# LEGISLATIVE COUNCIL

Tuesday 4 November 1986

**The PRESIDENT (Hon. Anne Levy)** took the Chair at 2.20 p.m.

The Clerk (Mr C.H. Mertin) read prayers.

## PETITION: EGG BOARD

A petition signed by 104 residents of South Australia praying that the Council urge the Government to retain the South Australian Egg Board and therefore the orderly marketing of eggs in this State was presented by the Hon. K.T. Griffin.

Petition received.

## PAPERS TABLED

The following papers were laid on the table:

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

*Pursuant to Statute—*

Industrial Relations Advisory Council—Report, 1985.

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

*By Command—*

Australian Agricultural Council—Resolutions of 124th Meeting, 30 July 1986.

Australian Fisheries Council—Resolutions of Sixteenth Meeting, 30 July 1986.

*Pursuant to Statute—*

Regulations under the following Acts:

National Parks and Wildlife Act 1972—

Permit Fees.

Entrance Charges and Camping Fees.

Hunting Permit Fees.

Opticians Act 1920—Registration and Renewal Fee.

South Australian Health Commission Act 1975—Outpatient Pharmaceutical Fees.

Dried Fruits Board of South Australia—Report, year ended 28 February 1986.

South Australian Urban Land Trust—Report, 1986.

By the Minister of Tourism (Hon. Barbara Wiese):

*Pursuant to Statute—*

Art Gallery of South Australia—Report, 1984-85.

# QUESTIONS

## MARIJUANA

**The Hon. K.T. GRIFFIN:** I seek leave to make a brief explanation before asking the Attorney-General a question about on-the-spot fines for marijuana.

Leave granted.

**The Hon. K.T. GRIFFIN:** The Controlled Substances Act Amendment Bill with the controversial clause relating to on-the-spot fines for marijuana use is likely to be presented for assent to the Governor in Council on Thursday of this week. There is widespread concern in the community about the clause and there are moves in the community to express opposition to it. There is also controversy about the way the Bill passed in the House of Assembly and an indication that Mr De Laine, MP, and Mr Slater, MP (who was overseas at the time), did not support the proposal although they did not vote.

When the Bill was dealt with in the Legislative Council, there was no understanding on the Government side that the on-the-spot fines issue was a conscience issue. The evidence all points to the Premier declaring the issue a conscience issue just before the vote in the House of Assembly when one of his Ministers, the Hon. Lynn Arnold, indicated he was opposed to the clause. So there is real doubt whether in fact the majority of members of both Houses supported this controversial issue.

Section 56 of the Constitution Act allows the Governor to return a Bill before assent with recommendations for amendment. That would be done by the Governor acting with the advice of the Executive Council and that is reflected in the Standing Orders of both Houses of Parliament. There are precedents for this course of action. In 1966 the then Governor, acting on the advice of the Walsh Labor Government, returned the Flinders University of South Australia Bill to the Parliament before assent with recommendations for amendment. Those amendments were accepted by the Parliament. In 1952 the then Governor, again acting on the advice of the Government of the day (the Playford Government), returned the Building Operations Bill to the Parliament before assent with recommendations for amendment. Those amendments were accepted by the Parliament.

It is therefore competent for the Government through Executive Council to advise the Governor to return the Controlled Substances Act Amendment Bill to the Parliament with a recommendation to amend it by deleting the controversial on-the-spot fines proposal. In that event, the matter would be again debated by the Parliament. The public concern and the doubts about the votes in both Houses are compelling reasons why the Governor should be so advised. Will the Government, through Executive Council, advise the Governor to return the Controlled Substances Act Amendment Bill to Parliament with the request for an amendment to delete the clause providing for on-the-spot fines for marijuana use, in accordance with Standing Orders?

**The Hon. C.J. SUMNER:** It is interesting to note that at least the Hon. Mr Griffin seems to have changed his view, or certainly the Parties opposite have changed their view, on this topic, because last week the proposition was to go to the Governor to get him to refuse assent to the Bill. That was Mr Blacker's proposition last week.

**The Hon. K.T. Griffin:** He's not a member of our Party.

**The Hon. C.J. SUMNER:** He is part of the conservative Opposition and supported by Mr Olsen to go to the Governor with a petition, apparently, according to the press reports, to get the Governor to refuse assent to the Bill passed by the Parliament. If that is the action that Mr Blacker is contemplating, it is quite inappropriate and ignores fundamental constitutional principles of which all members of the Parliament ought to be aware. The first fundamental principle is that the Governor acts on the advice of Ministers, except in very exceptional and limited circumstances. The second important constitutional principle is that by Constitutional Convention royal assent must be given to Bills passed by the Parliament and indeed a moment's thought by honourable members would have indicated how quite inappropriate it was for Mr Blacker to directly petition the Governor apparently to refuse assent to the Bill. It quite simply is inconsistent with basic democratic and constitutional principles.

Indeed, it would raise issues that probably go back to the reign of the Stuarts and Charles I. Indeed, it is interesting to note that the last time royal assent was refused was in 1708 by Queen Anne. Now Mr Blacker apparently is attempting to put some kind of position to this effect to the Governor. Just the recitation of the fact that 1708 in the reign of Queen Anne was the last time a sovereign refused royal assent indicates how serious is the notion of

members of Parliament or the public petitioning the Governor about refusing assent to a Bill. It is interesting to note that the last occasion on which political leaders of a major Party suggested that the sovereign (in the United Kingdom) should refuse royal assent was between 1912 and 1914 in relation to the Home Rule Bill for Ireland but George V was wisely not persuaded that the circumstances justified this drastic personal intervention.

So, the last time was 1708. The previous occasion when it was being suggested by political leaders that it could happen was in 1912, and of course the Monarch did not act on it because of the well-established constitutional principles which are involved. Quite frankly, it is irresponsible for politicians, members of Parliament, and in particular Leaders of Parties, to attempt to indicate to the public that the Governor, the sovereign's representative, has any real power to refuse assent to a Bill, a Bill that has been passed—

**The Hon C.M. Hill:** That has nothing to do with the question.

**The Hon. C.J. SUMNER:** Just a minute—by the democratically elected representatives in the Parliament.

**The Hon. C.M. Hill:** Answer the question.

**The Hon. C.J. SUMNER:** It is all very well to say, 'Answer the question.' The fact is that my answer is relevant to what the honourable member has said. In the light of Mr Blacker's proposition that he was going to present a petition to the Governor to get him to refuse his assent to the Bill, I am merely pointing out to this Chamber how serious an action that is by Mr Blacker, how inappropriate it is, and how constitutionally improper it is. It ought to be made quite clear to the Parliament and the public that that sort of action by a member of Parliament in trying to suggest to the Governor that he should refuse assent to a Bill is quite improper, quite inconsistent with constitutional principle and quite inconsistent with the democratic community in which we live. I thought that that ought to be placed on the record.

*The Hon. L.H. Davis interjecting:*

**The Hon. C.J. SUMNER:** I do not watch the Melbourne Cup now that the Grand Prix has come to Adelaide. I get my excitement in that manner. To address again the issues raised by the Hon. Mr Griffin: first, I can say that this matter was declared a conscience issue by the Premier in Cabinet when the matter first came before Cabinet. So, what the honourable member says on that point is quite incorrect. It was known at that time when the Bill was before Cabinet that Mr Arnold would exercise a right to oppose the Bill, and of course he did that, and I will further say that he indicated and reaffirmed that in Caucus before the Bill was introduced. It was before the Parliament to my recollection for about two months. The honourable member says that there is a procedure to have a Bill referred back to the Parliament. That could only be done on the advice of the Cabinet given to the Governor. The Governor has to act on the advice of his Ministers, and in my view there is no case for tendering such advice.

## PROFESSOR GARY ANDREWS

**The Hon. M.B. CAMERON:** I seek leave to make a statement prior to directing a question to the Minister of Health on the subject of the Chairman of the Health Commission.

Leave granted.

**The Hon. M.B. CAMERON:** We all know that some time ago a leak was given deliberately to the *Advertiser* by the Minister's office that predicated a move which I understand has now occurred. This is in spite of the Minister's statement when Professor Gary Andrews first came to this State that his appointment was a 'coup for South Australia'. It now appears that a *coup d'état* has been done on Professor Andrews and he has been squeezed out of the system by the Minister or somebody. The Minister appointed him in the full knowledge that he would be spending part of his time elsewhere. In an article in the *Sunday Mail* of June 1984 under the heading 'Health chief "expert job juggler" ' the Minister replied to a question about Professor Andrews' numerous caps by saying, 'It was a coup that South Australia had obtained the services of a person who had the necessary experience and international respect.'

However, the Minister, realising that it is extremely difficult to operate the Health Commission on a part-time basis, appears to have pushed him out. I was told that there was a farewell party for Professor Andrews last Thursday, but as yet I have not seen any public statement about his departure.

**The Hon. R.I. Lucas:** Was the Minister invited?

**The Hon. M.B. CAMERON:** I understand not. There has been some speculation, but the Minister has refused to confirm or deny anything. Has Professor Andrews left the Health Commission? If he is on leave, will he be returning to his position as Chairman of the Health Commission after completion of his leave? If not, were any payments made to him or will they be made to him for termination of his contract? Was his resignation requested by the Minister—in other words, did he offer to leave or was he requested to leave? Why has there been no public announcement regarding his position? Who is going to replace him?

**The Hon. J.R. CORNWALL:** First, let me refute this business about a leak to the *Advertiser.* There was a speculative story run by Barry Hailstone, and I do not remember when. Clearly though it was in show week because I happened to be in Queensland with my feet up. I had five days off. I am eternally grateful that I did in view of the quite unreasonable pressure under which the beat-up merchants in the Opposition have been placing me almost ever since. There was no leak to the *Advertiser.* Barry Hailstone, of course, is very well informed.

*Members interjecting:*

**The PRESIDENT:** Order!

*The Hon. L.H. Davis interjecting:*

**The PRESIDENT:** Order!

**The Hon. J.R. CORNWALL:** At the time I responded by saying that in the wake of the Uhrig and Taeuber reports there would be a substantial reorganisation in the administration of the health system in South Australia generally. I said that all appointments at the level of executive officer (that is, from EO1 to EO6) would be reviewed to see how we could make best use of the very considerable talents and skills of the officers currently employed in the system.

Professor Andrews, of course, is pre-eminent in his medical specialty. He is a gerontologist of world standing. He was the foundation Professor of Gerontology at the University of Sydney based on Westmead. At the time that he was attracted to come to South Australia I said that I believed it was a substantial feather in our cap. That is a position I still maintain. However, in the review of how to best use the skills of all our officers in that EO range, it was determined by negotiation that Professor Andrews' skills as a gerontologist and as a planner in the aged care field could best be used if he were to take a senior appointment at the Flinders Medical School based at the Flinders Medical Centre.

Accordingly, Professor Andrews will be transferred. He ceased his duties as Chairman of the Health Commission

last Thursday (30 October). He is currently on a seven week visit to the Middle-East for the World Health Organisation. Professor Andrews has continued his close and valued association with the World Health Organisation ever since he has been in South Australia and, as I understand it, that will certainly be an ongoing arrangement during the period of his senior appointment at Flinders. No payments were made for the termination of Professor Andrews' contract.

Indeed, he still has a contract with the South Australian Government. He will continue to be paid under his contract at the negotiated rate and he will continue to be funded in his position at Flinders by the South Australian Government. As I said, his skills as a planner for aged care will be put to their very best use at Flinders and over the next four years (that is the approximate period of the appointment). I look forward to the continuation—

**The Hon. L.H. Davis:** Why did this rearrangement occur? Why did it happen?

**The PRESIDENT:** Order!

**The Hon. J.R. CORNWALL:** —and the expansion of the very good and significant work in aged care planning which Professor Andrews initiated when he took up his appointment in South Australia in 1983.

## STA BUSES

**The Hon. J.C. BURDETT:** I seek leave to make a short explanation before asking the Minister of Health, representing the Minister of Transport, a question about legionnaire's disease and STA buses.

Leave granted.

**The Hon. J.C. BURDETT:** This morning I came to work on one of the excellent STA buses which run on the busway. I noticed that the bus, which was very crowded, was hot and stuffy but, because I was reading, I did not pay particular attention to it. As I was leaving the bus, I heard a passenger say to the driver, 'Why wasn't the air-conditioner on?' and the driver replied, 'We are not allowed to use them on account of legionnaire's disease.'

When I arrived at my office I checked with the STA and I was told of the instruction which had been issued earlier this year during last summer not to use the air-conditioning and that the air-conditioning had been disconnected. I was told that an instruction was issued today which reads:

> Commencing forthwith the fans of the evaporative air cooling units that are fitted to buses are being progressively reconnected. Therefore, on days of high temperatures bus operators will be able to select the 'air only' mode of the evaporative air cooler unit and air will be 'blown' into the bus.
>
> Until further notice the 'cooling' mode of the evaporative air cooler units will remain disconnected whilst further bacteria tests are carried out by the State Transport Authority and Health Commission officers.

The situation is that, with various buses, it will be possible to blow air in from outside, but the cooling mode in the air-conditioners will still not be able to be used because of the danger of legionnaires disease. It has been a very long time (since about February or March) since that directive was first issued. It seems an amazing amount of time to rectify a problem which is still not solved. My questions to the Minister are:

1. Does he confirm that the instruction not to use the cooling mode because of the danger of legionnaire's disease still stands?

2. When will the cooling mode in the buses be able to be used safely?

3. Why has the problem not been solved earlier?

I ask these questions, because it is the beginning of summer and passengers on the buses will have a long hot summer indeed if the problem cannot soon be solved.

**The Hon. J.R. CORNWALL:** I must say that the thought of the Hon. John Burdett on an STA bus on a hot day having problems with his personal freshness tends to boggle the mind. Turning specifically to the questions which have been directed to me, representing the Minister of Transport, I will refer them to my colleague in another place and bring back replies. I refresh members' minds concerning the legionella species. They should know by now, because this matter was the subject of a long, wide ranging and ongoing debate, that the legionella species are ubiquitous. They are found in water in a very wide range of conditions. That was very obvious during the first half of this year. Of course, they also survive through a very wide range of temperatures. I understand that they tend to do best in the range of what would be considered warm to hot.

It is also a fact (and again this is based on studies that have been undertaken around the world) that to date no truly effective biocide has been discovered which can be guaranteed to eliminate—I stress 'eliminate'—the legionella species from water. Those biocides which may be fully effective have other side effects. One has to be particularly careful in these matters that the effect of the biocide is not worse if it is put into an evaporative mode. One has to be careful that the effects of the disinfectant that might be used in an evaporative situation are not worse than the legionella species.

At this stage, and with the state of knowledge world-wide, we cannot guarantee to be able to sterilise the water on a long-term basis. Presumably, at this stage the STA is not satisfied on the expert advice that it would have been given that it can completely guarantee that the water in those evaporative air-conditioning units is safe. Obviously, it is tending to err on the side of great caution. However, I am not aware of the specifics of the directions nor why they were given. As I said, I will refer the specific questions to my colleague, the Minister of Transport, and bring back a reply.

## COMMONWEALTH SECONDARY ALLOWANCE SCHEME

**The Hon. M.J. ELLIOTT:** I seek leave to make a short explanation before asking the Minister of Tourism, representing the Minister of Education, a question about the Commonwealth Secondary Allowance Scheme and Austudy.

Leave granted.

**The Hon. M.J. ELLIOTT:** Recently I have been contacted by a number of parents who are concerned about some changes that have occurred at the Federal Parliament level in relation to what used to be called the Commonwealth Secondary Allowance Scheme and which is now being replaced by Austudy. Previously, a student, when entering year 11, was eligible to receive assistance under the Commonwealth Secondary Allowance Scheme if the financial circumstances made things difficult for the family. As a result of the changes in Austudy, which I believe is a good scheme in many respects, the decision is now based on age rather than on year level.

South Australia will be particularly affected by this decision, because on average our children are about six months younger at the same year level than the students in New South Wales and Victoria. In fact, the statistics suggest that in South Australia 54 per cent of year 11 students still have not turned 16 as of 1 July, whereas interstate I believe the

figure is about 19 per cent, which is a significant difference. In South Australia about 3 000 or 4 000 students who have been eligible for assistance under the Commonwealth Secondary Allowance Scheme will no longer be eligible until well towards the end of their year 11 or, in some cases, they may even attend a TAFE before the age of 16 and will not be eligible for any assistance there.

Generally, the Austudy scheme is a good one and I can see many benefits flowing from it, but I ask the Minister of Education the following questions:

1. Is the State Government aware of the problems that the changes to the Commonwealth Secondary Allowance Scheme (now called Austudy) will create?

2. Has it made approaches to the Federal Government to remedy the situation and, if so, what was the result of those approaches?

3. If the State Government has no success with the Federal Government, what does it propose to do about the situation?

**The Hon. BARBARA WIESE:** I will refer those questions to my colleague in another place and bring back a reply.

## PROFESSOR GARY ANDREWS

**The Hon. L.H. DAVIS:** As it is clear that Professor Gary Andrews was dumped from his position as Chairman of the Health Commission, will the Minister of Health say why Professor Andrews was dumped after the Minister had so warmly endorsed his appointment just a few years ago? What areas of his responsibility was the Minister dissatisfied with? Who will replace Professor Gary Andrews as Chairman of the Health Commission and when is the replacement scheduled to occur?

**The Hon. J.R. CORNWALL:** I never fail to be distressed by the way in which this Opposition, this irresponsible Opposition, this reckless Opposition, uses the Parliament to denigrate and deride public servants and people in public employment who are unable to defend themselves. It has done it in turn with the immediate past Chairman of the Health Commission, with the Deputy Chairman of the Health Commission, and with the Executive Director of the Central Sector. When they were proved by the Auditor-General to be completely wrong in the matter of the Deputy-Chairman and the Executive Director of the Central Sector, members opposite toughed it out and in a quite disgraceful exhibition refused absolutely to withdraw the malicious slander—

*The Hon. L.H. Davis interjecting:*

**The PRESIDENT:** Order!

**The Hon. J.R. CORNWALL:** —that they had perpetrated under privilege in this place. They have done it quite consistently: it has been part of their stock-in-trade. The Hon. Mr Davis has now got to his feet and slandered Professor Andrews. He has said—

**The Hon. L.H. Davis:** No, I haven't.

**The PRESIDENT:** Order!

**The Hon. J.R. CORNWALL:** The form of his question was, 'Why was Professor Andrews dumped?'—and 'dumped' was his word, not mine. Professor Andrews most certainly was not dumped. I want to make clear, as I have done consistently, that I hold Professor Andrews in the highest regard. He is, as I have said many times before, a gerontologist of world class. We are determined, Ms President, that the health services in this State will be run and administered by the best talents that are available—

**The Hon. L.H. Davis:** But not a gerontologist.

**The PRESIDENT:** Order!

**The Hon. J.R. CORNWALL:** —and that the talents of each person in the executive officer range will be used to the maximum extent. Quite obviously—

**The Hon. L.H. Davis:** Why not Gary Andrews?

**The Hon. J.R. CORNWALL:** Oh, shut up, you silly fool. Quite obviously, it was the considered view that Professor Andrews' talents and very considerable skills lay in the area of aged care and the planning of aged care services. It was decided in those circumstances that it would be best if he were to accept a very senior post at the Flinders Medical Centre where all of those talents would be used.

**The Hon. L.H. Davis:** That's called creative dumping.

**The Hon. J.R. CORNWALL:** He really is asking to be thrown out, you know, Ms President. You will have to move one day. I am pleased to say that those skills will be used to the maximum extent in the position at the Flinders Medical Centre where Professor Andrews will not only continue his work as senior planner for aged care services in this State but also will expand that work. Regarding the replacement, no decision has been made on that matter at this time.

## NURSES

**The Hon. DIANA LAIDLAW:** I seek leave to make a brief explanation before asking the Minister of Community Welfare a question about pay for nurses.

Leave granted.

**The Hon. DIANA LAIDLAW:** Pay increases for nurses in New South Wales granted in July this year awarded first year registered nurses a base rate of $357, $30 a week more than the South Australian level, and boosted pay in other areas as well as giving nurses a greater career structure. In July the RANF and the Public Service Association warned that, unless pay for nurses in South Australia was increased in line with the increases in New South Wales, South Australia would experience further shortages of skilled nurses in our hospitals and health centres. Does the Minister accept that delays in meeting the pay claims of the RANF and the Public Service Association are making it increasingly difficult for local hospitals and health administrators to maintain existing numbers and to attract much needed extra nursing staff?

**The Hon. J.R. CORNWALL:** As I have said previously, because of a very wide ranging number of initiatives that we took throughout 1985, we substantially overcame the serious shortage of nurses that became evident during 1984. Those initiatives included, of course, the introduction of the 38-hour week through the 19-day month; the orderly progression to tertiary based—that is college based—nurse education; refresher courses, retraining courses and recruitment of a significant number of registered and enrolled nurses who had left the nursing work force for a variety of reasons during the previous decade; hospital based child-care; and a whole range of mechanisms whereby we were able to get nurse staffing levels by the end of 1985 back to establishment levels.

