: That would have to be the understatement of the year. The Hon. Mr Creedon continued:

. . . although not more than a kilometre in any direction of that outlet.

A kilometre is a long way when one is walking along the beach looking for somewhere to swim. The honourable member continued:

It could be claimed that the fish caught in that area, or those that migrate in and out of that area, could be affected in some way.

I am still waiting for that information from the Minister of Agriculture. I am sure that, at some stage, we will have a report on that matter.

The Hon. Frank Blevins: What about the Minister of Water Resources?

The Hon. M.B. CAMERON: No, I am concentrating on the Minister of Agriculture at the moment. The Hon. Mr Creedon went on to describe the way we sell our fish, and stated:

. . . our southern waters and reefs are famous for crayfish and some abalone and we have export markets for these products to America and Japan. What the Opposition does not tell us is that for the purpose of sale the crayfish and abalone caught off our coastline is pooled.

That is just not correct. All fish is packed by individual packers. The packers know exactly from where it comes, and it is done in such a way that it is easily identifiable. We have excellent seafood off our South-East coast and we are proud of it. We put labels on it to show that it comes from our area. The Hon. Mr Creedon then stated:

I am saying that the crayfish and abalone caught in those southern waters are pooled with the same species caught around the Victorian coast and the lower eastern coast of New South Wales and the coast of Tasmania. And I am completely baffled by the Opposition's argument that contamination will affect our export trade.

The Hon. C.W. Creedon: Well, finish it.

The Hon. M.B. CAMERON: I will do so. The last sentence states:

In regard to contamination, this is a point about which I have no doubt but that, of course, is not the truth of the matter.

I did not finish it because I did not know what it meant. I am not here for the purpose of embarrassing the honourable member by going through what he said and how he said it. It is the end result that interests me. I am still waiting for the papers and the report which will show quite clearly that there is a danger of contamination from the outlet. The honourable member finally stated:

The Opposition and the fishermen know, as well as I do, that those States owning those coastlines, which I have previously mentioned, dump not treated sewage as we do but raw sewage into the sea at every outlet.

Frankly, I was totally bewildered when I read that because we do dump untreated raw sewage into the sea at Finger Point. That is what the whole argument is about. If the honourable member went down there, as a member of the Public Works Standing Committee, and came away not knowing that we need a sewerage treatment plant because we are dumping raw sewage, he should get off the committee. He does not know what it is all about. I was absolutely staggered. He had better not go down to Mount Gambier for a while if people down there read his speech. They will be a trifle cross, to say the very least.

The Hon. H.P.K. Dunn: They read the *Border Watch.* They'll see it.

The Hon. M.B. CAMERON: I am sure they will. I suggest that the honourable member go down there. I will take him in my own vehicle and describe the whole situation to him. I will make up for the failings of his last trip by showing the honourable member what is happening in that area and the problems that we have. I will not take that argument any further. The honourable member will not say that the Opposition has done this for political advantage rather than for public reasons that it so carefully and truthfully espouses.

The honourable member does not even know the truth of what he is talking about in relation to this matter: nor does he realise how serious is the problem in this area. I turn to 25 October 1982, when the present Premier made his orchestrated policy speech modelled so closely on the stage-managed affair early in 1982 of the Victorian Labor Leader, John Cain. We heard all sorts of smart phrases, thought up, I imagine, by his public relations people, such as 'new direction', 'new vigor', 'winning again', 'squandered opportunity' and 'great community purpose' which rolled from the youthful Leader's tongue. Nine months down the track we now have the opportunity to compare rhetoric with action. The rhetoric must have won, because the people of South Australia supported it, but let me remind the Council of what was said in the Premier's policy speech. He opened his speech with a fanfare, saying:

South Australia needs a new direction. It needs a new start. It needs new opportunities, new developments and new vigor.

The Hon. R.J. Ritson: And new taxes.

The Hon. C.M. Hill: He didn't say that.

The Hon. M.B. CAMERON: That is right. He said just the opposite: that there would not be any new taxes. Well, South Australia has achieved new status. Our State now has the highest unemployment and highest inflation in Australia. Under this Government we are certainly breaking new ground! Mr Bannon went on to say the following:

> We do not say Governments have all the answers, but we have the responsibility to try, and to lead . . . Instead of sitting back we need to go out and get our share of growth and development, our share of jobs and investment.