At the end of 1985 and indeed immediately prior to the last State election we concluded an agreement with the RANF and the other unions in South Australia whereby we agreed to support the establishment of major pilot programs in the South Australian hospital system. In fact, they were put in place at all the major hospitals, including the Whyalla and Mount Gambier hospitals. About 60 per cent of the nursing work force was involved in those clinical career structure trials, although obviously not all nurses benefited from the positions that were created for the trials. It was

agreed that they should be piloted through to 31 October, when the success of the trials would be reviewed, and we would jointly negotiate a case for improved clinical career structures and a significant rise in salaries for the nursing work force.

It was also agreed that if there was significant movement interstate in the meantime the date for that appraisal could be brought forward and negotiations would begin sooner. In the event, as the Hon. Ms Laidlaw has said, in New South Wales Wales there was a move. There was a move in Victoria, but it should be noted that Victoria did not get it right the first time around and that, of course, has caused serious industrial disruption, indeed, in the Victorian public hospital system. We are determined in South Australia that in this matter, as in the matters of recruitment, the 38-hour week and all other matters with which we have dealt, including nurse education, that we do get it right. There are a number of reasons for that: first, we want to be absolutely sure that the principal area for substantial rises are for the base grades of nursing. We want to be absolutely sure that enrolled nurses and the base grades of registered nurses get substantial rises and that all of those rises do not go to the upper echelons within the improved clinical career structure.

Let me point out that the most senior Director of Nursing position in this State under the clinical career structure, the trialling of which we have just completed, went from $43 500 to $52 000. That is well warranted; I do not cavil at this at all. Indeed, when it is compared with the salaries of senior administrators in our major hospitals it is by no means over-generous. However, it is a very substantial rise—almost $9 000 or $180 a week—for that top position. As against that one has to look at the base rates for registered nurses, and there is no question that they are underpaid. That is uncontested. It is not contested by me as Minister of Health—quite the reverse—or by anybody who works in the health system.

So, I am at pains to ensure that, when we sit down at the table to begin formal negotiations with the RANF and the PSA by the middle of next week, the offer we put on the table includes very substantial rises for the ordinary rank and file of nurses who are the backbone of our hospitals, without whose support it would be impossible to run the hospital system as we do. So, in that sense we are very clear on where we want to go.

With regard to the clinical career structures, being simultaneously negotiated, it is important that we get it right. There is one new senior position of clinical nurse being created, as an example of a new senior position. It can be argued—and indeed in the claim that has been put before the commission by the RANF it is argued—that it can justify 80 such positions at the Royal Adelaide Hospital—in one hospital alone. Against that it could be argued by management that eight of those positions would be adequate. One imagines that the truth lies somewhere in between. When one starts looking at the difference between eight and 80 positions in one hospital in the salary range approaching $30 000, even the sternest critic would have to admit that it is important that we get our sums right.

We have costed the claim that has been lodged with the commission and the Department for Personnel and Industrial Relations at $55 million a year recurrent cost.

*The Hon. R.J. Ritson interjecting:*

**The Hon. J.R. CORNWALL:** The RANF claim was not $17 million. The $17 million to $20 million I talked about was a reasonable assessment at that time to be used as a reasonable basis for negotiation if one adds to it inflation in the meantime. That figure would now be about two years old. The figure would now probably approach about $23 million to $25 million. That seems to be an acceptable figure. If we look at the Victorian experience its initial offer cost about $80 million.

**The Hon. R.J. Ritson:** That was across the board.

**The Hon. J.R. CORNWALL:** Yes, and on a *pro rata* basis it should cost us $20 million or thereabouts. It was inadequate and did not take into account the base grades of nursing and the sort of levels of additional salaries that it should have. We are keen to get that right. By the same token we cannot make a mistake in our sums with regard to clinical career structures which could distort the South Australian health budget by $10 million to $15 million. It is a large amount of money.

In summary, we are anxious to be generous. Nobody questions the claim of the nurses for both substantial increases in salary and enhanced clinical career structures. This means more nurses in the hospitals, and better paid nurses with better opportunities while remaining in nursing situations in the wards. Nobody contests that. However, what I am asking for now is a little additional time—a few more days—so that we can put firm offers on the table and amicably negotiate an agreement that I can then take to Cabinet for ratification. I would hope that, if goodwill can continue to prevail on both sides, I could have a firm series of proposals across the board to take to Cabinet before Christmas.

**The Hon. Diana Laidlaw:** Do you doubt that—

**The Hon. J.R. CORNWALL:** No, I do not doubt goodwill on either side—I just hope that nurses can appreciate my position. It is one in which I wish to err on the side of generosity, but at the same time I have to be very careful not to get the sums wrong by $10 million to $15 million. That is why we are taking a little more time.

I am anxious to have the matter before Cabinet for consideration before Christmas. I hope that we can get it to the Industrial Commission as soon as we reasonably can, and that those pay rises and enhanced political career structures will soon be available. The alternative—something that would be regrettable and about which we have to be careful—if a major dispute were to ensue is that the matter would have to be resolved by the Industrial Commission. That could result in a delay of between six to 12 months during which time we could see a disruption to our hospital system which, in my view, we should be careful to avoid at almost any cost.

However, having said all that and having given these firm assurances of entire goodwill on our part, I would repeat that we cannot afford to get our sums wrong and, instead of the package costing us $22 million to $25 million, it ends up costing us closer to $40 million resulting in a distortion of the health budget which would ultimately be to the detriment of very many people in the system and the community.

## TACOGRAPHS

**The Hon. PETER DUNN:** I seek leave to make a brief explanation before asking the Minister of Health, representing the Minister of Transport, a question on tacographs.

Leave granted.

**The Hon. PETER DUNN:** Tacographs are an instrument attached to a truck to register speed, distance and hours. It has been rumoured that these instruments are to be introduced into South Australia and attached to trucks, for reasons that are fairly obvious. They will register just where those trucks have been, how long they have been on the

road and the distances they have travelled. My questions are:

1. Does the Government intend to introduce compulsory use of tacographs for carriers in this State in the foreseeable future?

2. Is this a mechanical means by which the Government will introduce a tonne kilometre tax again?

3. If so, will all trucks have to be fitted with tacographs?

**The Hon. J.R. CORNWALL:** I will refer those questions to my colleague the Minister of Transport and bring back a reply.

## AIDS

**The Hon. R.I. LUCAS:** I seek leave to make a brief explanation before asking the Minister of Health a question on the subject of AIDS.

Leave granted.

**The Hon. R.I. LUCAS:** Members will be aware that concerns about the spreading of AIDS through the community have not abated over recent months. I was interested to see the report of the second National AIDS Conference in the *Advertiser* on Monday of this week. Ms Ita Buttrose delivered a speech to the conference, and the article states:

> Ms Buttrose said she supported the idea of educating schoolchildren about the disease. She said she would provide State Education Departments with information on which to base AIDS courses for children. Ms Buttrose acknowledged that the issue could be controversial but said the threat of AIDS should be enough to warrant its becoming part of the sex education curriculum.

Once again I think Ms Buttrose appears to be making a lot of sense. My questions to the Minister are:

1. Does the Minister support the provision of AIDS courses for children as part of the sex education curriculum in South Australian schools?

2. Will he consult with the Minister of Education to ascertain the current situation in South Australia and the Minister's response to Ms Buttrose?

**The Hon. J.R. CORNWALL:** This has never been put to me before so I certainly do not intend to respond informally or off the top of my head. It is far too important a matter for me to make any announcement without full consultation—

*The Hon. L.H. Davis interjecting:*

**The Hon. J.R. CORNWALL:** The Hon. Mr Davis sneers and sniggers. He appears to find that amusing. That ought to be in the record. It is far too important for me to make any sort of ministerial announcement without full consultation with the State and national authorities. It is as a result of that very firm policy of leaving AIDS control and programs for AIDS control to the health professionals while at the same time giving them unqualified support that South Australia has a lower incidence of AIDS than any other State in Australia at this time, and indeed has a very good record *vis-a-vis* any of the Western democracies. It would seem that there might well be virtue in the proposal that has been raised, but I make it clear that I would not respond to that until I have taken the advice of the people on whom I have always relied for my support on these matters. The same, of course, would apply to the Minister of Education. I am sure that the best thing I could do is get an informed response to those questions and bring it back to the Chamber as soon as I reasonably can.

## ASH WEDNESDAY SETTLEMENTS

**The Hon. K.T. GRIFFIN:** Has the Attorney-General an answer to a question I asked on 23 September on the subject of the Ash Wednesday bushfires?

**The Hon. C.J. SUMNER:** I seek leave to have the reply incorporated in *Hansard* without my reading it.

Leave granted.

Following the bushfires which commenced in the McLaren Flat area on Ash Wednesday 1983, a number of actions have been brought against the Electricity Trust of South Australia. The first of these was heard in the Supreme Court during June and July 1985. On 9 August 1985, His Honour Mr Justice Zelling found that the Electricity Trust was liable and awarded the plaintiffs a lump sum by way of damages.

The first claim for losses following this case was received by the trust on 24 October 1985. The details submitted with this claim were inadequate to enable a proper assessment to be made: final details were received on 13 March 1986. The trust made a formal offer to this claimant on 24 June 1986, and the claimant advised of his acceptance on 3 July 1986.

The first of the claims being handled by the solicitors representing about 80 claimants were received on 31 January 1986. The first offers (in respect of 12 of these claims) were made by the trust on 24 June 1986. These offers were rejected and the claimants made counter offers on 28 July 1986. On 26 August 1986, the trust made second (revised) offers: one of these was accepted at that time and negotiations are continuing with the other claimants.

To date the trust has received a total of 53 claims in respect of the McLaren Flat fire. All but one of the properties concerned have been inspected by the trust's assessors. Offers have been made to 25 of these claimants and a further three offers will be made within the next few days. Second (revised) offers have been made to 13 of these claimants and a further two second offers will be made shortly. Three of these claimants have accepted the trust's offers.

The apparent delays in handling these claims have arisen from a variety of factors, including:

- delays by the claimants (or their representatives) in submitting claims,
- incomplete details provided with claims and delays in claimants supplying the information needed for proper assessment of claims,
- the establishment of guidelines acceptable to all parties for dealing with each head of loss (Mr Justice Zelling awarded a global sum to the plaintiffs in the first action but did not fix any principles to be used in assessing subsequent claims),
- the establishment of mutually acceptable procedures,
- the need to satisfy insurers that the proposed principles and procedures are reasonable.

Most of these factors have been resolved satisfactorily and the trust expects that, in future, most claims will be settled within three months after the receipt of complete claims.

The Electricity Trust is sympathetic to the difficulties being experienced by many of the claimants and is doing all it can to expedite settlement of claims. It believes that no delays can be attributed to the use of the Victorian assessors or any lack of trust staff to handle the claims. There are no South Australian assessors with the requisite skills, but steps are being taken to train local people to work under the guidance of Victorian assessors.

In seven cases, arrangements have been made for interim payments to be made (generally within three days) to claimants facing particular financial difficulties. In one of these

cases, the cheque for the agreed amount was prepared but the interim payment was rejected by the claimant six weeks after his request.

The Electricity Trust would welcome direct approaches from claimants in respect of the McLaren Flat fire. However, apart from the McLaren Flat fire and one small fire in the South-East of the State, any liability of the trust for fires on Ash Wednesday will have to be determined by the courts before any relevant claims can be settled. The trust is currently facing actions in respect of six fires at Clare, the Adelaide Hills and in the South-East.

### CENTRAL LINEN SERVICE

**The Hon. K.T. GRIFFIN:** Has the Minister of Health an answer to a question which I asked on 19 August regarding the Central Linen Service? I regret that I have not had an opportunity to ask for the answer before this time.

**The Hon. J.R. CORNWALL:** It has been sitting in my bag for a long time. I think the date on it is 27 September 1986, which is the date I received it. I seek leave to have it incorporated in *Hansard* without my reading it.

Leave granted.

1. Yes.

2. As a result of staff training, a pool of talent exists on the shop floor from which acting supervisory staff can be drawn and these temporary supervisors were given the opportunity to provide supervision in the workplace at the plant whilst the supervisors were absent.

3. During this training conference, there was no diminution of levels of supervision and no reduction in the vigilance required for the safe operation of the laundry.

4. The cost of staying at Wirrina was $4 482, or $179 for each of the 25 participants.

## QUESTION ON NOTICE

### UNITING CHURCH IN AUSTRALIA ACT

**The Hon. J.C. BURDETT** (on notice) asked the Attorney-General: When will section 21 (3) of the Uniting Church in Australia Act 1976-1977 be proclaimed?

**The Hon. C.J. SUMNER:** Although the determination of the Presbyterian Property Commission of the division of the former Presbyterian Church's property between the Uniting Church and the continuing Presbyterian Church was approved by the Supreme Court on 20 March 1984, a number of practical and legal matters required attention by the churches to give effect to the determination. In a meeting between the solicitors for both of the churches and me on 13 May 1985, the solicitors agreed that they would both inform the Crown Solicitor when they were ready for section 21 (3) of the Uniting Church Act 1976 to be proclaimed. In a letter to my Secretary dated 27 August this year, the solicitors for the Presbyterian Church stated that the work required for the churches to be ready for the proclamation had taken much longer than expected, and was still proceeding. The section will be proclaimed when the solicitors for the churches tell the Crown Solicitor that the churches wish the proclamation to be made.

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### APPROPRIATION BILL

Adjourned debate on second reading.

(Continued from 30 October. Page 1689.)

**The Hon. M.B. CAMERON (Leader of the Opposition):** It is interesting to stand here after the last budget, particularly as I will later quote a Minister of Health who came into office clearly indicating that he was going to stop cuts in the health system. A 4 per cent cut in goods and services has obviously come as a hefty blow to hospitals. The additional cut of 1 per cent funding on standstill budgets in the name of 'all round savings and economics' has made it impossible for hospitals to maintain their level of services. There is plenty of evidence to show that the actions of the 'toe cutter of the health system' have led to patients missing out in a number of areas.

**The Hon. R.I. Lucas:** What did you call him?

**The Hon. M.B. CAMERON:** Toe cutter, or health cutter—I do not care what you call him. I will cite a few examples. At Flinders Medical Centre a number of emergency patients are being turned away and sent to other hospitals because there is now a ceiling on the number of emergency beds available. People are being turned away from the Flinders pain clinic because the hospital cannot afford to keep them there. A ward has been closed at the Adelaide Children's Hospital. Obstetric services to country women are under threat. The Royal Adelaide has been forced to restrain spending in a number of areas. It will be interesting to hear from the Minister just why the wheels have fallen off our health system. The Minister no doubt will recall the election promise made in 1982 when the ALP said:

> We will halt further cuts in the State health budget.

**The Hon. R.I. Lucas:** Who said that?

**The Hon. M.B. CAMERON:** That was the ALP and the Minister. It is a very clear statement. Since then we have seen Medicare come to fruition with a charge on the community of 1 per cent of taxable income. We have seen that rise to 1¼ per cent in spite of absolute assurances that the 1 per cent levy was set in concrete. People are now paying more for health insurance but are getting less service. We have seen day bed subsidies to private hospitals withdrawn. The Minister put forward a proposition at the Health Ministers Conference that the subsidy should be withdrawn and given to the States to place public patients in private hospitals.

The Commonwealth certainly took notice of the Minister on the first part and withdrew the subsidy, but the second half failed to materialise, and I have not heard much of an outcry from the Minister. We have seen Medicare Private rates rise 70c and Mutual Community rates rise $2.50 as a result of this and other State and Federal decisions.

With extraordinary cuts in the health budget, hospitals are not to close wards permanently or cancel services unless they have permission from the Health Commission. On top of all this, no cuts are to be made in areas where there is likely to be industrial disputation. That means we will have the cleanest hospitals in the land but they will not have many patients. During the year we saw the reluctant acceptance by the Minister that there was a problem with waiting lists at our major public hospitals.

There is little doubt now that there is to be a severe reduction in health services to the community as a result of the cuts to the health budget and we will be querying why this is necessary when everybody in Australia is paying more to the Government for health than at any time in the past. Somebody, somewhere, has a lot of answering to do and the Minister is the first in line.

The health system has got to the stage where, in some instances, hospitals are not allowed to purchase new machinery but, such is the stupidity with which these budget cuts are being enforced by the Health Commission, main-

tenance is treated differently. Even though it may well be more economical to purchase new items of equipment, the old continues to be repaired.

Inflation in the last quarter has gone up and, because of the fixed percentage allowed for the inflation factor on equipment, every time the inflation goes up the hospitals' position becomes worse, both in terms of the failure to allow for the full inflation rate and in terms of any new equipment purchases because of the fixed sum allowance for equipment purchases, and that means less equipment can be bought.

Let me tell you a story about the end result of John the Slasher's budget cuts. We have heard him pontificating about a theoretical situation of potential cancer deaths at Roxby Downs as a result of epidemiological studies. In the business of X-rays there are certain substances used, one of which assists in screening the arterial geography of the body. The substance has been used for some time and is called ionic contrast media. It has been widely used; however, it has one problem—in a certain percentage of people it can have a very serious adverse reaction, leading in some cases to death. Up to seven people are treated each year at the Royal Adelaide Hospital in the Intensive Care Unit.

There is now a substitute called non-ionic contrast media. The difference between the two is not just in the prefix 'non' but the second named substance does not have an adverse reaction and so is considered to be safer. The other major difference—the key difference—is that the second named (that is, the non-ionic contrast media) is much more expensive and, if it is put into general use in a major public hospital, it would probably cost the hospital between $200 000 and $250 000 extra per year. At the present time, I am informed that Flinders Medical Centre and the Adelaide Children's Hospital are, in fact, using the expensive but safe alternative. The Administrator of Flinders Medical Centre states:

> In 1985-86 FMC adopted the use of non-ionic contrast media for some radiological procedures. This was not funded by the SAHC and will cost approximately $250 000 in 1986-87.

However, the Queen Elizabeth Hospital and the Royal Adelaide Hospital are not (or if they are it is only in very limited circumstances) using this substance. This is what the Minister's budget cuts are doing to patient care. I have been told by a senior person in the Royal Adelaide that medicine is slowly sliding, under the Minister's regime, back into the 1960s in terms of quality of patient care. The Minister is forcing hospitals to jeopardise the well-being and even the lives of people by coming down so hard on their budgets; hence the decisions (such as the one made on this substance) have been made.

What the Minister is doing is forcing the situation where there is no doubt that patients' lives are being put in danger and doctors are being placed in an impossible position—a dangerous legal position. If members want to know what that means, consider: are doctors at the QEH and RAH required to inform patients of the potential dangers of ionic contrast media?

**The Hon. R.J. Ritson:** It should be informed consent. They need to know all the risks.

**The Hon. M.B. CAMERON:** That is right. If they do not and the patient suffers severe ill-effects or even dies, who is responsible—the doctor, the hospital or the Health Commission? I believe it comes back to the Minister; it has to, within this system, because they are his budget cuts which have forced this situation. How dare he pontificate in here about potential deaths from cancer at Roxby Downs when he is responsible for this situation. How many more decisions are being forced on our health system which I have not heard about—and that is only one I have heard about—because of the budget cuts and the effect that they are having on patients. Yesterday I received a copy of a letter sent to the Minister by the combined Medical Staff Societies on the Uhrig report. I believe it sums up my feelings generally about the Uhrig report. It states:

Dear Dr Cornwall,

I am writing to you on behalf of the Medical Staff Societies of the seven metropolitan teaching hospitals, representative of more than 450 senior medical staff, in regard of the Uhrig report.

As the recommendations of this report have now been made public, we feel it is now appropriate, as parties whose interests are affected by the proposals, to make a response, particularly as the review team did not seek specific submissions or invite comment upon its findings. For reasons I will summarise below, it is our opinion that the recommendations to create a Metropolitan Hospitals Board and clinical programs integrated across hospitals will be detrimental to the functioning of all public hospitals in Adelaide. We therefore ask the Government to reconsider the report as we believe that its recommendations should be rejected.

The medical staffs recognise the need for ongoing critical review of the roles, structure, and functions of the hospitals in which they work and have welcomed the studies carried out already at the Queen Elizabeth, Queen Victoria and Adelaide Children's Hospitals, as well as that proposed for the Royal Adelaide Hospital and have welcomed the opportunity to contribute to these reviews.

Further, we support the views which you have publicly expressed regarding the improvement which has taken place in the past few years in the working relationship between clinical and administrative staff in our hospitals ('The public hospital system generally is in many ways more stable than at any time in the past decade . . . it is again possible for them to practice their profession in an environment which allows them to concentrate on their professional skills and their dedication to excellence'—*Hansard* 14.8.86, page 351.)

In view of the above, we find it strange that the Uhrig report should be accepted with an apparent plan for early implementation, when its recommendations seek to radically change current management systems which appear to have won acceptance as being both efficient and effective. Our concern is magnified by the fact that there is no clear indication in the preamble of the Uhrig report as to why it was commissioned in the first place.

Our principal specific concerns regarding the recommendations of the report may be summarised as follows:

1. The first section of the report entitled 'The Case for Change' refers to the inability of the SAHC to develop a system of coordinated metropolitan hospital services particularly in relation to difficulties in the provision of funding. It targets the area for change as the 'organisational structure of metropolitan hospital services' (page 4) and refers to the 'unwillingness to subordinate individual institutional interests to the objectives of the system as a whole' (page 5). This statement is unsupported and no evidence is presented that individual units would not respond to the needs of the system if appropriately asked to do so. Rather than the creation of a different bureaucracy for the management arrangement of hospitals, the real need is to render effective the strategic and operational planning process, the mechanism for which already exists. It is the SAHC which needs reorganisation and not the hospital system.

2. The report contains no reference to the metropolitan hospitals plan already developed by the SAHC and attempts no analysis of why it has failed. Other organisational initiatives such as the Sax and Smith reports and the role and function studies referred to above have not been addressed. We cannot accept that the new proposal will succeed where these other initiatives have either failed or not been given an adequate trial.

3. We are concerned regarding the concept of the Metropolitan Hospital Board and its structure. As the board will not represent community interests, whom will it represent? The input of health professionals and those experienced in health management will be limited. It will be a non-clinical body essentially directing clinical programs from which it will be remote. The ultimate goal of appropriate provision of health services tuned to the needs of the community will be unattainable. We are particularly concerned that no evidence of the effectiveness of this particular solution is presented in the report; there is a single statement that 'this view is supported be experience in Auckland' and that 'this solution may be appropriate in the longer term' (page 9). In fact, we are reliably informed by a senior Auckland health administrator that the system has had a similar deleterious effect to that which we anticipate in Adelaide. A similar form of centralised administration has been used locally in the reorganisations of the South

Australian Colleges of Advanced Education and has been beset with virtually every problem we foresee for the hospital system.

4. The 'clinical program' concept of centralised planning of services has attractions, but it does not necessarily follow that the use of such a system as an input to determination of priorities requires the restructuring of the entire management system. No advice was sought by the review team from senior clinicians regarding the applicability of this concept. It must be pointed out that some degree of cross institutional planning of clinical services in South Australia already exists and that this experience has been ignored by the Uhrig committee.

The major quaternary services, e.g., cardiac surgery, renal dialysis and transplantation, radiotherapy and magnetic resonance imaging have already been rationalised by cooperative efforts between professional colleagues with leadership from the SAHC or, in times gone by, the Hospitals Department. On the other hand, attempts to plan clinical programs at a tertiary level have enjoyed mixed success as evidenced by recent experience with obstetrics and gynaecology, neonatal and cancer services. The relative success and failure of these previous initiatives must be clearly understood before wholesale restructuring of hospital management is justified.

5. The proposal for a single management system appears to assume that the hospital service is homogeneous. On the contrary, the mix of patients represented either directly or by referral to hospitals shows a great deal of variety and this accounts for differences in the services provided and in the skills of the staff in different institutions. The solution of the problem of how to distribute resources between these different institutions lies not in the creation of yet another bureaucracy, but in the realisation that the individual units have different needs and internal management problems which are determined by their service load. The solution lies with the SAHC which should be reorganised to develop the planning capacity the system needs to determine its overall objectives and those of its individual units.

6. The report fails to acknowledge the corporate identity of individual hospitals which is one of the strengths of the present organisation and will be considerably eroded by the proposals for centralised administration. In particular, we are most concerned about the acceptability of such matters as staff appointments and industrial relations being dealt with centrally. No evidence is presented that a 'corporate culture' can be developed and the history of health service institutions suggests that this is unlikely. It is the unanimous view of all medical staff that the suggestion of an allegiance to the 'system' rather than the 'institution' will be unachievable. It is a concept which our members will find difficult to support in any way.

7. We disagree that the system will provide improved financial accountability. The information systems proposed will collect a great deal of data which will flow from the users and providers into the central administration, but it is very difficult to perceive how clinicians, for example, can be as accountable to a remote administration in the same way as they can be to a more local one, using the type of systems currently under active development in our hospitals.

8. As the workload of a hospital is determined by clinical material presented from the community, we feel that the community input should certainly be at the level of individual institutions and would disagree with the finding that this input should only be 'at the policy formulation levels of the organisation' (that is, the commission, page 17). The report does not appear to consider the way in which community services would be included under the proposed reorganisation; at present many of these services have a very strong integration with teaching hospitals.

9. Although industrial democracy is a stated aim of the present Government, the report has not considered the place of employees in decision making. At present, this occurs successfully by means of medical and non-medical staff representation on hospital boards.

Our overall impression is that the report recommends a return to centralised management, whereas it might seem more appropriate to follow the present path of decentralisation but allow individual hospital management systems to function more efficiently by freeing them from the present cumbersome involvement of the commission and its sector in day to day matters, hopefully allowing the commission to play a more effective role in planning than it has up to the present.

Finally, we believe that the Uhrig report has failed to appreciate the structure and functions of the medical schools of South Australia. The very nature of a teaching hospital, the quality of the service it can offer; the excellence of the staff which it will attract and its reputation in research and teaching, not only at State, but also at national and international level, is crucially dependent upon the relationship between hospital and university, In South Australia, these relationships have been carefully nurtured over many years and we cannot view the reshuffling proposed in the Uhrig report as being sound, either from an academic or organisational point of view.

We would, incidentally, view the university/hospital relationship as one of many factors which contribute to the culture and overall ethos of our individual hospitals, traits of which the Uhrig report is critical, but which we would view as desirable characteristics.

In summary, changing the management arrangements for the hospitals is an inappropriate solution which has the real risk of destabilising internal managements of hospitals, impairing staff morale, and adversely affecting services. The system will be turned into one of depersonalised mediocrity.

That letter was written for and on behalf of the Medical Staff Society Chairmen and their names are listed. That last paragraph really summarises my view of the Uhrig report. It is quite clear: if this proposal proceeds, it will be turned into a depersonalised bureaucratic system. When the Minister made the Uhrig report public, he made it quite clear that he supported its findings. At the time he indicated that it was his personal view and that he would have to take any recommendations to Cabinet.

However, he gave a very firm commitment to it and only two weeks ago, at an Australian Hospitals Association meeting, he promoted the Uhrig report and its findings. He argued very strongly for its main finding (that is, a central hospital board). He now appears to be rejecting it, and it will be very interesting to see in which direction he turns. It is my very firm belief that more control is desperately needed by the patient care end of the hospital system.

How much more time and money will be spent on this attempt by the Health Commission to seize control of our hospital system—and that is what I regard it as. The basic proposition of the Uhrig report, as is probably well-known by now, is to abolish the boards of the major teaching hospitals in the next two years and replace them with a central board of seven persons representing various areas of responsibility within the health system. As I have said before, the Uhrig report was drawn up by two people from the Health Commission (and I emphasise that) and John Uhrig.

The Uhrig report, in my opinion, is a recipe for disaster, both in terms of morale at public hospitals and eventually in cost terms. It will place all public hospitals, with all the strengths they have acquired in the past, totally under the control of the Minister and the Health Commission and get rid of the valuable input by the members of the boards, who have done extremely valuable work on a voluntary basis.

Within the hospital system money is already a huge problem, morale is already at an all time low and, if we remove the boards of management, management and decision-making will become remote and the people at the bottom of the stack (that is, the people who are handling the patients) will be divorced from everything that affects the way they operate. It is very important in a hospital that there is a team spirit and I believe this move will break that team spirit.

**The Hon. C.M. Hill:** It is a pity that the Minister of Health is not in here listening to you.

**The Hon. M.B. CAMERON:** Yes. I am sure that he will read it. There is nothing wrong with ensuring that clinical services are properly organised across the hospitals to ensure that there is no unnecessary duplication but, if that has not occurred, the fault does not lie within the hospitals but with the Health Commission, which has failed to carry out this role—that is, advising all hospitals of the needs in their areas.

There is no doubt that the Health Commission is in urgent need of remodelling. It is a prime example of what I feel will occur if the bureaucracy takes over the hospital

system. Whenever it gets close to making a decision somewhere in its system, it appears to set up another committee to examine the decision previously made and the end result is that no-one ever makes any decisions, but the bureaucracy grows like wildfire to cope with the committee. I have in front of me a list of 200 committees that have been set up by the Health Commission under this Minister, and I can read through it.

**The Hon. R.J. Ritson:** Is it purely statistical?

**The Hon. M.B. CAMERON:** I think I should read out some of it. Someone must draw attention to these things. It is just amazing. The following committees come under 'Central office internal':

Central Office Staff Development; Central Office Systems; Central Sector Management Group; Chairman's Administrative; Coalescence Working Party and Secretariat; Computer Systems Officers Classifications Assessment; Editorial; Ethics Policy Group; Financial Liaison; ISIS Management; Management Services Classification Assessment Panel; Management Services Internal Management; Management Systems User Groups; Office Automation Pilot Group; Monthly Management Summary Sponsor; Planning Review Group; SAHC/DCW Merger Working Party; Senior Medical Officers, SAHC; Women in Central Office; Workforce Monitoring Group; Child Care in Metro and Country Health Units; Career Structure Oversight; Community Health Accreditation Standards Working Party; Community Health Services Advisory—Southern Sector; Community Health Sponsor Group; Criteria Joint Review; Community Health and Domiciliary Care Review; Country Area 3 Steering Diabetic Services Advisory; Data; Environmental Health Working Party: Health Act Review.

It goes on and on. I seek leave to table these documents, which detail 200 committees, many of which I am quite sure no longer exist and have probably never reported to anyone, but they keep someone busy somewhere in the system.

**The Hon. Diana Laidlaw:** They keep many people busy.

**The Hon. M.B. CAMERON:** Yes. I seek leave to table them and to have them published, not to incorporate them in *Hansard.*

Leave granted.

**The Hon. M.B. CAMERON:** Last year, despite the advice of the Auditor-General to cut down, the Health Commission grew by 26 people. The commission should be remodelled in such a way that it can provide a proper service to the hospitals and the hospitals should be given greater autonomy with set budget limits, and if they fail to either provide proper services or keep within their budget limits we take action to change the administration or, if necessary, the boards, but not abolish them.

I believe that the hospitals would respond to greater autonomy; however, I make the point again that we must give them very clear guidelines as to what services they will provide to the community. If this central board goes ahead, I foresee that they will have to employ a huge team to replace the 'local knowledge' that hospital boards have because they will be dealing with the most incredible amount of decision-making right down to who will be the heads of units, who will be on staff, all the small decision-making which at present is handled by the board on a non-cost basis.

The Health Minister needs to look at the health bureaucracy at the top and the bureaucracy that has had to be formed at hospitals to provide information to the bureaucracy at the top. The frustrations of administrators of hospitals are enormous and that frustration is caused by the incessant demands for information on almost every individual item by the Health Commission. There needs to be more independence for individual hospital units, not less. We need to get out of their hair—lay down guidelines and allow them to run their institutions.

There are too many power-hungry people in the Health Commission who I do not believe give a damn about patients. I think one of the worst problems the health system has is to have a Minister who has been a vet and so, therefore, has a knowledge of science, and because of that believes he has the answers to everything. One only has to watch him in the Council, assisting the Attorney-General, mouthing off scientific names in order to demonstrate his ability, to realise that he thinks that that is an important part of being a Minister of Health. He, like his bureaucracy, really has no feeling for the patients or their problems—they are just units to be shifted from one side of Adelaide to the other to fit in with the system.

We also have the Taeuber report, now in the Minister's hands, which our little Minister of censorship has decided is not fit for the eyes of the public who have paid for it. Who on earth does he think he is? He has not paid for this report—the taxpayers, the public, have, and they are entitled to this information. The Minister has continually raised public expectations about the Taeuber report. He was talking about it only a few days ago in this place, indicating that the report was about to be brought down. Now he is saying that he does not like it. He is saying that there will be a bloody revolution in the system if he makes it public. So he will censor it or perhaps not release it at all. If ever there was a demonstrated need for a freedom of information Act, it is this example. Because the Minister is so shy about it—

**The Hon. R.J. Ritson:** Tell him about it!

**The Hon. M.B. CAMERON:** I will. I seek leave to table a copy of the Taeuber report.

Leave granted.

**The Hon. M.B. CAMERON:** I can well understand why the Minister is so shy about this report, because it has not turned out the way he wanted. Perhaps he is a little toey about it. A couple of its recommendations might cause him difficulties. Recommendation 2 of the confidential draft of this report provides:

The South Australian Health Commission be abolished as a body corporate and an administrative unit (Department of Health) be constituted under the provisions of the Government Management and Employment Act as the Government agency to administer the South Australian health system.

Recommendation 4 states:

The Minister of Health be vested with the statutory power to exercise general direction and control over the activities of health units funded by the Government, including those currently incorporated under the South Australian Health Commission Act, the Associations Incorporation Act and unincorporated units.

That means, of course, that everyone is in—everyone will be under the Minister's control, right down to the smallest hospitals in the land. We would not need boards, because the Minister would be in total control.

**The Hon. R.J. Ritson:** And private hospitals, too?

**The Hon. M.B. CAMERON:** I imagine so.

**The Hon. R.J. Ritson:** Unincorporated?

**The Hon. M.B. CAMERON:** Well, that could be so. Recommendation 7 states:

Any statutory reference to boards of health care units as autonomous governing bodies be deleted from the legislation.

It goes on to say that the Chief Executive Officer will be given absolutely total control over every hospital in the State. It is the most extraordinary document, a recipe for absolute control of the hospital system. That is obviously what they thought the Minister had in mind, so that is what they came up with. He has become very shy about it all of a sudden, and I can understand that. I trust there will now be a public discussion of the report: I trust that the Minister will make the report public and not try to hide it behind closed doors.

**The Hon. C.M. Hill:** They are always saying they are for open government.

**The Hon. M.B. CAMERON:** That is right, but it is a lot of nonsense. I now want to raise the question of the Minister's attacks on obstetrics in country hospitals and on the South Australian Hospitals Association, which he has indicated that he has decided to boycott because it has dared to criticise him. I have a copy of a report of the council meeting of that association that the Minister has decided to boycott. It is very interesting to see in that document that the Minister said quite clearly that there had been no discussions with him on this matter. The words he used were, 'without any consultation with me or my office at all'. He used those words in the Estimates Committee. Way back on 27 May in a report to his council, Mr Bailey is quoted as follows:

> Mr Bailey told council that as a result of the newspaper articles on the provision of obstetric services he had arranged for the private hospitals to be given copies of the latest data for evaluation. Mr Bailey and Mr Sargent had met with the Minister in regard to the suggestion that there should be a reduction in obstetric services in country areas particularly. The statistics used had been totally inappropriate and the opinions derived from it were equally so. This had been emphasised in detail to the Minister and confirmed by letter.

I have a copy of the letter that confirms it and seek leave to table the letter.

Leave granted.

**The Hon. M.B. CAMERON:** Members will note, if they take the trouble to read the letter, that what Mr Bailey was pointing to is clearly laid out. It further states:

> Moved—That SAHA write to the Minister reiterating the Association's views for all members and seeking either a retraction or letter explaining what the figures really related to as the newspaper articles have given rise to unwarranted concerns in the community.

That was on 27 May. The Minister now has the audacity to get upset because there has been some criticism by country people about the situation, but those figures were never retracted by anybody. There was five months of worrying about the future of these institutions. John Bailey wrote to Dr Cornwall on 17 June, as follows:

> At a recent meeting of the association council, considerable concern was expressed at usage of inappropriate statistics from the report of the survey team on the review of the obstetrics and neonatal services at the Lyell McEwin Health Services and Modbury Hospital. The council have asked whether you as Minister would give consideration to making a statement emphasising the organisations to which that report related, and the time period to which it related, as they believe that considerable, unwarranted concerns were raised in the community as a result of that report. Certainly, the 1984 perinatal statistics just to hand do not support the misconceptions now afloat in the community as a result of comments on the 'report'.

In reply the Minister stated:

> Further to my letter to you of 20 May regarding country obstetric services, I advise that the South Australian Health Commission has recently set up a working party to consider policy issues relating to obstetric and neonatal services. The commission has been requested to ensure that your views are passed on to the working party (chaired by Dr D. Filby) to be taken into account in their deliberations.

Nowhere does he admit that the statistics were wrongly used or wrong in the report in the *Advertiser*. He had already had his attention drawn to the figures. On 9 October 1986, the South Australian Hospitals Association wrote to the Premier, as follows:

> A meeting was called by the South Australian Hospitals Association on 6 October—

it was 6 October, from 20 May when the matter was first raised—

> for the purpose of discussing several issues of particular concern to rural communities.
>
> Among the subjects listed for discussion was the current Health Commission Working Party's investigation into the provision of obstetric services in country areas, due to conclude on 10 October. The meeting was extremely concerned at the Health Commission's expressed intentions that obstetric services in country areas should be reduced or withdrawn entirely, believing this to be both unwarranted and unnecessary, and ultimately far more costly than the present system.
>
> Present at the meeting were representatives from the majority of country hospitals, the AMA, the AMA Rural Health Committee, the Country Women's Association, the Local Government Association and the United Farmers and Stockowners Association. The meeting requested that the following (unanimous) motion be directed to your attention, and that of the persons listed below:
>
> That this meeting has no confidence in the Minister of Health or the South Australian Health Commission, and deplores the underhanded way in which they have conducted the Inquiry into Obstetric and Neonatal Services in country areas. That the current statistics provided by the AMA to the South Australian Health Commission's working party for the 'Discussion Paper on the Development of Obstetric and Neonatal Services Policy' demonstrate conclusively that there are no greater risks in country hospitals and that the present system is amongst the best in the world, and should be retained. That further unvestigations and development of policy, including regionalisation of obstetrics and neonatal services is unnecessary, a waste of public funds, and if the Health Commission cannot appoint representatives from the AMA, the South Australian Hospitals Association and the South Australian Midwives Association to the consultative committee dealing with this matter then the committee should be disbanded.

The letter was signed by John Bailey with a copy sent to me. I have a copy of a report of 28 October 1986 of the council meeting of the South Australian Hospitals Association, which states:

> On 20 May 1986 at 10 a.m. Mr Sargent and Mr Bailey met with the Minister of Health regarding hospital budgets and area health planning with particular reference to obstetric services in country hospitals. The Minister was not prepared to accept those views in regard to obstetric services; however, during the meeting Mr Sargent warned the Minister that in his view withdrawal of obstetric services would cause considerable reaction from the country areas.

The Minister was warned on 20 May of the reaction he would get. The report continues:

> The problem associated with Aboriginal perinatal statistics was also raised and a letter setting out that problem and possible effects on country statistics was hand delivered to the Minister on the same day.

This is where the whole thing went astray. The avoidable deaths figure used included not only medically avoidable deaths but socially avoidable deaths. They were the deaths of people who did not seek medical advice, and were added to the country figures.

**The Hon. Diana Laidlaw:** Distorting the figures.

**The Hon. M.B. CAMERON:** That is right. I have no doubt that the journalist's attention was drawn to those statistics deliberately. No explanation was given to him to show what caused the distortion. I will also take a bet that somebody in the Minister's office did this for the purpose of trying to force through the change. The report continues:

> Subsequent to the council meeting on 27 May 1986, the Minister was asked to make a statement indicating which hospitals had actually been reviewed in the obstetric report (i.e. Modbury and Lyell McEwin) and to note that the 1984 statistics vindicated for country hospitals the appropriateness of country obstetric services. In the preliminary *Hansard* report of 9 October 1986 at page 457 it reads, in part, as follows:
>
> In the circumstances, it is most regrettable in my view that 50 country hospitals and the South Australian Hospitals Association, without any consultation with my office or me at all, staged this very strange meeting. They said that members of the media were allowed in but that they must not be identified for fear of reprisals. I found that most extraordinary. This is not South Africa, Chile or the Soviet Union. I would have thought that freedom of assembly is still something that is available even to country hospitals. I found it most regrettable. They have done themselves, in goodwill terms, an enormous amount of harm; they have passed a vote of no confidence in me, as Minister, without talking to me, without knowing what

my position was or without bothering to find out. I cannot deal with them, of course, until they rescind that motion and they should be aware of that. Clearly, they cannot deal with a Minister in whom they have publicly expressed no confidence. A full copy is attached.

We refute the Minister's claim of no contact or discussion. The Minister had been contacted and a meeting held at which the association had clearly stated its views which had been rejected (i.e. 20 May 1986). The association must therefore view with considerable concern the Minister's statements.

I do not blame it. How can it deal with the Minister when in fact he has obviously either forgotten approaches to him or is quite deliberately distorting the position, even in the Estimates Committee. He misled the Estimates Committee on that occasion because it was clear that he was fully informed and was warned of the reaction of country people but did nothing about it. On 20 May obviously the association had a meeting with the Minister, following publication of misleading statistics in the *Advertiser*.

I believe, as I said, that these misleading statistics were provided to the *Advertiser* by the Minister and the Health Commission for only one purpose—to provide the excuse for the closing down of obstetric services in a large number of country hospitals. The Minister now pretends innocence but he knows as well as I do that his officers from the Health Commission were tramping around the mid-north in June promoting area health plans that provided for the demolition of obstetric and other services in certain hospitals, and his officers even attempted to create divisions between country hospitals by offering additional services to certain selected hospitals. That is an old trick—divide and rule.

The Minister's scheme did not work, however, because country people are not innocents and they saw through the scheme and are presenting a united front—and good on them. The Minister started the whole row about country obstetrics and it is in the Minister's power to stop it because he can close down the Health Commission's inquiry into obstetrics and start providing better facilities for country people instead of trying to take them away, because that is exactly what the scheme is all about. My office has been bombarded with letters from country people concerned about this whole issue. I suppose the Minister has to save money somewhere, and country people are an easy target. They are always an easy target for this Government, which has an incredible lack of understanding of their problems and hardships. They seem to get no sympathy—they are miles away from the city and they do not matter, and that is exactly how they feel right now.