And how has this Government done that? By closing the door to the Honeymoon and Beverley mines, while not even giving proper compensation to the people involved! By throwing South Australians out of work, undermining business confidence, ensuring that in future businesses think twice about investing and creating jobs in our State.

How can we hope to attract business growth and investment when this Government does the following things: legislates so that the Industrial Commission does not have to take into account public interest and the state of the economy in making wage judgments; legislates to increase benefits under compensation laws—guaranteeing a hike in workers compensation premiums and hence in business costs—making it even more costly to employ people; increases a host of charges and levies on businesses, such as a financial institutions duty, a general insurance levy, increased fuel tax, and, more importantly, I think (with the Budget coming up tonight) increased liquor licence fees (which, of course, will affect wine prices), increased water charges (up 22 per cent), increased electricity charges and increased pastoral rents? In the very next paragraph of his speech the Premier said:

> We need to stand up to Mr Fraser and make South Australia's voice heard again in Canberra.

Heard again, indeed! Mr Bannon's Federal Labor colleagues have done the following things: abandoned the Alice Springs to Darwin rail link, a project of great importance to this State; scrapped the bicentennial water resources programme, cutting back on millions of dollars to South Australia; openly talked of a wine tax; and threatened intervention on the question of Aboriginal sacred sites (and, in that case, caused great difficulties for an important developmental project in this State). Our voice is not being listened to in Canberra. The South Australian Government seems to have a strategy of attack through silence. Mr Bannon said in his policy speech that the A.L.P.'s major goal in Government would be to get South Australians back to work in a productive way. But what do we see? Public Service staffing has jumped by 2 000, placing an additional burden of $45 000 000 per annum on already beleaguered taxpayers. We see short-term projects created at great expense (again the taxpayers' expense) to provide short-term, generally superficial, jobs. Many of the jobs that the Government alleges it is creating will give some form of employment to people (if they are lucky) for from six to 12 months.

The Hon. C.J. Sumner: Where did you get the figure of 2 000?

The Hon. M.B. CAMERON: You have 300 in the Health Commission.

The Hon. C.J. Sumner: But where did you get that figure?

The Hon. M.B. CAMERON: From the Bureau of Statistics. Although these schemes will give employment to people for from six to 12 months, what about the long term? It was acknowledged by Mr Bannon in his policy speech that long-term employment would come only by taking steps 'to unlock investment funds and create real jobs'. He went on to say the following:

> As a first step we will establish a South Australian Enterprise Fund to assist the expansion of industry.

Nine months into Government we are yet to see this 'first step'. Questions asked of the Government in this place have failed to elicit any details about this matter. Could it be that the Government recognises the futility of the scheme?

Turning from the economy generally to the tourism industry specifically, the A.L.P. Leader said in his policy speech:

> We view the vigorous development of South Australia's tourism industry as a key part of our strategy to revive our economy.

What practical and vigorous steps has the Government taken? It has increased liquor fees by one-third to reduce the profitability of many tourist establishments. It has increased fuel prices through increased taxation, making tourists pay more either directly or through higher costs for bus operators, and so on.

The PRESIDENT: Order! I point out to the honourable member that this does not relate to the Budget.

The Hon. M.B. CAMERON: I am talking about the Treasury. I have much material and could go on in this way for five hours.

The Hon. Anne Levy: Save it for the Budget debate.

The Hon. M.B. CAMERON: I will do that. There is no doubt that at the end of the next financial year this Government will have to step back from what it is saying, namely, that it is all the fault of the previous Government, and will have to answer for its own sins. It will not be able to place the blame on any other person or Government, and that is when the people of South Australia will really see this Government for what it is. They will see its financial mismanagement, lack of attention to detail (which has been obvious in the way Ministers run their departments), to Budget over-runs, and to the finances of the State, as well as a lack of expertise in the running of a business which, after all, the running of a State is—no more than the running of a business. I support the Bill.

The Hon. R.I. LUCAS secured the adjournment of the debate.

FENCES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 16 August. Page 189.)

The Hon. K.T. GRIFFIN: The Opposition supports this Bill. In fact, a similar Bill was introduced by me during the last Parliament, but it did not proceed because of the prorogation of Parliament for the election. The Bill merely seeks to increase jurisdictional limits to bring them in line with amendments that the former Liberal Government made in 1981 to the various levels of jurisdiction of the courts. Accordingly, the Opposition supports the Bill.

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

ADJOURNMENT

At 5.52 p.m. the Council adjourned until Wednesday 24 August at 2.15 p.m.