The Minister and his bureaucrats used some cooked figures to attempt to prove that the rate of medically avoidable deaths of babies in the country was higher than in the metropolitan area. Those figures were misleading to say the least—in fact, they were wrong. Of course, the Government has now admitted that they were wrong, and I quote from *Hansard* of the Estimates Committee. Mr Bill McCoy, whose name has been mentioned previously, said:

I would like to say that, in the heat of this debate there has been on the side of the commission and certainly on the side of the AMA, inappropriate use of statistics in making a point. These have now been recognised as mistakes.

This is about 9 October that Mr Bill McCoy stated—

**The Hon. R.I. Lucas:** Is he the future Chairman?

**The Hon. M.B. CAMERON:** He is Deputy Chairman at the moment. I think he will be Acting Chairman for the next three years. There most certainly were mistakes, and it is little wonder that country people have no respect for the Government and its bureaucracy. Country people are not stupid, despite what the Minister might think, and the figures were found out to be wrong.

The figures from 1984 show that, of 5 185 births in country hospitals, only two were classified as medicallly avoidable perinatal deaths. This compares with seven out of 10 025 births at metropolitan teaching hospitals. So, the rate of medically avoidable deaths in country areas is almost half that in the cities at the metropolitan hospitals. The Government should be congratulating country hospitals for their excellent services, not trying to close them down. It is unfair and untrue to imply that the deaths of a small number of babies in country hospitals are due to incompetence, and that is exactly what was implied.

Of course, as many angry people from country areas have said to me, it would be unjust to close maternity facilities where the nearest alternative may be hundreds of kilometres away. Babies, as I think the Minister is aware, are unpredictable—an expectant mother cannot just pop down to the city on the appointed day. They should not be forced away from their families and friends. I do not care how far away—these hospitals were built by country communities and they should remain in the country communities. The Minister is not only extremely unpopular among country women, but now city women have turned against him too, and the Hon. Ms Laidlaw would know about that—with a vote of no confidence in his 'Father of the Year' title. Motions of no confidence must be familiar to the Minister by now. He has, of course, also lost face with the South Australian Police Association and hundreds of rural people who attended a meeting in Adelaide regarding country obstetrics. The Minister must hold a record for attracting the largest number of no confidence votes than any other member of State Parliament. He is certainly not popular.

I want to say something about the nursing situation, because unfortunately I think we will see some difficulties. I hope that is not the case. It is extremely unfortunate that nurses in this State have been frustrated to the point of industrial action by this somewhat tardy Minister. There would be hardly a person in this State who did not agree that nurses have been the poor relations of the health system for too long and that has been recognised in Victoria and New South Wales where they have been awarded salary increases.

I recognise that there are some arguments in Victoria about the lower levels, but nevertheless there has been some recognition even here. The RANF (SA Branch) lodged its initial log of claims with the SAHC in September 1985, and yet in November 1986 it has not received the increases which it is clearly entitled to have considered by the SAHC.

I seek leave to have two sets of statistics incorporated in *Hansard*. One is an interstate comparison and the second is the actual claim of the RANF.

Leave granted.

ROYAL AUSTRALIAN NURSING FEDERATION
(S.A. BRANCH)

Nurses salary claim based upon a career structure model applicable to the Nursing Staff (Government General Hospitals, etc.) Award. Numbers in brackets denote automatic annual incremental steps.

Student Nurse
(1) 11 430
(2) 13 907
(3) 16 002

Trainee Enrolled Nurse
(1) 11 430
Adult (2) 13 907

Enrolled Nurse
Delete Junior Rates
(1) 16 279
(2) 16 923
(3) 17 567

Qualification Barrier
(4) 18 211
(5) 18 855

Registered Nurse Category 1 to be known as Registered Nurse
(1) 19 051
(2) 19 967
(3) 20 883
(4) 21 799
(5) 22 715
(6) 23 631
(7) 24 547

Note: Qualification allowances applicable to R.N. range only
Certificates/Diplomas (6 month course) $600 p.a.
Degrees/Diplomas $1 000 p.a.

Registered Nurse, Category 2 to be known as Clinical Nurse
(1) 25 881
(2) 26 616

Registered Nurse Category 3 to be known as—Clinical Nurse Consultant; Nurse Manager; Nurse Educator
(1) 27 800
(2) 28 582
(3) 29 364

Qualification Barrier
(4) 30 546
(5) 31 328

In large schools nominated educators should be paid + $1 500 P.A. 'Responsibility Allowance'.

Registered Nurse Category 4 to be known as—(1) A/D.O.N. Clinical; (2) A/D.O.N. Management; (3) A/D.O.N. Education

Salaries for this classification will be spot or 'on appointment' rates, based on two grades.
Grade 1 shall be Port Augusta to Modbury.
Grade 2 shall be FMC to RAH
Grade 1 36 200
Grade 2 40 200

A/D.O.N. Education will be classed as follows:
Grade 1—less than 20 educators
Grade 2—more than 20 educators

Registered Nurse Category 5 to be known as Director of Nursing.

Salaries for this classification will be spot or 'on appointment' rates based on 7 grades (compared to current 12 grades).

Grades will be as follows:
To Mannum—Grade 1—34 200
To Murray Bridge—Grade 2—34 700
To Wallaroo—Grade 3—37 700
To Mount Gambier—Grade 4—39 200
To Modbury—Grade 5—41 200
To QEH—Grade 6—50 315
To RAH—Grade 7—54 716

ROYAL AUSTRALIAN NURSING FEDERATION
(S.A. BRANCH)

Three State Salary Comparison Chart

| New South Wales 1.7.86 | Victoria 1.7.86 | South Australia 1.7.86 |
|---|---|---|
| | Student Nurses | |
| 12 327 | 9 003 | 10 593 |
| 13 219 | 10 801 | 12 798 |
| 15 209 | 13 507 | 14 823 |
| | 14 403 | |
| | Enrolled Nurses (Adult) | |
| 15 049 | 15 919 | 14 979 |
| 15 743 | 16 089 | 15 623 |
| 16 383 | 16 277 | 15 985 |
| 17 184 | | |
| | Registered Nurse Grade 1 | |
| 19 051 | 18 005 | 17 465 |
| 19 745 | 19 211 | 18 130 |
| 20 546 | 20 279 | 18 809 |
| 21 346 | 21 346 | 19 476 |
| 22 150 | | 20 142 |

ROYAL AUSTRALIAN NURSING FEDERATION
(S.A. BRANCH)

Three State Salary Comparison Chart

| New South Wales 1.7.86 | Victoria 1.7.86 | South Australia 1.7.86 |
|---|---|---|
| | Registered Nurse Grade 2 | |
| 22 947 | 22 147 | |
| 23 481 | 22 947 | |
| 24 015 | 23 748 | |
| 24 548 | | |
| Clinical Nurse Specialists | Grade 3 | Senior Nurse |
| | Sub-Grade A | |
| 25 082 | 25 349 | 20 932 |
| 25 883 | 26 149 | 21 634 |
| | Sub-Grade B | 22 336 |
| | 26 950 | 23 040 |
| | 27 750 | |
| | Sub-Grade C | |
| | 28 551 | |
| | 29 351 | |
| Unit Manager | Grade 4 | Supervisor |
| | Sub-Grade A | |
| 28 551 | 30 152 | 25 367 |
| 29 351 | 31 112 | |
| 30 152 | Sub-Grade B | |
| 30 952 | 32 126 | |
| | 33 140 | |
| | Sub-Grade C | |
| | 34 154 | |
| Clinical Nurse Consultant | Grade 5 | Assistant D.O.N. |
| 31 753 | | From 28 009 |
| Assistant D.O.N. | Sub-Grade A | |
| 31 753 | 36 022 | To 32 057 |
| 32 553 | Sub-Grade B | |
| | 37 623 | Deputy D.O.N. |
| Deputy D.O.N. | Sub-Grade C | |
| 29 351 | 39 224 | From 24 969 |
| | Sub-Grade D | |
| 38 423 | 40 558 | |
| 40 024 | | To 34 990 |
| D.O.N. | Grade 6 | D.O.N. |
| | Sub-Grade A | |
| From 35 755 | 43 760 | From 28 009 |
| | Sub-Grade B | |
| | 46 428 | To 43 523 |
| To 51 498 | Sub-Grade C | |
| | 49 097 | |
| | Sub-Grade D | |
| | 51 498 | |

NOTE: In Victoria D.O.N.'s at various hospitals are paid at levels ranging from:

GRADE 4 (Sub-Grade B)
TO GRADE 6 (Sub-Grade D)

**The Hon. M.B. CAMERON:** What other group in the community would have shown the same patient attitude as have the nurses. The Minister has boasted about the quiet situation here with nurses compared with Victoria yet he, by his own procrastination, is setting the scene for industrial action, something that has not occurred here before. I seek leave to have incorporated in *Hansard* a further set of statistical tables which give comparisons between various categories of employees and the nursing profession.

Leave granted.

COMPARISON OF SALARIES PAYABLE TO VARIOUS CATEGORIES OF EMPLOYEES IN SOUTH AUSTRALIA AS AT 1.7.86

| Increments | Enrolled Nurse (1 Year Cert.) | Technical Assistant (No Post-Secondary Qualifications) | Social Workers (Unqualified) |
|---|---|---|---|
| | $ | $ | $ |
| 1 | 14 979 | 15 814 | 17 816 |
| 2 | 15 623 | 16 511 | 18 369 |
| 3 | 15 985 | 17 209 | 18 924 |
| 4 | | 17 903 | 19 861 |
| 5 | | 18 577 | 21 039 |
| 6 | | 19 210 | 22 451 |
| 7 | | 19 914 | 23 787 |
| 8 | | 20 641 | |
| 9 | | 21 368 | |

| | Registered Nurse (3 Yrs. Post-Secondary) | Technical Officer (Technology Cert.) | Social Workers (Ass. Diploma) | Physiotherapists (Degree) | Teachers |
|---|---|---|---|---|---|
| | $ | $ | $ | $ | $ |
| 1 | 17 465 | 18 720 | 18 924 | 19 190 | 19 328 |
| 2 | 18 130 | 19 393 | 19 861 | 20 166 | 20 125 |
| 3 | 18 809 | 20 127 | 21 039 | 21 632 | 21 333 |
| 4 | 19 475 | 20 862 | 22 451 | 22 776 | 22 524 |
| 5 | 20 142 | 21 596 | 23 787 | 23 918 | 23 705 |
| 6 | | 22 330 | 25 119 | 25 061 | 24 893 |
| 7 | | 23 064 | 26 848 | 26 205 | 25 893 |
| 8 | | 24 190 | | | 26 788 |
| | | | | | B.Ed. or similar Degree |
| 9 | | 24 545 | | | 28 214 |
| 10 | | | | | 29 508 |

**The Hon. M.B. CAMERON:** While I quite sincerely appeal to the nurses to give the Government a little more time, I ask the Minister to sit down with the RANF and settle this problem forthwith. If he does not, he will have to accept direct responsibility for the consequences of his delaying tactics. I will be very sad if it reaches the point where the nursing profession in this State takes industrial action for, I understand, the first time in its history. It will be a sad day in this State and will not assist the hospital system nor the patients one iota. The Minister will have to be responsible, I am afraid.

Flinders Medical Centre is facing an extremely difficult year owing to not only the budget cuts facing other institutions, but also a special penalty placed upon it because of over-expenditure of nearly $1 million last year. Flinders is unique in its geographical location in that it has to cover a very large ageing population, as well as one of the largest growth areas in terms of population in Adelaide. It is in fact coping with the demand that will eventually be transferred to the Noarlunga Hospital, if the Minister ever gets around to building it. Last year it had a 3 per cent increase in patient load and despite this factor, which has been taken into account, it has been penalised for the full amount. That is not fair. If a hospital in a growth area has such a huge increase in patient load, the very least that can be done is some recognition given of that fact.

Part of the over-expenditure was caused by Flinders Medical Centre adopting the use of non-ionic contrast media for some radiological procedures. As I have said, this was not funded by the SAHC and will cost approximately $250 000 in the coming year. I think the easiest way of describing the situation at Flinders is for me to table a document sent out by the Administrator of Flinders to all departmental heads covering the 1986-87 period. I seek leave to table that document.

Leave granted.

**The Hon. M.B. CAMERON:** In that document members will note that if Flinders had continued spending at the proposed rate it would have over-spent by $2.1 million this financial year, so on top of the budget cuts this is the figure that has to be saved. The ridiculous part of the Flinders situation is that the Minister had already announced a $1.2 million grant of special funds to reduce waiting lists. This was to be used to transfer patients to both the Repatriation Hospital and to Ashford. Of course, now the money will be put back into Flinders, first, to reduce the effect of the budget cuts and, secondly, it is going to be very specifically directed to elective surgery. I seek leave to table a document which comes from the Chief of Surgery at Flinders which outlines how this will be brought about.

Leave granted.

**The Hon. M.B. CAMERON:** What has occurred is that, first of all emergency beds are going to be extremely restricted and no emergencies will be taken in, except in extreme circumstances. After a certain number of beds have been filled they will be transferred on to the RAH or QEH. I do not need to alert members to the potential problems that this will cause unless there is very careful supervision of the people to be transferred and, even if there is careful supervision, there is no absolute guarantee of the safety of those procedures. Quite a lot of stress will inevitably be caused to elderly patients. For example, if an 85-year-old complains of pains in the stomach and there is no way of detecting at the initial stage whether it is serious or not, and all emergency beds are full, the normal procedure would be to put that person in for observation at the FMC. However, under this new regime that person will be considered an emergency patient and will be transferred if the beds are full, with the subsequent upset that this will cause the elderly person; and that is not fair.

There is to be a cut in bed numbers for certain wards because there will be five day wards in certain areas and these will not be filled on the weekends. The end result of this is that there will be fewer public beds available in a hospital that already runs at 90 per cent occupancy and on many occasions at 99 per cent. The word 'irresponsible' springs immediately to mind when considering the situation that Flinders has been placed in.

Members will remember quite clearly that the Minister obtained a considerable amount of publicity from opening the plans of and the opening of the building for pain clinic at Flinders. Members will no doubt be interested to know that the pain clinic has no beds, as envisaged under that plan. They were built and were there. I went to the opening and saw them. However, they are no longer available to the pain clinic. Patients with pain have to go through the normal system and be put on the waiting list in the same way as other patients. One of the strange things about pain is that you cannot make it wait. It does not go away during the day. It is there all the time.

Again the Minister has to accept responsibility for the situation that many people now find themselves in. I had anticipated that when the pain clinic was opened it would be recognised more and more and that this concept would extend to other hospitals. That is clearly not to be the case. In fact, Flinders has gone backwards now that the Minister has obtained publicity from it. It is a disappointment to those people in the community who have the very serious problem of pain. There are now to be no emergency or vascular admissions from the Repatriation Hospital going into Flinders. I seek leave to table a letter from the Chief of Surgery at Flinders to the Department of Surgery at the Repatriation Hospital.

Leave granted.

**The Hon. M.B. CAMERON:** If members read that letter they will see that no longer will there be any move from the Repatriation Hospital to Flinders. So much for the Repatriation Hospital being used by Flinders to assist with its elective surgery. In fact, the cooperation that was forecast has been reduced rather than increased. The Minister's whole strategy for reducing waiting lists is now a joke because the problems he has forced on the system are so widespread that any announcement he has made previously is very much a pea and thimble trick. He has clearly cut more out of the system than he has put back in.

The Minister issued a press release indicating that waiting lists had been reduced miraculously in the last period of time since waiting lists first became a problem when the Minister admitted it, finally, after he came back from New Zealand—

**The Hon. R.J. Ritson:** What he really means is that the death rate of those on the waiting list is rising.

**The Hon. M.B. CAMERON:** That is what has occurred. It is not exactly the death rate but what has happened is that all hospitals have sent out a letter indicating that, if one is on a waiting list and still wants treatment, one has to reply in 10 days or be struck from the waiting list. If a person does not immediately reply, they are struck from the list and have to start again. No follow-ups are done. Of course, some people have died and others have been treated elsewhere. There has been a reduction in numbers on the waiting list but it is not a real reduction—only a theoretical reduction. Any attempt by the Minister to imply that changes he made to the system have been responsible for this is irresponsible. Many people are still on the waiting lists and have serious problems.

One matter that has been drawn to my attention I will publicly detail at a later stage. That person had an interesting experience. He was told he would have to wait 21 months. After 18 months he went back to see how he was going and was informed that he had only been waiting nine months. There is a trick to this. What happens in some areas is that the waiting lists are rolled over and you start again. When one has been waiting 18 months it is really only nine months because one starts again with the new year. However, this person was not told about this.

In other areas we find people are being put on the waiting lists for outpatients. One cannot get into the outpatients section of the Queen Elizabeth Hospital for ear, nose and throat surgery because the medicos are sick of being placed in the situation of having to tell people that they will have to wait longer. They find it easier not to put them on waiting lists in the first place. That takes the pressure off them. Many people are desperate and the medicos have a low morale.

Previously I have expressed concern about Aboriginals. I realise that this is a sensitive area and I am certain it worries anyone who has had anything to do with this matter. The Aboriginal people must have reached a point of absolute frustration to have indicated that they will be inviting the media to their meeting for the purpose of drawing attention to Government inaction. The health and social problems that these people have is a disgrace to the country and the State. We appear to have washed our hands of them even though the Minister has allocated some money towards combating the tragic petrol sniffing problem.

Aboriginals have been left in a desperate situation. This State Government can no longer say, 'It is not our problem because we have set up the Aboriginal Health Service.' The Minister can no longer accuse the Opposition of using these people for political point scoring. I strongly resented an inference from across the Chamber the other day because, quite frankly, if there is not some political point scoring, if you like to call it that—some area of concern expressed by the Liberals—then who will face this problem? These are the forgotten people. They are too far away from Adelaide and no-one gives a continental about them.

They are suffering diseases that are normally found only in Third World countries; even there, there would be a greater level of concern than I find in most areas that I have been associated with in Government. Young people are dying from petrol sniffing. The general level of health throughout Aboriginal communities is in crisis. That is not my word—that is how the Aboriginals themselves describe the situation in their letter to the Hon. Clyde Holding, the Federal Minister. For Aboriginal people to scream for help through a letter to attract attention to themselves is quite out of character and just shows that they are at their wits end. The letter, written by representatives of the Nganampa Health Council, states:

> We estimate that there are some 200 youth sniffing petrol throughout our area. The general level of health throughout the community is in crisis, and most everyone is caught in the poverty cycle. The education system is inappropriate and failing. The consequences of this are deaffected youth who demonstrate their frustrations through slow suicide.

That is not some Third World country. I am talking about the top of South Australia. The letter, and I suppose that this is a matter of some credit, continues:

> To date the only Government department to positively exhibit concern has been the South Australian Department for Community Welfare. We have called upon the Minister, the Hon. John Cornwall, to intervene and coordinate Government response to this social and health crisis. We are still awaiting a reply. In the meantime children are at risk of death on a day-to-day basis.

But there are more problems that that letter did not mention. It did mention the health crisis, but I will go further and give some figures which perhaps will draw attention to some of the problems. Up to 15 per cent of Aboriginal people have syphilis, a disease which is very easily cured in this modern day and age by a well organised health system. Nearly 64 per cent of young children have ear diseases and 55 per cent of children up to the age of nine have trachoma, which can send them blind. If we are not careful South Australia will end up being mentioned in a report to the United Nations, because I would not be at all

surprised if they followed that line. The Aboriginals cannot continue to live in such an appalling state. There are now about 10 young people in the Alice Springs Hospital who are suffering from the effects of petrol sniffing. Five youths from Amata were admitted on the same day. The problem is extremely serious and immediate action must be taken to help the Aboriginals.

The whole situation in relation to health is developing into a scandal. It is a scandal because the Minister, when he became Minister of Health, made it clear that his policy was to stop the cuts in the health budget. We all recall his severe criticisms of previous Ministers, but he now also has to take that criticism, because it is my firm opinion that the health system in South Australia is being reduced to the standard of the 1960s. He has cut expenditure in public hospitals to the point where equipment is either being recycled or not replaced, and that is affecting patient care. As I said, he has created the situation where certain substances and drugs that should be used are not being used. I believe that, as Minister, he will have more and more to answer for in the health system. He can no longer pretend to be the best Minister of Health that the State has ever seen—he is very close to being the worst, if he is not already there. I support the Bill.

**The Hon. R.J. RITSON:** I support the Bill. In so doing, I want to make a few remarks concerning matters pertaining to health. I give general support to the matters raised by my colleague. With regard to the Health Commission, it is a sad fact that in the medical community one cannot find a friend of the Health Commission. Very many professional people who work under the umbrella of the Health Commission are not the subjects of this criticism. They are doing more or less what they would have done before had health been managed by a department but, in so far as the commission was intended to be a coordinating, enabling and far-sighted planning body, it has utterly failed. One can find some friends of the Minister: there is a simple minority of health professionals who feel that he has a lot of problems that are not of his making and that he is not such a bad fellow when he is not being insulting, but the Health Commission has no friends. I have searched and nobody believes that the Health Commission has fulfilled public expectations and health professionals' expectations.

One can understand why Mr Uhrig's committee and Mr Taeuber's committee have been so critical of the Health Commission. They do us a service in pointing out the defects of the commission but, like the Hon. Mr Cameron, I have grave anxieties, with special regard to the possible appointment of a regional hospitals board and the elimination of individual hospital boards. Nevertheless, uneasy lies the head that wears the crown and the Hon. Dr Cornwall has to sort that out somehow. The context in which he has to sort it out is the context of a public hospital system which functions by virtue of good management and diligent work within each institution but which is near breaking point due to funding constraints and patient overload. The worst affected and the most long suffering of these institutions is of course the Flinders Medical Centre which has, in recent years, to its great credit managed itself with extreme efficiency as measured in terms of bed occupancies and theatre utilisation rates but, despite this, the hospital is near breaking point. It is just waiting for the last straw.

There are a number of barometers which indicate the extent to which this hospital is stressed. One of them is the waiting list problem, which was referred to by my colleague, Mr Cameron, and I will make a few comments about that. Waiting lists, as I have said before, are a little like hair: if one never cuts one's hair it does not grow to 20 feet long; it grows to about one's backside and appears to stop. Of course, it still grows, but as fast as it grows the other end breaks off and at the moment that is what is happening to waiting lists.

**The Hon. C.M. Hill:** It's like the J curve.

**The Hon. R.J. RITSON:** That is Federal, isn't it? Isn't that Mr Keating? The J curve was going to save Australia, wasn't it? We will leave our Federal colleagues to deal with the disaster that faces Australia. The waiting lists erode at the other end by virtue of deaths of patients and by virtue of patients becoming so desperate that they break open the piggy bank and go private. They stabilise by virtue of surgeons revising downwards their indications for operation. Some might say that that is a good thing, but it can reach a point where surgeons simply say, 'We don't do that operation any more.' One area in which this has happened is plastic surgery. Just a few days ago I received a telephone call from a doctor who had referred a patient for plastic surgery at Flinders. Instead of the patient coming back with the usual long-term appointment, the doctor received a phone call from a member of the clerical staff of the hospital. The effect of the call was: please stop sending patients for plastic surgery; we are not taking any more patients for plastic surgery. The Royal Adelaide Hospital takes them, but those patients who require minor cosmetic surgery—a minor scar or tattoo removal—will never be done; they are placed on the list, but increasingly more urgent cases are placed before them. So, it is somewhat of a euphemism to call it a waiting list: it is more like a permanent parking place. They will never move up and have those procedures performed.

I also have been telephoned by patients who have been in a good deal of distress because operations have been delayed for a long time and I have also seen documented evidence of the growing other list, the secret list, that we do not really know about, and that is the waiting list of people who are waiting to see the doctor for the first time to see whether or not an operation is required. If the Minister wants to talk with the surgeons at Flinders, he will discover that, whereas the booking lists for people booked for operations has now stabilised at an unacceptable waiting time, the list of people waiting to see a specialist for the first time in the outpatients section has grown. What is happening is that, when people are referred to the hospital for specialist treatment, they are parked on this other list, so it makes the waiting list look as though it is not increasing. This causes me some concern, because I do see dangers in it.

Of course, the hospital understands that all of these people who are waiting to see the specialist for the first time have general practitioners, who would have enough commonsense to punch through the system in the case of an emergency. That may be so where the general practitioner knows for certain what is wrong with the patient and knows that the case is not urgent, but not all people referred to specialists are referred because, firstly, the diagnosis is clear and, secondly, one needs a specialist to do the operation. Many people are referred to specialists because the whole situation is somewhat vague and the general practitioner does not really know what is going on and wants a fairly complete review of the diagnosis by the hospital specialist.

To park these people on the waiting list of people to see the specialist, in my view, involves dangers. It is possible that people could be parked on the list while their cancer becomes incurable. The situation is acute and I am terribly afraid that it might all fall down. One woman rang me last week. It did not sound all that urgent, but she was an elderly

pensioner who had had both hips replaced with prosthetic hips and she developed a painful knee. Her doctor referred her to the Flinders Medical Centre to see a specialist. Back she came with an appointment for March 1987.

This is the great service that Medicare purports to deliver to South Australians! It used not to be like that, and whatever the Minister says about it I have practised medicine over the years under different systems and I have seen a good service deteriorate. I have seen these stresses come upon the system.

I suppose it is easy to try to blame the Minister, Dr Cornwall, for each individual instance of inadequacy of the system, but I do not do that. I think it is a situation where he has been overtaken by a series of events and perhaps has done his best to put his finger in the dyke, here, there and everywhere. I blame him for only one fundamental thing, and that is for the Labor Party policy of Medicare, which could not have come into existence without the connivance and ideological zeal of the various State Health Ministers. For that fundamental error of policy, I do blame him, because the consequence of that policy has been that all the people who looked after themselves with health insurance, who were able to do so, have been compulsorily and legislatively recruited into what is a universal and indiscriminate health welfare system.

Either you believe that welfare is for everyone and should be compulsory or you believe it is for the truly needy. The former Medicare system was for the truly needy, but in latter years those who cared for themselves have been recruited into the system in a compulsory and indiscriminate way, and they are competing against the truly needy for scarce resources—and they compete very well. The achievers in society live in fashionable suburbs, and probably surgeons live in the same street. They can and do jump queues. They can and do push the little old lady from Brompton out of the way. Nevertheless, that socio-medical disaster of Medicare has occurred and we find our hospitals in this situation. The health area is one in which an awful lot of money is spent in many directions, and it is possible to be penny wise and pound foolish. There are many examples of that.

I would like to deal briefly with the Noarlunga Health Village, because it has an interesting history. The concept began as a political sop to the lobby for a new public hospital in the southern districts. The inhabitants of those suburbs felt anxious that Flinders Medical Centre was overstressed (although it was in much better shape then than it is now) and that, in case of a real emergency involving life threatening injury or illness, Flinders was too far away. There was also the inconvenience of travel on a congested South Road for visiting and other routine purposes.

The Government of the day (and I believe reasonably) took the view that a duplicated major teaching hospital in the southern suburbs just was not on at that stage, and so a committee was gathered under the chairmanship of Dr Mal Hemmerling, the now organiser of the Grand Prix. The idea arose that perhaps there could be a free standing accident and emergency service, very much like the casualty departments of the public hospitals, with a nexus to Flinders, so that people could receive the same sort of emergency care locally and then be transferred to Flinders for definitive treatment and services.

That concept of the local trauma casualty unit was, I suppose, the embryo of what we have now, but what has happened over its development is that people have come to realise that such free standing major units have their own problems. There were a few specialised units with a few beds attached in England, but in the end they had to put up signs requesting that ambulances not stop there because gravely ill people who are taken to such units could, as it were, fall between two stools. Operations or observations can be commenced only to have a doctor discover that the patient would have been better off being taken straight to a bigger unit where there was a neurosurgeon and an intensive care specialist. Those units have their dangers.

In any case, when this unit finally opened, it became a general practice. Its director is known to me: he is a man of excellent repute and excellent medical skills as a general practitioner. There is another senior experienced general practitioner, and the unit functions, in terms of the rest of its staff, by using casual medical practitioners and interns from Flinders. The question of the efficiency and cost effectiveness of the Government clinic as a general practice was raised some months ago, and the Minister asked Dr Bob Douglas to inquire. He has produced a report, but the Minister has made no attempt to distribute that report either to members of the Opposition or formally to the AMA, as far as I am aware. However, a truck came past and I have the report.

The costing is very interesting. The profile of the work done by the unit is very similar to the work one would expect to be done by general practice in that area. The pattern of consultations and treatments is different from the Australian average, but that merely reflects the fact that it is a young area and we would expect more minor trauma and more stitching of cut fingers and less prescribing for chronic conditions such as diabetes, blood pressure and so on than would be the case in an older climate. The mean consulting time was about 14 minutes, and we must bear in mind that the number of office procedures was higher than the Australian average and they would take longer time. One can presume that the amount of time spent with each patient is not much different from the length of consulting time in most general practices, which is four patients to the hour. That is a very common booking practice of general practitioners. There are four patients to the hour, with perhaps a few quickies slipped in between.

What is the cost? It is very easy to cost a private practice—it costs exactly what the doctor charges. In a salaried practice that charges nothing, there is the difficulty of assessing the value of the building: do we amortise it, do we cost the interest forgone on the capital, or do we cost the rental equivalent of the floor space and so on? With Government units it is very difficult to cost the effect of not paying rates and taxes. In the case of this unit, the laundry is done through the Health Commission without direct charging.

It has these concessions or costs avoided which are not avoided by a private practitioner. Even after taking that into account Dr Douglas has reported that the cost per attendance was $37.54. The new proposed general practitioner fee is $16, of which approximate $14 is recovered from Medicare. In the case of the Noarlunga Health Village there was $14.08 per person, recovered from Medicare leaving $23.46 per consultation to be made up by the State Government. Dr Douglas points out that the clinic is simply duplicating some very adequate general practitioner services nearby.

He points out that there is a conflict between one of the roles of the centre that it was thought that it would fulfil, namely, teaching and the provision of service, because the unit in one sense is being pressured by the community to conform to demand and see patients how and when they need to be seen and in the other sense teaching involves quite a different process. It involves selecting cases that are suitable for demonstrating particular conditions and tech-

niques. It means spending more time on each case than is clinially indicated in order to give the graduate or undergraduate a tutorial on the subject and if one attempts to recover that cost by billing the time to Medicare the man from Canberra is out straight away to accuse you of overservicing.

All in all it was never planned to be anything in particular and it has evolved into an ordinary general practice that costs nearly three times as much as neighbouring practices. It is apparently free and that makes it popular. I am sure that the public would not want to see it closed. But in the end the Minister has a responsibility and has to say to himself, 'What is the role of Government in the provision of health?' Is it his job to duplicate existing services and spend an additional $500 000 per annum, or between $400 000 and $500 000 per annum, on this duplication rather than diverting that money to some other areas such as Aboriginal health or intellectually disabled services or rather than making the clinic do something original and useful, not duplication, such as making it a teaching practice to work in conjunction with the Flinders University and the Family Medicine Program?

Dr Douglas makes that latter recommendation and we wait with baited breath to see whether the Minister will do that or whether he will continue to preside over this clinic which developed into its present form by accident and which provides general practitioner services at 2.5 times the cost of those services when provided by private general practitioners.

I want to make a comment about Flinders University transfer policies. This was touched upon by the Hon. Mr Cameron in his speech. It is Flinders' attempt to sort out its waiting list problems. The policy involves the setting aside of a number of surgical beds that are inviolate and cannot be intruded upon by emergencies. The policy in effect means that, when there are no other beds but those set aside for waiting list reduction the patient, if needing an operation, will not be admitted to that hopsital but transferred to another hospital, probably the Royal Adelaide. By definition this means we are sending on people selected as people who need an operation urgently that day. If they do not need an operation they are not threatening the system if there is a spare medical bed. If they need an operation or acute or intensive care treatment they are liable to be transferred.

I am informed that only yesterday nine patients were transferred. This worries me because I can see certain classes of patients who would be endangered by that. People with major fractures of, for example, the femur are not in a position where it is crucial that the fracture be operated on or otherwise immobilised within one or two hours. However, it can be life threatening to subject them to the additional handling and movement of further travel. There is a condition called fat embolus that occurs not very commonly but when it occurs it is often fatal. That is a condition in which at the fracture site, due to perhaps aggravation by excessive movement and handling, fat will enter the bloodstream and travel to the brain with disastrous consequences. One day it will happen.

One day a person with a major fracture will be transferred on in good condition and arrive at the Royal Adelaide nigh unto death with fat embolus or some other complication. One day, also, the transfer of information with the patient is going to be deficient. Human beings are not infallible. One day a set of case notes will be lost or incomplete case notes sent with a patient which may contribute to that patient's demise. I am sure the hospital would not want to do it by choice but it has been savaged with bed closures and budgetary cuts and has done its best to manage itself. Now it is put in this position of selecting out the most seriously ill people and sending them on to some other hospital to deal medically and politically with the waiting list problem which our Minister would like to think is getting better, but which is not.

I want to say a quick word about preventative medicine and huge Government waste in that field. We hear so often the dictum that it is better to have a safety net at the top of the cliff than have an ambulance at the bottom. Preventative medicine is the safety net and the ambulance is therapeutic medicine. Certainly it is good to have the safety net, but it is a fallacy to believe that we have a choice. It is a fallacy that, by implementing successful and effective preventative medicine measures, we can reduce the need for and cost of therapeutic medicine.

If a person survives his first coronary instead of dying because he has given up smoking, certainly he will have a prolongation of life and an improvement in the quality of life. However, because that means he will live to a greater age, the Government still has to provide the treatment for their illnesses in later years: indeed, may have to provide for treatment that it would not have had to provide if the person had died young. If we look at some of the less developed communities than ours that have short life spans, whether due to the ravages of dietary deficiency, lack of immunisation, war or riot in the region, we find they do not have any big costs for nursing homes. They do not have high tech medicines to transplant hearts and kidneys. People do not get old enough to get such diseases. Whilst I completely support the concept of preventative medicine as something which improves the quality of life, no Government should think for a minute that we will ever save one dollar in therapeutic medicine by implementing successful preventative medicine.

Doctors do not distribute or dispense immortality or freedom from suffering. The longer we live and the more we are saved from early death the greater will be the expense to our fellow man. As I have said, Madam, medicine and health generally are areas with so many different priorities that it is possible to be pennywise and pound foolish, and an area in which we have been very pound foolish is that of asbestos removal from buildings. Asbestos causes lung disease—we know that. That was in the pathology books in the 1950s when I was an undergraduate, so doctors were taught about the dangers of inhaling asbestos dust then. I know that certain industries either did not know then or, if they knew, they did not care, and there have been examples of some industries involving asbestos where a significant number of workers were seriously harmed or perhaps even lost their lives as a result of asbestosis. In many cases, it took 20 or so years for the full consequences of the disease to work itself out, so society had to look back with hindsight to industrial health disasters such as the Wittenoon asbestos mine.

I am not trying to whitewash the industrial history of asbestosis at all, but we have gone a little crazy now because industry has cleaned itself up long since. It is well accepted by scientists who have looked into the matter that there are now no workers at any particular industrial asbestos risk except people currently employed in its removal. Let us refer to the sprayed asbestos in commercial buildings in cities. Concern for the health of office workers in those buildings has been put to rest completely. Very extensive air samplings have been taken and fibre counts carried out, and there is no difference whatsoever between the atmosphere in those buildings and the atmosphere in the world at large. Asbestos is a naturally occurring mineral which is

present in all soils in small quantities and all of us have several million asbestos fibres in our lungs as a consequence of living on planet earth. The ambient level in the air at large is the same as the level in buildings with the sprayed blue asbestos insulation.

There was a hazard to the people who mined, processed and installed that asbestos. There would be a hazard if that form of insulation were continued to be produced, but it is not. There would be a hazard for people such as electricians going into those spaces unless the material was stabilised. I have talked to many people about this. I have talked to scientists and public health officers and I have read articles from various universities, and universally it is agreed that this asbestos insulation can be stabilised to make it safe forever for people who have to go into those spaces.

However, the unions, out of a combination of brute force, ignorance and prejudice, have berated the Government and demanded the removal of asbestos insulation. An interesting thing happened over abestos removal. I happen to believe, as does Dr Cornwall, that the Health Commission—with all its limitations—is indeed the appropriate body to take charge of and determine matters of public health. I believe in the case of the Roxby Downs safety precautions that the Health Commission is the body that should be in charge. I believe that the Health Commission should be the body to naturally advise and determine the health standards for asbestos insulation in buildings. I know that Dr Cornwall was advised that the material should be deep sealed and left there.

Dr Cornwall, for all his faults, has a certain respect for scientific truth. I can just imagine him in Cabinet trying to explain to the Bannon Government that it was safe to leave and that it would cost the State Government some $50 million, State private enterprise another $50 million and nationally an estimated $1 000 million to adopt the removal policy. I do not know what went on in Cabinet about this, but in the end it was decided that the unions had to be appeased despite the fact that there is no scientific basis for their stand on this, so the matter was removed from the Health Commission and given to Mr Blevins. Mr Blevins has no scientific knowledge. The amount of scientific medical knowledge in his department would be fairly small. It set up this committee—not a committee of experts, but a committee of factional representation with unionists on it—and it has condemned this State Government to the $50 million expenditure on its own buildings. That is not for the whole of the city but just for its own Government buildings, and that figure was stated in an answer given in another place to Mr Baker recently. Private industry is probably liable for a similar amount.

That is a marvellous example of Government waste in the health field, where the scientific truths are taken out of the hands of the people who know and put into the hands of the people who are prejudiced and fanatic.

**The Hon. T.G. Roberts:** The scientific and medical professions were given 60 years to clean up their act but they never did it.

**The Hon. R.J. RITSON:** The honourable member's interjection was made after recently entering the Chamber and he obviously had not listened to the earlier part of my remarks. There are ongoing consequences of this. Let us take the case of Hardies pipes at Elizabeth. Mr Martin Evans raised this matter previously in another place. This firm made an excellent pipe. White asbestos cement is 100 per cent safe. There is no risk in handling it or working with it. The E&WS Department used to purchase these pipes. As a consequence of union bans on asbestos cement, the firm is closing its pipe factory. It is losing not only its South Australian sales but will also be losing export contracts to other States which had been buying the Hardies pipes. So, instead of being an exporter, we will become an importer of iron pipes. The E&WS has no idea of the life of the iron pipes or what the corrosion problems will be, so we will be paying money out of the State to Victoria to get an inferior product, and the workers at Elizabeth will lose their jobs when that firm closes down.

The unions have been fanatical and have misrepresented the situation in this argument. No-one denies that in the past the mining and milling was carried out without proper regard to safety. No-one denies that people in the community who mined, milled and installed blue asbestos are now suffering from mistakes of the past. However, to extend these bans to white asbestos cement, to cause the sacking of people at Elizabeth and loss of revenue to South Australian industry is, I think, unforgivable.

One of the misrepresentations that the union movement has made is based on a World Health Organisation statement about threshold levels. The unions have produced the 'one fibre can kill' argument, and have argued that there is no safe lower threshold. In fact, what the World Health Organisation said was that the threshold was not known, but that it was certainly above ambient levels. That is a very different thing from arguing that one fibre can kill.

It saddens me that we are spending $50 million in that way when we have our hospital system groaning at the seams and when we have people waiting 21 months and longer for ear, nose and throat surgery. However, that is the way our Labor Government has arranged things, and I do not know what we can do except change the Government.

I turn now to rural health and begin by talking about an incident that occurred in Whyalla earlier this year when a particular doctor had done to him a grave injustice. Early in March in Whyalla a young person developed unexpected and, at the time, largely inexplicable complications after a minor operation. A consultant physician was called in. Over the following several days the patient's condition worsened and the patient ultimately died. At the time there were some matters in which the judgments made in the management of that case were debated and called into question.

I was appalled to see a full front page article in the local press advertising the fact that the Major Crime Squad had been called in to investigate this matter. That received very wide press and television publicity. I was further surprised when, several weeks later, another death in a different town occurred as a direct and unavoidable result of a head-on collision, and the ABC on either its *7 O'clock News* or its *7.30 Report*, announced the fact of this death and linked it with two other cases, including the case to which I referred when the Major Crime Squad was called in, and then stated that the Minister of Health declined to say whether these deaths were related to industrial action.

I tried to get a transcript from the ABC, but it said it did not give transcripts and refused to accommodate me on this matter. The television report, as I have recorded it, is dependent on my memory. It became obvious that someone was playing politics in the nastiest possible way, and seizing on the circumstances of this unfortunate death to make some general anti-doctor attack in the region.

I placed a Question on Notice to the Attorney-General asking him how this unusual step of calling in the Major Crime Squad came to be, and whether any Minister or Minister's assistant had any part in calling in the Major Crime Squad. In his reply the Attorney explained to me—and I accept his assurances here—that no Minister or ministerial assistant was involved in this politicisation. How-

ever, he did say that it was more or less routine for the police to be called in and that it was not unusual for that to be the Major Crime Squad.

That has puzzled and disturbed me because, when a death occurs, the cause of which cannot be certified, one notifies the Coroner. Indeed, the State Coroner this year put out a set of notes to medical practitioners to indicate the procedure—

**The Hon. C.J. Sumner:** What has this got to do with the budget?

**The Hon. R.J. RITSON:** We are talking about rural health and its demoralisation. Do you object to the subject matter?

**The Hon. C.J. Sumner:** I don't mind. I just want you to get on with it.

**The Hon. R.J. RITSON:** The Coroner's notes indicate that where a death occurs in the country the local policeman will take the depositions and forward them to the Coroner, and he will decide. However, in this case the Major Crime Squad was called in. If the Major Crime Squad was the only source of police because all the local police were busy, why were they not called 'Coroner's constables'. The fact is that someone decided very early in the piece, either for political reasons or some other reason, to beat this up and impute that somehow a particular doctor was thought to have committed a major crime. That was the effect and that was a grave injustice. I guess we will never know who did it.

I will not debate the question of the inquest, but I want to raise another point about subsequent action by the hospital board. It suspended this particular doctor's admitting privileges to the local hospital, with Health Commission encouragement. I do not know whether or not that is a sort of punishment. Certainly there is nothing in the transcript of the evidence to indicate that a crime was ever committed. If it is deciding a question of whether or not a doctor is competent to continue practising in that town, the board is not a competent authority. No-one on the board could examine the complexities of that case and come to any conclusion.

The man is entitled to a peer review—a review by other specialist physicians. It seems to me that the Health Commission and the local board in this case has, out of fright or political motivation—I do not know—run for cover and suspended him instead of saying, 'Let us look and see the judgments made, what the circumstances are, and whether he is still a useful person to serve the people of the town.' I regret that that was not the case. This is the sort of thing that rural people have to put up with.

The doctors in that town are demoralised. They were demoralised the day Dr Cornwall rode his white horse into this Chamber with his sabre swinging to cut the doctors down and lay down the conditions under which they must not transfer people from the country to the city. He laid down that they must not transfer 24-year-old men with serious heart attacks to the city to see a cardiologist. He laid down that they must not transfer women in false labour with a doubtful foetal heart to a public obstetric hospital.

I have talked to those doctors. They are leaving. An ear, nose and throat surgeon is thinking of leaving. There used to be three physicians; then there were two; now there will be one. The whole thing is crumbling. I do not know what the Health Minister will do about this, but we expect something of him across all these issues of health. It is his responsibility. Uneasy lies the head that wears the crown. I urge him to get on with fixing these problems. I support the second reading.

**The Hon. K.T. GRIFFIN:** I want to raise a few issues concerning the Appropriation Bill and the budget. Some of these will require answers at some time in the future but, rather than holding up the consideration of the Bill, I am happy for the Attorney-General to obtain answers in due course. The first issue to which I refer is a hurdle which periodically I and members on my side of politics face from the Government when we seek information about projects like the Adelaide Railway Station redevelopment and the Grand Prix. In relation to the Adelaide Railway Station redevelopment, in October 1983 the Premier entered into some heads of agreement which, on that occasion, were released to the public and were subsequently the subject of discussion in the course of a Bill which ratified the provisions of the agreement in the sense that the development came before Parliament to accommodate the fast track development system which was necessary to enable that project to get off the ground. At that time my recollection is that the estimated cost of the development was about $180 million and comprised a number of ingredients. Since that time there have been reports of escalation in the price. Some figures mentioned have been as high as $400 million, but information about the actual increase in cost cannot be obtained from the Government. Those increases in costs may be the normal escalation expected with a long-term building development project, but they may be also as a result of constant delays caused by union troubles on that site.

Whenever a question is raised about the escalation in cost and the reasons for it, we are told that that is a matter that is commercially sensitive and therefore the information cannot be made available. Over the past year or two when I have raised questions about the documentation which may have been entered into between the Government, its authorities and the developers, I have been told that the information in those documents is commercially sensitive and therefore not available. In relation to ASER, the heads of agreement have implications for the Government and ultimately for the taxpayer, because the State of South Australia is to sublease from the consortium developing the site the convention centre and the car park. The rental for such subleases will be 6.25 per cent of the capitalised cost of construction of the convention centre and the car park and 30 per cent of the public areas comprised within the development; thereafter the rental will be adjusted to CPI increases. So, the capitalised cost of construction of the project is directly relevant to the rental which will be paid by the State to the developers for a 40 year sublease of those parts of the development. Warranties have been given by the State to the South Australian Superannuation Fund Investment Trust that the return to the consortium from the international hotel will be 8.5 per cent of the capitalised cost of construction of that hotel. There are certain other provisions relating to that which have a bearing on that figure, although the warranty does not apply if a casino is established by or for the consortium at any place in the site. So, there are consequences for the State and for the taxpayers of the State in the cost of that development.

When we are met with a hurdle such as 'The information is commercially sensitive', no-one goes on to ask the subsequent question: how is that information commercially sensitive? It will not be prejudicial to those who have already gained contracts; it will not be prejudicial to the letting of contracts in the future; it will not prejudice any aspect of competition in the tendering process: it will do nothing that will prejudice that project. I suppose that it is more politically than commercially sensitive and on that basis one can understand a Government not being prepared to release

that information about the escalation in costs and the details of contracts which have been let for the project.

The same issue arises in relation to the Grand Prix. When the Australia Formula One Grand Prix Bill was before Parliament, we were given a schedule of contracts which had been entered into by those who were granted permission to use the logo and other aspects of trademarks or insignia which were protected by the legislation. That information was freely available and it is on the public record. There were some curious aspects of that, but, nevertheless, the information is available. Yet, earlier in this session when I asked for information about the licensees who had been granted licences to use the logo or other Grand Prix insignia, I was met with the answer that this information was commercially sensitive. When I asked questions as to whom contracts had been granted in relation to the putting together of the Grand Prix, the circuit and associated services, we were given details of the number of contracts entered into by South Australians and the number entered into by people from interstate, but again we were told that the other details were commercially sensitive. Again, no-one has gone on to ask the question: in what sense is that information commercially sensitive?

I suggest that it might be politically sensitive but in no way can it be regarded as being commercially sensitive because, again, I would have thought it quite reasonable for the public of South Australia to be aware of the terms and conditions upon which licences have been granted, contracts entered into and the extent to which South Australian firms, companies or entrepreneurs have been granted access to the benefits of having the Grand Prix staged in South Australia. The information is not available and I place on record my protest that that information is not available. The failure to provide the information cannot be justified on the basis that it is commercially sensitive. I hope that, when those questions are again raised, the additional question is asked: in what sense can it prejudice any of those who participate in the contractual arrangements and in what sense is that information commercially sensitive? I submit very strongly that that is not so.

The budget before us has a number of aspects upon which comment has been made already in the House of Assembly and by members of the Legislative Council but, in the Attorney-General's area of responsibility, I want to draw attention to some aspects and make some comments. The Law Reform Committee, in some sense, is now in limbo because, according to the Attorney-General's contribution to the Estimates Committee, the matter is still being considered. The Attorney-General said:

> Originally, Cabinet decided that the Law Reform Committee ought to be replaced by a Law Reform Commissioner who would be a full-time appointment. The question now is: what can be done in the current financial circumstances with which we are faced?

It is correct that the Law Reform Committee's work was largely dependent upon the work of the Hon. Mr Justice Zelling really from the date of its inception in 1968. He has carried a quite considerable workload in providing papers for consideration by members of that committee. But I should also say that the Law Reform Committee benefits from inputs from representatives of the academic community, Adelaide University Law School, the judges themselves, the Law Society, and other people who have an input to that committee in considering the references under debate. One of the advantages of the South Australian Law Reform Committee is that it has been essentially non-controversial: it has not gone into the public arena with those issues which the Australian Law Reform Commission has debated in the public arena and which have, in a sense, been controversial, seeking community debate for input prior to recommendations being made.

The Law Reform Committee in this State, as with law reform committees and commissions in other States, has been getting on with the job of making recommendations for reforming the law which in some respects people have mistakenly referred to as 'lawyers' law' but which, in effect, has a cost to the community either through the administration of justice or in other ways. The work of that committee, while it may be unattractive publicly, does contribute and has contributed to a reduction of costs in a number of areas of the administration of justice and in the administration of the law.

In my view, it would be a great pity for the combined resources of that committee to be dissipated by the appointment of a full time commissioner who would be responsible through the Attorney-General's Department or in some way to the Attorney-General without the input of the academic community, the judges, the Law Society, the Opposition (which has a representative nominated to that committee), the Solicitor-General and the Parliamentary Counsel. There is a very real danger that, if there is a full time law reform commissioner either attached to the Attorney-General's Department or reporting directly to the Attorney-General without that input, that person may be seen to be purely a political person rather than someone with an objectivity who is not amenable to political influence.

If law reform was to be put to one side to become more of a political football in this State, that would be a sad day for law reform. And if it was undertaken only by a Government department, that would prejudice the concept of law reform and the acceptability level of the recommendations that come from it, in comparison with a more independent and objective law reform body. It is true that throughout Australia there are a number of bodies engaged in law reform, and I commend the Attorney-General for considering ways by which the work of those committees can be tapped to benefit South Australia. It would not be an easy objective to achieve, but it would be worthwhile. In fact, I proposed a greater level of communication between those bodies to try to get rid of some of the overlapping that occurs when law reform issues are being considered.

Let me say on this issue—and I repeat—that I hope that, when the Attorney-General makes a decision on the issue of law reform in this State, he does not ignore the need for a broad level of representation and a measure of objectivity, which I do not believe would be achieved if we appointed a full-time law reform officer or commissioner attached to the Attorney-General's Department, without the input that is presently achieved. I recognise that there is a cost in that, but there is also a benefit on the other side in having that sort of representation and ongoing work.

During the Address in Reply debate at the commencement of this session, I commented on the delays that are occurring in the courts. I do not want to labour the arguments I put on that occasion, but I note from the Attorney-General's answers to questions during the budget Estimates Committees that, in fact, initiatives are being taken to endeavour to reduce the long waiting times. One area to which the Attorney did not address attention, however, was the Industrial Court. While I recognise that that court is not directly within his area of responsibility, nevertheless in the workers compensation area there is a direct impact on litigants, those who claim compensation, and on the legal profession.

Whilst the justice information system is picking up a relationship of that court with other departments within the Attorney-General's jurisdiction and directly related to the

administration of justice, I note that no comment has been made on the waiting times within the Industrial Court in relation to compensation issues. I ask the Attorney-General, not necessarily in giving a reply to the Appropriation Bill but, hopefully, within the next few weeks, to bring back to the Council information on the waiting times in the Industrial Court in relation to workers compensation claims and what can be done to achieve a reduction in the waiting times, which I believe are presently in the vicinity of seven or eight months from the date of setting down to the date of trial and, even then, it is a matter of debate as to whether or not a matter will be heard. I would like information about that.

I would also like to have some indication as to when the pre-trial conference system in the District Court will commence and information about the way in which that system is to work. Will it apply only to the civil jurisdiction or, as I suggested in the Address in Reply debate, might it be appropriate to extend the pre-trial conference to criminal cases so that there is a greater level of discussion between the prosecution and defence counsel and their respective clients in an attempt to limit the issues in matters coming to trial in both areas of the jurisdiction of the district court?

The other area which will be assisted by the justice information system when it becomes operational but which nevertheless is presently a cause for concern is the extent to which there can be a higher level of coordination between the courts, the Crown and the private legal profession to have matters brought on for hearing at a time that is mutually convenient and, if not, to find ways by which matters can still be brought on without prejudicing the parties in those matters. As I said previously, to some extent we have to accommodate the pressures on individual practitioners, but there comes a time when that accommodation can no longer occur and some limits must be imposed.

There also needs to be a recognition that not only litigants but also witnesses are involved, whether they be medical practitioners in compensation cases (medical practitioners who are particularly busy and do not want to spend the morning or even the day waiting around the court for a matter to come on trial) or the police, for whom there is always a constant demand and need for more resources. Police officers spend a great deal of time both on duty waiting around the courts and off duty coming in on their days off or from leave to attend court hearings.

I would hope that some greater emphasis could be given to exploring ways by which there can be greater coordination and greater efficiency introduced into the system of listings.

There is one aspect on which I wish to have further information, namely, in the program estimates on page 208 under the heading '1986-87 Specific Targets/Objectives'. There is a dot point to introduce a self-enforcing infringement notice scheme. There is not much more information on that from the Director of the Courts Department to the Estimates Committee. The transcript states:

> Mr Byron: The self-enforcing infringement notice scheme is simply a modification of the traffic infringement scheme. It does not really change the system but provides for a person to elect to go to court, if they wish. It is a refinement that has been introduced by the New South Wales and Victorian Governments in recent years. At this stage we are simply going to look at it. If it is acceptable to the Government it will be introduced, but at the moment the department is simply to look at it in the next 12 months and make recommendations to the Government on its findings.

I ask for more information on the mechanisms whereby this so-called self-enforcing infringement notice scheme operates and the possible areas in which it may be applied in South Australia, whether it is to be considered for extension beyond the traffic infringement scheme to issues not only with respect to on-the-spot fines for marijuana but to other statutory or criminal offences. I would have some concern if it were to be extended in that way.

With respect to the justice information system, I am pleased that this initiative is being continued and seems to be gaining some momentum. I have already made some comment on the problem with the courts being out of the system but now being apparently linked with a compatible system whereby they can transmit information to the main justice information system. I see the point of principle on which the Attorney-General has had to concede that the Chief Justice and the courts will in fact run their own computerised system linked into the justice information system, but the principle is one which I do not share the same perspective. Notwithstanding that, I am pleased to see that it is now well advanced and is on the way to implementation.

One aspect was not fully explored before the Estimates Committee, namely, questions of privacy. During the course of the debate in the Estimates Committees reference was made by Mr Hill to the development of principles upon which privacy issues will be assessed. He states:

> We have done an extensive amount of work on the privacy principles that will govern the directions of the JIS. These were built on the principles established by the Law Reform Commission which, in turn, did extensive work in building on what was happening in other parts of the world, including the OECD. We have produced documents looking at the relevance of those principles to this project. The whole of the project personnel, from the board of management, the project management committee and, in consequence, all the agencies, have agreed to 10 of those 11 principles being applied in this case, and they will be the guiding framework.

No-one went on to explore what were those guiding principles. I would like the Attorney-General to provide information about those principles and how they will be applied including the one principle which is apparently not to be applied in relation to the JIS.

I turn now to the Department of Public and Consumer Affairs. There has been a significant increase in expenditure in this department proposed for the current financial year. One area contributes to that by way of transfer of functions from the Department of the Premier and Cabinet, to the Department of Public and Consumer Affairs and that is the Commissioner for Equal Opportunity. In that context some $300 000 is being recovered from the Commonwealth by virtue of an agreement which allows the Commissioner in this State to act as delegate of the Commonwealth Commissioner and the Human Rights Commission. One of the increases—some $500 000—results from the operation of the Casino where a need exists to have additional staff to provide an inspectorial service and, as the Casino brings in some $12 million a year, I certainly do not quarrel with expenditure in this area as I believe that strict inspection requirements ought to be insisted upon and maintained.

Another area of $1.5 million expenditure concerns the Public Trustee. In a sense that is recouped from additional income received by the Public Trustee from its activities. There are issues about the Public Trustee that I will address at a later time in respect of the Mental Health Tribunal, the Guardianship Board and the role the Public Trustee plays in the administration of estates entrusted to it. Now is not the time for that.

I turn to other areas of expenditure within the Department of Public and Consumer Affairs; first, in relation to consumer services which, according to the program estimates, are to increase expenditure in the enforcement area

from an actual expenditure in 1985-86 of $268 000 to $733 000 and from a full-time equivalent in 1985-86 of 6.9 to proposed full-time equivalent employees of 21.9. One can presume that that increase relates to general enforcement services, but it does not appear to have been explored in detail during the Estimates Committees. I would like to get from the Attorney-General some detail of the reasons for that substantial increase of almost $500 000 and the services upon which that would be expended. In the building and construction industry under 'Industry occupational licensing and/or regulation' there is a dramatic increase from actual expenditure for 1985-86 of $465 000 to a proposed expenditure this year of $933 000 with an increase from 10.6 full-time equivalent employees to 24 full-time employees in the current year. It is interesting to note that in the Estimates Committees, when asked a question about this, the Attorney-General said:

> These figures are not yet firmed up. They are in the budget as indicative figures and they are still subject to assessment by Treasury, so they will probably not be the final figures.

That is interesting because one would have expected some detailed assessment to have been made by Treasury before figures were included in the budget and an assessment by the department as to what may be needed in the enforcement of builders licensing legislation. I would like to know from the Attorney-General the extent to which one can be firm on the figures which are in the budget and, if they are not firm, what figures are anticipated to be firm, and what is likely to be the full year cost of the administration of the builders licensing legislation, because I would presume that in the budget there is only a part year cost that has been included. If that is so, it foreshadows a quite dramatic increase in costs in the next financial year and a quite substantial increase in full-time equivalents that might be required.

In the area of residential tenancies, there has again been a quite massive increase from $1.043 million actual cost in 1985-86 to a proposed cost of $1.779 million in the current financial year, an increase from 29.4 full-time equivalent employees to 32.9 full-time equivalent employees. Again, in the Estimates Committees, the reason for that quite dramatic escalation has not been explored in detail, and I would like to have information about that.

With second-hand dealers, the increase is from $6 000 in 1985-86 to $78 000 in the current financial year. Whilst the amount is not particularly large compared to other figures, it is nevertheless a quite large proportionate increase in expenditure, and I would like some information on that and also an indication as to the prospective full year cost of administering any additional regulation which is occurring under the Second-hand Dealers Act.

With travel agents, there is a provision for $71 000 in the current financial year which, obviously, is a part year expenditure in implementing the new travel agent legislation with two full-time equivalents. There is no indication as to what the escalation might be for a full year and I would appreciate further detail on that.

With commercial and private agents, the actual costs of $118 000 will rise to $200 000 in the current year, and I expect that that is an estimate rather than a calculated figure, because the full-time equivalents involved in 1985-86 were 3.3 and in the current year are expected to be only 3.1. With a reduction in personnel involved in the administration of that Act in the current year, one would have expected the costs to diminish rather than increase, and there is no indication as to what the full year cost of that may be.

There are some figures, therefore, which I would like to have explored by the Attorney-General during the course of the Committee stage, if possible; if that is not possible, then at the earliest opportunity so that the information can be incorporated in *Hansard*. As I have indicated, there is quite a dramatic escalation in the budget for the department, some of which can be explained quite reasonably, but some matters leave a lot of unanswered questions.

There are other issues to which I could direct attention in respect of corporate affairs, victims of crime, the constitutional convention, the disability information and resource centre, but they are issues which in one way or another had been pursued in the Estimates Committees in greater detail than the matters to which I have already referred, so I do not think it is appropriate to explore the issues in greater depth during the course of the debate in this Chamber. There are issues in other portfolio areas which could equally be raised, but time would not permit that. Suffice it to say that there are areas of concern about escalation in the budget expenditure across the board, and the Government will necessarily have to be judged on its own performance in that respect rather than the matters being elaborated any further by me. I do, therefore, support the second reading of this Bill to enable the Government to have adequate funds upon which to carry out a program that it sets for itself and upon which the community will judge whether or not it has performed adequately.

**The Hon. DIANA LAIDLAW:** I, like my colleague, support the second reading of this Bill. As time is limited to discuss the appropriations for this forthcoming year in community welfare, I shall limit my remarks to a few areas, namely, the issue of coalescence, that of social justice, child maintenance and domestic violence. During the Estimates Committee on 9 October, the Minister noted that the implementation of his grand plan to coalesce the South Australian Health Commission and the Department of Community Welfare would not involve any additional cost in 1986-87 and, therefore, was not specifically catered for within either the program estimates or the budget estimates. However, as the implementation involves a top level ministerial steering committee and working parties within both the Health Commission and the Department of Community Welfare, I think it is appropriate that the matter can be addressed under the allocation for administration.

Certainly, as structured at present, our welfare system principally reacts to problems rather than seeking to prevent problems, and it ought to address needs before they reach crisis point. I recognise, as the Minister has highlighted, and it is certainly widely understood in the welfare area, that there are gaps within the present delivery of human services in this State. There are also areas of overlap, and there is much truth in the Minister's statement that there is a great deal of interrelationship between many areas of health and welfare as they impact on individuals and their daily problems. Initiatives to address all these shortfalls are indeed necessary but, to be successful, their implementation requires clear direction, an extensive consultation process involving not only the staff in both industrial and professional issues but also workers involved in the non-government welfare sector.

The problems identified in the so-called normalisation program for care for the aged surely must highlight to all members, and also the wider community, that programs that seek to change direction when they involve individuals who often are vulnerable with problems must be handled with extreme caution. I would argue that, within the terms of the Minister's earlier proposal for coalescence, caution was not to the fore. Members will recall that, a few days after the Hon. Dr Cornwall became Minister of Community

Welfare in addition to his responsibilities for health, he foreshadowed what I have called this 'grand plan' to consolidate the two areas. In the *Advertiser* of 24 December, an article states:

> The South Australian Health Commission and the Department for Community Welfare are likely to be amalgamated within four years. In the meantime, the DCW is expected to have its name changed to the Department of Community Services.

A few weeks later in late January the Minister, after a holiday, returned with a more conciliatory line and certainly a more conciliatory expression—that of coalescence, meaning 'to grow together into a single body'. This expression was coined by the Minister to describe the consolidation process, with the end product being the creation of the Health and Welfare Commission. The Minister's insistence since that time on the use of the term 'coalescence' may have been appropriate if the process itself remained a gradual one over a number of years. However, a mere three months later it became clear that a steady approach was not the Minister's intention. In an interview in the April-May edition of *SACOS News* the Minister, in response to a question about coalescence, stated:

> I didn't want to panic anybody or make it appear as though we were starting some sort of revolution. But after a while it became obvious that the best way to tackle this issue was to put a time frame on the whole thing and move actively through coalescence to a merger.

I repeat:

> . . . actively through coalescence to a merger.

The time frame adopted for implementation of the process from coalescence to a merger was that in early July 1986 there was to be a preliminary submission to Cabinet seeking approval in principle of the concept and goals of coalescence and the consultation process; in July-December 1986 the implementation of the consultation process and preliminary planning of outcomes; December 1986 final submission for endorsement by the Premier and Cabinet seeking approval for the coalescence, the goals, philosophy and rationale for coalescence, the legislative changes required, the model for the corporate structure, the model for service delivery; the implementation strategy to take place from January 1987; and January-July 1987 was the timetable set for implementation of coalescence.

This new timetable condensed the process of coalescence from the original four years to 18 months. In those circumstances it is hardly surprising that people in the field of community services at the very least began to view coalescence not as growing together but as being forced together. When the belated consultation process began with the non-government welfare sector in July this year, many field workers were cynical about the invitation for consultation, recognising that the major decision to proceed with coalescence had already been taken many months earlier. Any reservations they held about the concept were now considered by them to be meaningless.

With justification, many resented the lack of an earlier opportunity for consultation before the decision was made and the lack of an earlier opportunity to canvass other options to improve service delivery. As the Minister has noted on occasions, there certainly are other options for service delivery, and they are in train in Victoria, and also in the Federal Government. In those areas we have seen the creation of departments of community services, with health functions—

*The Hon. J.R. Cornwall interjecting:*

**The Hon. DIANA LAIDLAW:** The State of Victoria, I understand, is working satisfactorily from a Government perspective and I have had that confirmed by Opposition members in that State. That model is one that certainly keeps health aspects and the medical and hospital side completely distinct from the other community health and community related issues that are also of great importance to the community welfare area. Certainly, I am aware—

**The Hon. J.R. Cornwall:** Community health is not in the DCS in Victoria—

**The Hon. DIANA LAIDLAW:** Just let me finish this. In relation to the transfer of programs from health to community services in Victoria, in July last year it moved over maternal and child health, family planning, domiciliary care services including domiciliary nursing, early childhood development program coordinators, and visiting child health nurses. I would argue that many of those are community health issues, and they are transferring progressively. Those programs—

*The Hon. J.R. Cornwall interjecting:*

**The Hon. DIANA LAIDLAW:** I am suggesting that there is another model. Those programs were transferred in June last year. I understand that it is intended that more programs be shifted from health to community services, and all of these programs are in addition to services previously administered in the Department for Community Welfare services and include the preschool and child-care programs. I understand that the arrangements in Victoria, as indicated earlier, are working exceedingly well. They are being staged progressively and undertaken with considerable care and consultation with all involved in the services. I would argue that that approach is entirely different from that which has been adopted in this State. It was quite refreshing in this regard to note another article in the *Advertiser* of 22 August which states:

> A proposed merger between the South Australian Health Commission and the Department for Community Services is believed to have slowed substantially. The move is now understood to have taken a different course—a new course. Health sources confirmed yesterday the Government had cold feet over the current plans for the amalgamation, which is called the coalescence within Government circles. The Premier, Mr Bannon, is believed to be concerned about the direction of the talks over the merger and has called for a rethink. The Government is understood to be considering a trial using two or three pilot projects with the departments to test efficiency and administrative functions.

When questioned by the member for Coles in the other place during the Estimates Committee on this matter—and I would argue that this is certainly a turnaround on his earlier approach—the Minister stated:

> It was never intended that there be a formal merger. Indeed 'merger' is a word I have been scrupulously careful to avoid using.

As an aside I point out that 'merger' was certainly the term used by the Minister in the interview with SACOS a few months earlier. He also said:

> The pace at which coalescence occurs will be the pace which the system can stand. Whether it takes three years or five years, I would have to say it is not a matter of great moment as far as I am concerned as Minister, as long as there is a continuing process.

That statement in October from the Minister before the Estimates Committee would suggest that yet again for the fourth time within nine months this issue of dealing with the overlap and the gaps in the arrangements for human services in this State has again changed. It is hardly surprising that there is considerable confusion in the field about where the direction for this whole area will be in another nine months. Certainly within the community services area there is considerable concern that they may be forced, against their will, to liaise more closely with health at a time when health is going through considerable administrative upheavals.

[*Sitting suspended from 6 to 7.45 p.m.*]

**The Hon. DIANA LAIDLAW:** One of the services which the Department of Community Welfare undertakes in its family and children's program is the administration of a scheme for maintenance payment and collection. In South Australia about 70 per cent of the money owing in child maintenance from a non custodial parent is recovered, compared to about 30 per cent to 40 per cent in the rest of Australia. The remaining 30 per cent in South Australia and 60 per cent to 70 per cent elsewhere in Australia rely wholly or substantially on the public purse through social security payments. Each year about 77 000 women go on to the supporting parent benefits pension and about 100 000 also go on to a class A widow pension.

I understand that in South Australia about 50 per cent of children living below the poverty line live in single parent homes, with a woman as head. The situation that I have just outlined is totally unsatisfactory, and has been recognised as such by all political Parties in this State and in other States. I was very pleased to see that, in response to persistent calls for a change, the Federal Government recently introduced a discussion paper on proposals for the introduction of a national child maintenance scheme. I understand that the scheme is to be based on the principle that both parents have a responsibility to their child whether or not they have been married or whether or not they have contact with that child. Based on this principle, the discussion paper recommends that a non custodial parent compulsorily pay for the support of their child according to a pre-determined formula through the tax system, with payments deducted from the non custodial parent's pay.

In my view, implementation of this scheme is one of the major pieces of social legislation this decade, if not beyond. I therefore consider that the limited time of seven weeks—and a mere three weeks from today—for submissions to be received on this major paper is unacceptable, notwithstanding the consensus in the community on the desirability of a national scheme. Quite a large number of fundamental issues have to be thoroughly canvassed before legislation is introduced and the scheme is implemented, which will be as from 1 July next year. For example, the community should make its views known on how much a non custodial parent should be required to contribute for the support of their children. Also, should the amount be related to the cost of supporting children, or the income of a non custodial parent, or should both these factors be taken into account?

Should the amount be set at a level that gives all the children of a parent, whether or not the children are in that parent's custody, a similar standard of living and opportunity in life? Further, should the maintenance be included in the earnings of a custodial parent, or would this be a disincentive for the custodial parent, who is usually a woman, to enter into part-time work? Should there be a threshold income for maintenance, or would such a threshold for a non custodial parent act as a disincentive for them to gain employment? After receiving quite a number of representations from men who are non custodial parents, it has been my experience that they have been angered by the very poor maintenance system that operates even today. They claim that it would be easier for them to be on unemployment benefits rather than being required to pay maintenance. I have always found that to be a very poor response on their part but, nevertheless, it is their legitimate view. Those questions are but some of those that must be answered and considered by the community in three weeks time.

Beyond those concerns, I have one additional principal concern about the proposals and that relates to the application of any new scheme to the children of all separated couples prior to the implementation of the legislation and not just those who separate after the proclamation of the Act or for current defaulters. Thousands of custodial parents receive a maintenance payment but, because the agreed amount or the orders of the Family Court are not adjusted in accordance with the CPI, the payment is a token gesture only. To update these orders, the custodial parent is required to return to the court but they rarely take that action, because so many live on this pension alone and are below the poverty line. Legal aid is not available to custodial parents in these circumstances so that they can apply for their orders to be adjusted in accordance with the CPI.

There are also many instances of which I am aware where a custodial parent, no matter how dire their financial circumstances, will not apply to the court for an update of their order because they have been threatened or their child has been threatened by the non custodial parent. That physical and emotional threat makes it not worth their while to enter the court to contest for more money.

**The Hon. M.B. Cameron:** It's more common than people think.

**The Hon. DIANA LAIDLAW:** I believe it is a common problem which has not been addressed in this discussion paper. It concerns me a great deal that, if the new arrangements extend to these custodial parents in circumstances only upon an application to court, many custodial parents will not be helped by the new scheme.

They will continue to live on inadequate maintenance payments and, in my view, that is totally unacceptable. To ensure that all custodial parents receive a fair maintenance payment, it is my view after some consideration that a national maintenance scheme should apply to all separated couples—those separated, as I stated previously, before and after the implementation of the Act. I suggest that a non-custodial parent should apply to the court if he or she (and generally it is 'he') believes that the formula should not apply to them. They may believe that their income is too low or they might have agreed earlier to forgo maintenance payments in favour of the title to the family home. An arrangement of that sort is the only way in which it will be possible to reach out and help all the custodial parents who are in considerable need of extra support to maintain their children and who are on less than welfare support at present.

In relation to the discussion paper, the Minister indicated during the Estimates Committees that it was his view that in general terms he had little difficulty other than accepting and endorsing the report with enthusiasm. However, I suggest to the Minister that a number of issues remain to be resolved, and I would be particularly interested in learning whether DCW, on behalf of the State Government, is preparing a submission to the Federal Government on this subject. I am also concerned about the future arrangements for the staff who are currently employed in the maintenance branch of DCW. The branch currently operates on 87 per cent of Federal funding, and I wonder whether this funding and staffing arrangement will remain under the new scheme, thereby allowing the branch to continue to operate in relation to maintenance orders for which it is responsible at present, or are these staff to be transferred, voluntarily or otherwise, to Federal employ, possibly under the Department for Community Services? These questions, I trust, are a matter of negotiation between the State and Federal Governments, but I would be interested to hear the Minister's response to these concerns.

I now refer briefly to domestic violence. With considerable fanfare the Government announced on 28 August last year that it would establish a Domestic Violence Council to oversee changes in the way in which South Australian authorities handle domestic violence. Specifically, the council was to base its considerations on a report that was

completed earlier by Miss Naire Naffine of the Premier's office. When the establishment of the Domestic Violence Council was announced, the Opposition asked questions in this place about whether that council would be informed by the Government as to whether the Government had approved all Miss Naffine's recommendations and, if not, which recommendations it did not support. The Opposition did not receive the courtesy of a reply to those questions to the Premier. I prepared questions on the Domestic Violence Council and other matters to be asked during the Estimates Committees, but there was not enough time available for them.

When the establishment of the council was announced on 28 August 1985, the Premier indicated that it would report within 12 months. It is now November—over 12 months—and I understand that there is little indication of when the council will report. Even given the enormity of the task, because the council had the benefit of Miss Naffine's report, I believe that that delay is unreasonable. I know that many people in the community also share that view. I also cast some reflection on the composition of the council. I doubt whether other members in this Council or in the other place would be aware of a council comprising 80 members. Personally, I believe that a council considering a subject like domestic violence and made up of 80 members is absolutely extraordinary and possibly that is why the council is having considerable difficulty meeting its deadlines and coming to conclusions.

*The Hon. R.I. Lucas interjecting:*

**The Hon. DIANA LAIDLAW:** Yes, but I will not reflect on that. A membership of 80 is amazing, but what is even more astounding is that the service providers—the women's shelters—are not represented on that council. Four months after the council was established (that is, in August) the representatives of the women's shelters resigned, because it was quite clear to them that their opinion as experienced service providers counted little when most of the people on the council were there to do good, to listen and to learn. As the representatives of women's shelters rightly argued, there were many people in the community who could provide adequate and accurate advice to the Government on the current situation and there was no need at all to delay action further by appointing inexperienced but well-meaning people to fill out the numbers on this council. I would be most interested to hear the Minister's comments on the composition of the council. My personal view is that the establishment of a council in that form is a disgrace. I support the second reading.

**The Hon. R.I. LUCAS:** I support the second reading, and I indicate at the outset that I want to cover three broad areas.

**The Hon. C.J. Sumner:** Briefly.

**The Hon. R.I. LUCAS:** Very briefly. I appreciate that the Committee stage is to come, so I will cut my speech in half for the Attorney-General, but I still want to cover three matters. The first matter to which I refer is the expenditure on the Attorney-General's officers and his department and the value that we as a Parliament and the community get from the Attorney-General, his officers and his department. I touched upon this matter during the Address in Reply debate some two months ago, and the Attorney-General, in spirited fashion, came back two or three days later. I said then that I really did not think that we were getting good value from our Attorney-General and that the Attorney was not really what I would call the traditional reforming Attorney-General of a Labor Administration.

**The Hon. Diana Laidlaw:** We have prostitution and marijuana.

**The Hon. R.I. LUCAS:** But that is not coming from the Attorney-General: it is coming from other areas in the Bannon Administration. I look forward with interest to what the Attorney does on the Prostitution Bill. We are getting all sorts of signals from the various lobbyists as to what the Attorney might be doing, and there may well be a surprise for the media in respect to the Attorney's view on prostitution—but that is another matter. The point of view I put two or three months ago was that the Attorney was not in the mould of the reforming Attorneys-General of a Labor Administration—certainly not a Duncan, a Murphy, a King or a Dunstan.

I made some criticism of the Attorney-General in what I saw as important areas (namely, freedom of information, privacy legislation and legislation to combat computer trespass) which the Attorney had done nothing about during his long years as Attorney-General. The Attorney came back in spirited fashion two or three days later and asked whether I had been sleeping for three or four years and he suggested that I had not really had a look at what he had been up to. He went on to list amendments to the Juries Act, the Bail Act, the Evidence Act, the Police Offences Act, the Travel Agents Act, the Associations Incorporations Act, removing constitutional links with Great Britain, etc. He listed two or three other matters including the unsworn statement. I read that with much interest. The Attorney listed that as an initiative of a reforming Attorney when he had to be dragged screaming to the barrier by the shadow Attorney-General, by the Hon. Diana Laidlaw and by members of his own Party. For the Attorney to list that, tongue in cheek, as an achievement of his reign as Attorney-General was a little beyond the pale. He also listed the landlords and tenants legislation which was an initiative primarily of a member in another Chamber, Terry Groom. He would be interested to see that as an initiative of the Attorney-General.

The Attorney introduced the Electoral Act amendments into the Chamber but much of the substantive work was done by the independent Electoral Commissioner, Andy Becker. One only needs to go through the list of reforms introduced by the Attorney-General to see that there really has not been much of substance. I am happy to concede that the Attorney knows more about legal matters than I know. Later I was discussing associated matters with a prominent member of the Attorney's Party, a man with some legal background, and he suggested that I look at the State Labor platform to see how Chris Sumner measures up as a reforming Attorney-General with what his Party expects of him in relation to law reform. I have done some quick research. It is interesting to look at the legal and penal reform section of the State Labor Party platform.

The first two most significant items in the State platform of the Labor Party are the enactment of laws ensuring rights of personal privacy and the enactment of laws ensuring freedom of information. I raised such matters two or three months ago. When one goes through the rest of the legal and penal reform platform of the Labor Party one sees that the Attorney is out of step with his own Party and what it looks for in relation to law reform. I refer not only to matters of privacy and freedom of information: one finds a whole range of other items such as investigation and prosecution of white collar crime and legislation to facilitate the suppression of such crime.

We have the question of reform of existing defamation laws with no progress from the Attorney-General. We have questions of a Bill of Rights in South Australia—a matter I have raised with the Attorney to see whether he has an interest in taking up his own Party's platform in that area. There is no progress there. The question of class actions is

raised in clause 1.20 of the platform, with no action taken. The question of abolition of general search warrants in clause 1.18 has seen no action. On the introduction of suspension or expunction of criminal records, we have seen a discussion paper but no progress from the Attorney-General. With regard to the continued investigation of the possibilities of incorporating aspects of Aboriginal tribal law, particularly in relation to punishment, into the legal system, we have seen no progress from the Attorney-General. Those six to ten examples are from the legal and penal reform section and are aside from questions of legal aid and electoral reform—

**The Hon. C.J. Sumner:** Most of that has been done, hasn't it?

**The Hon. R.I. LUCAS:** Do you want me to go through it?

**The Hon. C.J. Sumner:** Of course.

**The Hon. R.I. LUCAS:** I do not want to delay the proceedings of the second reading stage. I will not prolong the Attorney-General's agony on this occasion.

I wish to move to the second general area and the matter I have raised on a number of occasions in this Chamber, namely, the need for standing committees of the Legislative Council. I want to address the question of a standing committee on legal and constitutional affairs and relate it to criticisms I make of the Attorney-General for the lack of fire in his belly or lack of reform or lack of preparedness to raise and discuss these matters within the Parliament. When I referred to matters of computer trespass laws, the Attorney-General said, 'There are lots of problems. It is a lot more complex that the Hon. Mr Lucas appreciates. It is too complex for him to understand. The Government is looking at it and waiting on reports.' I am sure the Attorney would make similar excuses for lack of progress in other areas, such as privacy legislation, freedom of information legislation and so on.

The Attorney's argument is not only that it is too hard for us to understand but also that he and his officers within the Executive arm of Government are the appropriate ones to discuss the issue. Only when the Attorney-General and the Executive arm of Government have made a decision as to what the Parliament should debate will members of Parliament be taken into the discussion process and be included in the debate on what might occur in relation to computer trespass laws, privacy legislation or freedom of information legislation. One of the arguments for a Standing Committee on Legal and Constitutional Affairs is that many of these complex areas could be addressed by members of Parliament rather than only by members of the Executive arm of Government as is presently occurring. The argument that says that members of Parliament should only come into the discussion process after the Executive arm of Government has had a chance to consider, filter, and then introduce its own proposal is not a correct of the parliamentary interpretation process.

If we were to have a legal and constitutional affairs standing committee of the Parliament, members of that committee of the Legislative Council could be, at the same time as the Attorney-General and the Executive arm of Government, addressing those important questions such as computer trespass laws and freedom of information legislation so that, when the Attorney-General from the Executive stance comes into the Parliament with his own version of a reforming law, either the legal and constitutional affairs committee would have already addressed the matter or, in certain circumstances on controversial topics, the Bill could be referred to the legal and constitutional affairs standing committee of the Legislative Council for assessment, discussion and debate by that committee prior to discussion within this Chamber or the Parliament.

That standing committee of the Legislative Council would be able, in my view, to take public evidence as do many committees in the United States take public evidence in public hearings, and much of the debate and discussion could occur prior to the passage of controversial Bills in the Parliament. We only need look at the Controlled Substances Bill which was put through this Chamber and the controversy that has erupted subsequent to its passage to see that it might have been one of the Bills that could have been usefully referred to a standing committee of the Parliament where all those groups, whether it be Apex or the Police Association or whatever, could have put their particular views on the topic to members of the Parliament prior to the passage of that Bill through the Chamber.

There are many other examples that we have had where there has been much complaint from interest groups; for instance, the Tobacco Bill, where there was complaint from the taxi industry and various other representative groups, or the Education Bill—there have been many Bills that have gone through the Legislative Council and the House of Assembly where the interest groups have indicated there has been a lack of proper consultation with that particular group. With standing committees in the Legislative Council, we would be able to meet not all but a significant number of those problems head on and provide to those interest groups an opportunity to put their point of view to members of the Parliament and not just members of the executive arm of Government on a controversial topic that we are being asked to debate.

The second standing committee of the Legislative Council that I have argued for previously, and will do so again tonight, is for a committee on Government and financial operations, a similar committee to the one that has operated successfully for many years in the Commonwealth Senate, formerly known as the Rae Committee after a very successful and prominent former Chairman of that Senate committee. I would see this committee as having the major role of overseeing the growth in what we call quangos or statutory authorities in South Australia. It has been a matter that I have raised on a number of occasions previously as an arm of Government which I believe is largely accountable to nobody. In fact, 70 per cent of unincorporated statutory authorities are not even required to present annual reports to the Parliament and about 20 per cent of the incorporated statutory authorities are not required to present annual reports to the State Parliament.

Even some of those statutory authorities that are required to present annual reports to the Parliament do so on a time delay mechanism; that is, they do it much later than is useful for any member of the Parliament who wants to act upon any of the information that might be within those annual reports. One statutory authority that I spoke to two years ago said, when asked why it had not reported to the Parliament as required to do so by Statute, 'We don't have enough staff to prepare an annual report, so we haven't really bothered. If the Government gives us another staff officer, we will prepare an annual report for the Parliament.' That is the sort of attitude that exists within certain statutory authorities or quangos within South Australia, and it is not satisfactory that a very large arm of Government is, as I said, largely accountable to nobody within either the Parliament or the executive arm of Government.

If one takes a very conservative estimate of the number of quangos in South Australia, the lowest number that one can come to is about 300. If one takes the very widest definition that is used in, say, the Victorian Parliament, one

can get an estimate of up to 3 500 to 5 000 quangos in South Australia. I believe that the more important ones would come within that estimate of about 300 statutory authorities or quangos, and they are the ones that, primarily, I believe, a standing committee of the Legislative Council, backed by full-time independent research staff, should oversee in relation to the activities of that new arm of government, accountable to no-one or no organisation.

The Attorney-General or a member of his staff, in about June this year got himself a very good headline in the *Advertiser*. Under the heading of 'Government to unleash watchdog on statutory bodies', the article went on to say that the Government was planning a permanent parliamentary watchdog to monitor the operation of the State's statutory authorities, which had a total debt of more than $1 billion.

**The Hon. R.J. Ritson:** It hasn't happened, has it?

**The Hon. R.I. LUCAS:** No; it was 25 June 1986 when the Attorney was taking that matter to his Cabinet to try to get some support, and I raised the matter two months after that in August, seeking a response from the Attorney, and I got none. Tonight I again raise the matter with the Attorney: what has happened to his submission to Cabinet for a permanent parliamentary watchdog, which was—

**The Hon. R.J. Ritson:** They have chickened out.

**The Hon. R.I. LUCAS:** —going to be unleashed upon statutory bodies in South Australia? The Attorney wants to maintain some semblance of being a reformist Attorney-General but, as I have indicated, there is no evidence of it so far. His efforts to get proposals on fixed-term Parliaments through his own Cabinet were largely castrated by other members of the Government, and what we saw in this Chamber was a very pale semblance of the proposal originally taken to Cabinet. However, we are not seeing anything coming out of Cabinet in relation to a most important watchdog in the Legislative Council to oversee the operations of statutory authorities. It is not good enough.

As I have said, if the Attorney-General wants to have any semblance of a reformist tag placed on his long, long occupation of the Attorney-Generalship, then he has to bring into this Chamber some legislation on this matter. I fear that if he does not do so what will have to occur will be what has occurred in many other areas, such as in relation to freedom of information, where we saw the Hon. Martin Cameron having to bring into this Chamber legislation as a private member to try to achieve necessary reforms in relation to freedom of information laws in South Australia.

**The Hon. K.T. Griffin:** I will bring in something on statutory authorities.

**The Hon. R.I. LUCAS:** The Hon. Mr Griffin has indicated that he would do that, and I am sure he would get much support from this side of the Chamber for bringing in something on that. My argument, and the final point that I want to make in relation to a body to oversee statutory authorities, is that it has been my view, and again I put it tonight, that I believe it ought not to be limited just to statutory authorities. It should be modelled on the Senate Committee on Government Financial Operations and it should be able, on behalf of the Legislative Council, the House of Review, to oversee other aspects of Government and finance within South Australia.

**The Hon. R.J. Ritson:** Do you think it should be just financial or do you think it ought to look at democratic rights impinged upon by statutory authorities?

**The Hon. R.I. LUCAS:** The Hon. Dr Ritson raises the question of democratic rights impinged upon by statutory authorities or, for that matter, perhaps by the Parliament. I would see the other standing committee of the Legislative Council, the Legal and Constitutional Affairs Committee, being the one that would take upon itself that role. A similar committee of the Senate has looked at the increasing use of a reverse onus of proof provisions within Commonwealth legislation, and has looked in many respects at the increasing scope of legislation or administrative act over the rights or civil liberties of members of our community.

The last matter that I want to raise is in the general area of education. I want to address some of the problems that are being created by this Government's warped priorities in education. I will quote from two or three letters that I have received from schools or parents about cuts in education that are presently being experienced. A notice being circulated in the Thebarton Primary School states:

> The consequences of the reductions in these two areas are that the library and toy library will be closed for 2½ days a week and the recreation program will be reduced by half. The remedial program will be abolished. This in an area where 50 per cent of the children attend after hours club on two afternoons a week, where all children are involved in an electives program and where programs such as lunchtime activities, gardening and cooking are important adjuncts of the children's total education. A sixth of the children have received remedial help.
>
> Greek language and culture teaching will have to be reduced by a day a week, and Vietnamese and Khmer by half a day and Italian by 1½ days a week each respectively. This in a school where this year between 65 per cent and 75 per cent of the children have been of non-English speaking background.

I will refer to some submissions that I have received from the southern suburbs in relation to the Christies Beach Primary School. There, the Government, in its savage cuts in education, has cut the special education staffing virtually in half; it has reduced it from two special education staff to one, and has replaced it with a half of a generalist teacher. I have received a series of letters from parents complaining about this matter, and I want to share with members some of the problems that are being created by those people who look at the dollar signs in Government and at the total expenditure within existing priorities. One letter from a parent of a young child states:

> I was and still am in a state of shock and very mad. When we first found out our son was not coping with his school work we were told he would have to wait until he was eight years old before he could go into special education. We fight to get him into a place where there are special education facilities. He has been in this special education since 1982, both in the northern region and now for two years in the southern region. He has improved academically and socially so much since being at Christies Beach. This is the first school where he has been able to integrate with his own peers and get help from special education every day. If we get a part-time teacher he would not be able to get the daily help. He would slip backwards in his school work and then the behaviour (socially) would go too.

Another letter from a parent states:

> My son started at Christies Beach in February of this year, and [the two teachers] performed what can only be described as a miracle on him. He now stands an extremely good chance of making it in life independently. If one of those teachers is moved at this crucial stage of his progress I feel he can kiss that chance goodbye.

Another letter from a parent states:

> It is apparent you don't think we need two teachers. I for one have to do 100 kilometres a week to get my son . . . to Christies Beach school as our own area school, Flaxmill, doesn't have a special education teacher. I don't mind the travel, as long as he is getting help. But now I see no hope for him getting the help he needs.

The final letter states:

> Your Government can give $1 million to a horse show in the north to 'bail it out' and yet cannot find $25 000 per annum for education of special needs of children. This $25 000 would take 40 years (a teacher's working life) at base rate to equal the $1 million gift for this 'horse show'. I would have thought special education would come before the 'horses'.

*The Hon. R.J. Ritson interjecting:*

**The Hon. R.I. LUCAS:** As the Hon. Dr Ritson indicates, the Government cost for the horse show was considerably more than $1 million. These letters are an indication of the warped priorities that this Government and, in particular, the Education Minister have in education.

I could have brought in 100 or 200 letters or submissions from parents and schools complaining about cuts in special education or remedial help for children needing help in our schools, but I have brought in only four or five. Many cuts are being made by this Government in critical areas. I know that the response will come, first from the Government and secondly from the bureaucracy: 'These are tough economic times and we have to make our cuts somewhere.'

First, my response on the political front is that we all knew that before the last election, but the Premier made his election promises, won the vote, got into Government, and then conveniently decided to become the economic rationalist and accept the advice of the Treasury and the Premier's Department. That is on the political front, but let us take the decision now that we have a fixed amount of dollars in education and leave that argument aside for the moment. The priorities of this Government and this Minister of Education are warped, because they cut the most important programs in schools such as remedial and special education, as I have indicated, but they will not make changes in the areas where they should make changes and savings.

We still allow the sort of financial and managerial controls in the Education Department that cost the Youth Music Festival at $250 000 at the outset and after a subsequent blow-out of $750 000 then costs a total of $1 million. We still have the situation where the Minister of Education does not provide an estimate of the costs of seconding full-time teachers and staff to the Youth Music Festival to find out the real cost of the blow-out. After all, that $1 million does not include the salaries of Ruth Buxton and others who were seconded to that project. We still have the situation where we accept a Teacher Housing Authority deficit of $7 million accumulated over the years, yet the Government will not take tough decisions. Although we accept that we provide concessional housing for teachers at Andamooka, Tarcoola and other remote places, we ask why on earth do we have to provide concessional housing for teachers in Mount Barker and in the country areas such as the Adelaide Hills.

Why should our precious education dollars be used in providing concessional housing for teachers to attract them to move to Mount Barker? Of course, there is no rational argument for that. Why do we spend precious education dollars in providing concessional assistance for teachers in some country towns where those teachers already own private residences? So, a teacher may own a private residence but receive 50 per cent or 60 per cent concession on housing in that town under the Teacher Housing Authority scheme and rent his or her residence to someone else in the community.

Why do we accept the situation in respect of managerial and financial controls of the department in relation to the regionalisation or areaisation of the department, a scheme that the bureaucrats within the Education Department sold to the Government as one which would save the Government $1.5 million yet which has now blown out by many millions of dollars in just a reorganisation of the bureaucracy? Why do we have to accept the situation within the area offices where, instead of an automated leave payout system, we have CO1 grade clerks calculating manually or by long hand the payments to be made to teachers who are retiring from the teaching service?

I will give three examples. First, there was the circumstance of the 65 year old teacher whose husband had died some months earlier. She retired and received a long service leave payout from the Education Department. She went overseas and spent a good percentage of that money. She came back and spoke to her accountant, who said, 'You got a payout of $25 000, yet your husband, who served just as long within the Education Department, only got a very small payout. Clearly, they have underpaid your husband,' so this lady took her accountant's advice and went to the Education Department's leave payout section and said, 'My husband is dead now, but you must have underpaid him. I want you to have a look at it.' That teacher received a bill for $10 500 payable within 60 days because the Education Department had miscalculated her long service leave payout. This 65 year old teacher was confronted with a bill for $10 500 because of the sort of financial and managerial controls that exist within the Education Department. The only reason why the department discovered the overpayment was that she went to her accountant and, on his advice, she went back to try to get more money in relation to her deceased husband's payout.

There was also the situation of the teacher who was overpaid $8 000. She left South Australia and went to Victoria, but the principal in the country high school kept forwarding the cheques to her Victorian residence. Another example is that one of the area officers in the Education Department, because of lack of training within the long service leave payout and salary section, received computer printouts but did not know what to do with them. In the old days, there were half a dozen people in the central office at Flinders Street and there was always someone who had been there for 10 years or so who knew all the ropes and what to do, but the staff in the area offices are on their own and have to handle these sorts of problems on their own.

This new officer felt a little embarrassed about asking anyone within the area office what to do with computer printouts, because she was supposed to be in charge. She filed them alphabetically and some two months later she attended a training session in Flinders Street. During a morning tea break an equivalent officer from another area office asked, 'What is your system for handling these computer printouts?' and the area officer replied, 'I'm glad you asked me about that. I really don't know what to do with them. I have been filing them alphabetically and hoping that they will go away.' The other officer asked whether the 170 schools involving about 5 000 teachers and staff in the area were kicking up. The officer concerned asked, 'Why?' and she was told that they were the incremental pay increases for all the staff in the area office.

That is the sort of managerial and financial control that exists within the Education Department under this Government and this Minister's area program. That is the sort of managerial control upon which this Government, this Minister of Education, the Premier, the Attorney-General and the whole lot of them are not prepared to bite the bullet. That is where the cuts ought to be made within education. The Government usually asks, 'You show us where the cuts are.' Tonight I have shown where they are and there are many other instances to which we will be pointing over the next few months where the priorities in education are warped. The Minister was out of the Chamber when I read some of these letters, but I hope that he will look at some of them, particularly those relating to cutbacks in languages other than English in the Thebarton Primary School as well as the cutbacks in remedial and special education.

Members of the Government sit there comfortably because they have been there for a long time and there is no fire left in their bellies. There are no problems that they want to address in education. They let these problems continue within the schools and cut the crucial programs, but they do not tackle the sorts of rorts and wastage that are occurring within the system, not only in the Education Department, but also in the Teacher Housing Authority. There are many other instances where teachers receive excessive benefits over and above those that are given to public servants and to people in the community generally. This Government and its advisers within the bureaucracy should look at those problems and not just look at the bottom line and say, 'We want to cut $2 million from the education budget and it will come from here, here and here.' They also say that, because special education was the last initiative introduced in the schools, that is the area which will receive the cuts.

That is the sort of attitude that is being used at this moment by this Government and the bureaucracy; it is the sort of attitude that is being used at the moment because the Government is comfortable. The Government has been in power for four years and it has three or four years ahead of it. It is that attitude, it is those sorts of warped priorities, that have to be changed by this Government and this Minister of Education if the Government wants to survive in its own right. That is a political question.

*The Hon. C.J. Sumner interjecting:*

**The Hon. R.I. LUCAS:** That is your political question; you have to address that. I am more interested in the welfare of the kids in schools in South Australia who are having to put up with the sorts of cuts that your Government, Attorney-General, is instituting in schools, the sorts of cutbacks facing victims of child abuse in the southern area or in the eastern region in the South-East, where they have had special education assistance and where, because of your cutbacks, those victims of child abuse in the southern areas are not having any special education assistance at all. What you and your Government are saying, Attorney-General, is that, instead of special education assistance for victims of child abuse in schools, the general teacher who has had no training in child abuse control and management has to look after those victims of child abuse. That is what the Government is saying.

The Government is also saying that teachers in schools in the South-East that look after the victims, and the kids coming from women's shelters in South-East, where they have had special education assistance, that they are not going to get special assistance because you would rather not tackle the wastage occurring at the moment in education and in the Teacher Housing Authority; you are not willing to bite the bullet and cut expenditure in those areas. You would much rather take the easy option and victimise the victims of child abuse, the children of women in women's shelters, and the kids with special disabilities in the southern region.

They are only a few instances of what I see as the warped priorities of this Government in relation to education. I can only hope that the Attorney, having listened to some of what I have had to say (I know he will not agree with what I had to say about his lack of reform in the legal and penal reform area, and I do not expect him to), in matters of education will be willing in the next budgetary process to at least ask the questions of the bureaucrats and the Minister of Education when it comes through the Cabinet procedure. He should ask whether they have looked at some other areas to cut rather than the easy option of cutting back special education and the kids who most need help. I support the second reading.

**The Hon. C.J. SUMNER (Attorney-General):** I thank honourable members for their support of the second reading, although during their contributions I sometimes wondered whether they were giving it support. I do not wish to reply at any length. A whole number of issues have been raised; some of them may be canvassed in Committee.

The Hon. Mr Davis raised the matter that the SAFA material was not fully explored in the Estimates Committee debate. I can indicate that the Treasurer offered the Leader of the Opposition an opportunity of a briefing session with SAFA. That offer was followed up subsequently by a written request to the Leader, and still there has been no response. It may assist the Committee stages of the Bill if the opportunity for a briefing were taken up, and the Premier has no objection to including members of the Legislative Council in the group to be briefed by SAFA; in fact, that may be the most sensible way to go about the issue.

As the Opposition did not raise the issue in the Estimates Committee, when they had present the officers from the relevant departments, it seems somewhat difficult to pursue the issues in this Chamber in a Committee stage which is hardly designed for that purpose. So I merely reiterate the Premier's offer to enable Opposition members, including those members from the Legislative Council who desire it, to have a briefing from SAFA.

The Hon. Mr Davis referred to the State debt. In fact, South Australia stands up very well in terms of its overall public sector debt when compared with other States in Australia. It is the policy of the South Australian Labor Government to keep public sector borrowings to the minimum necessary to finance an adequate capital program to ensure that the State's basic infrastructure and other capital requirements can be financed. This low borrowing objective has been achieved during the period of the South Australian Labor Government.

I do not wish to go through the sets of data: I presume they have been made available on previous occasions. However, the end result is that in real terms the level of borrowing projected for 1986-87 for the South Australian public sector considered over the past five years is still 6 per cent below that of 1982-83, taking into account adjustments for changes in price levels. It is interesting to note that the 1982-83 budget was during the term of the previous Liberal Government.

Comparing South Australia's borrowings with those of other States, according to the ABS bulletin 'Government Financial Estimates Australia, 1985-86', we see that the net borrowings by State public sectors in 1984 and 1985 were as follows: New South Wales, $232 per head; Victoria, $464; Queensland, $390; Western Australia, $346; South Australia, $136; and Tasmania, $685 per head. If we consider all six States, the average is $336 per head, and considering the five States other than South Australia it is $355 per head. So on these official ABS statistics it can be seen that South Australia's net borrowings in per head terms were not only the lowest by a long way of any State but were only 38 per cent of the figure for the other five States combined. Perhaps the honourable member should take account of those matters when he makes his accusations.

With respect to the level of debt, South Australia is the only State that has published comprehensive information on its debt position. A Treasury paper entitled 'Trends in the Indebtedness of the South Australian Public Sector, 1950 to 1985', published in September 1985, shows clearly that the net indebtedness of the South Australian public sector

in real per capita terms has been reducing in recent years. Relevant figures are as follows: net indebtedness of South Australian public sector in June 1985 prices: June 1983, $2 526 per head; June 1984, $2 498; June 1985, $2 448; June 1986 (and this is a preliminary estimate and, in fact, it may be the final estimate), $2 426; and June 1987 (the projection based on the budget estimates), $2 512 per head.

It will be seen on this basis that the State's indebtedness reduced consistently during the period June 1983 to June 1986. Although some increase is tentatively projected between June 1986 and June 1987, the figure at that latter date is still expected to be below the level at June 1983. Therefore, on all the available indications which I have cited to the Council, trends in South Australia's borrowings and debt position in recent years have been quite favourable.

With respect to the comments made by the Hon. Mr Hill on ethnic affairs, I can only indicate that I reject all of the honourable member's criticisms in that area. The reality is that the Ethnic Affairs Commission is functioning very well. The Totaro report has been implemented substantially. We have seen a major thrust with Government departments attempting to get policies implemented in those departments through joint task forces in education, health, welfare, industry (which report has just become available) and the arts (where a multicultural arts officer was appointed).

One of the other projects will ensure that all Government agencies introduce management commitments for ethnic affairs to ensure that the Government's policies on multiculturalism are implemented throughout the whole of the Government sector. Most of that information was available and has been put on previous occasions. I do not wish to reiterate it here today, except to say that the Ethnic Affairs Commission has been very active, as was recommended by the Totaro report, as a prime mover in persuading departments to develop and implement access and equity policies for persons of non-English speaking background. That thrust has occurred in all the areas that I have mentioned and is continuing. The Hon. Mr Griffin raised a number of issues which I will answer for him by correspondence.

**The Hon. K.T. Griffin:** Is there a possibility of incorporating them?

**The Hon. C.J. SUMNER:** I will bring them back in Question Time, if that is what the honourable member would like. The fate of the Law Reform Committee should be determined in the reasonably near future. We are currently considering that matter. The pretrial conferences are due to start (I think) within the next month or so, or at least the planning for them is due to start then. A magistrate has been seconded from the magistracy to the District Court to set in place the pretrial conferences. At this stage they will be only in the civil jurisdiction. The privacy principles in the justice information system are basically those enunciated by the OECD and the Australian Law Reform Commission.

Attention is being given to a further development or a general statement on privacy matters to fit in not just with the justice information system but also with the Commonwealth Government's initiatives in this area that it is carrying out in conjunction with the Australia Card exercise. In the area of consumer affairs, the only comment I wish to make is that the budget allocation, including the full-time equivalents referred to by the honourable member, are not necessarily the final figures. That is because a number of new pieces of legislation have to be proclaimed over the next 12 months. The Land and Business Agents Act is due to be proclaimed on 10 November, and the Builders Licensing Act is due to be proclaimed early next year. It was not possible at the budget stage to formulate precisely what would be needed in the consumer affairs area, given these new initiatives and the new legislation that had to be proclaimed. I point out that the initiatives mentioned by the honourable member have all been approved by Parliament.

*The Hon. K.T. Griffin interjecting:*

**The Hon. C.J. SUMNER:** That does not mean that the funding has been approved. Parliament cannot simply pass Bills and then criticise the Government if it funds those initiatives.

**The Hon. K.T. Griffin:** They are your initiatives.

**The Hon. C.J. SUMNER:** That may be.

**The Hon. K.T. Griffin:** We are not resisting your initiatives.

**The Hon. C.J. SUMNER:** Members opposite are not resisting them, no, and they promoted them before the last election. Members opposite were quite happy to promote amendments to the Builders Licensing Act.

When a travel agent goes into liquidation the Opposition is happy to promote the need for travel agents legislation. So, it cannot absolve itself from responsibility for raising those issues and voting for them in the Parliament. Apart from equal opportunities, the casino and the Public Trustee, which the honourable member has conceded are necessary (with respect to the Public Trustee, it is self-funding and with respect to the casino, it is necessary for the operation of a revenue generating body), most of the increase revolves around the implementation of Bills that have been passed by the Parliament, all of which were supported by the Liberal Party and some of which, indeed, were promoted by the Liberal Party as desirable objectives prior to the last election. Having passed these pieces of legislation it is now necessary for Parliament to provide the resources to administer them. I would not expect those figures in the budget papers to be the final figures in respect to the areas that the honourable member has mentioned. They are subject to further refinement and assessment by Treasury (I am sure Treasury would be happy to hear me say that) and justification of the positions.

It was necessary to put in a budget figure for those matters even though it was not possible to be precise and even though the employment of those staff in the budget allocation is still subject to approval by Treasury. That process will continue. It is important to emphasise that it is implementation of legislation passed by this Parliament with the support, in the end at least, of both major Parties.

The other matter I could mention is the Hon. Miss Laidlaw's comment about the Domestic Violence Council. That body is nearing the end of its work and it is expected that a report will be available in the reasonably near future.

**The Hon. R.I. Lucas:** Standing committees?

**The Hon. C.J. SUMNER:** Again this is a proposal on which I hope some progress can be made. Again, we run up against the budget problem—it is as simple as that. There is no point in having committees of the Parliament if we cannot service them. We must try to ensure that money is available to service any committee that we establish. I still think a case exists for increasing the committee system in the Parliament. That is a view which I have had for a long time and which I tried to achieve on a bipartisan basis between 1982 and 1985 but failed dismally, partly because of the distinct lack of enthusiasm of members opposite. I realise that the Hon. Mr Lucas, now shadow Minister of Education, did not have such a prominent role in his Party in those years as he now has.

It may be that, if the proposition arises now, members opposite will grasp it enthusiastically, as opposed to the approach adopted between 1982 and 1985. In some respects it is a pity it was not proceeded with more enthusiastically

then, because there was a greater capacity to get resources for this sort of thing during that period than there is now. That is just a fact of life.

**The Hon. L.H. Davis:** Now you redecorate offices.

**The Hon. C.J. SUMNER:** Yes, that is a one-off situation that might have serviced one half of one committee for six months.

**The Hon. L.H. Davis:** It would have been a start.

**The Hon. C.J. SUMNER:** These are recurring commitments, and that is the problem. It is not just a matter of making an allocation for this year. It is then introduced into the budget for ensuing years. I hope that attention can be given to the matter in the planning stage for the next budget.

**The Hon. R.I. Lucas:** So it is dead for another budget.

**The Hon. C.J. SUMNER:** No, it is not dead for another budget. We may be able to do something on it before the next budget, but we would need to have some indication that if the committees are established we can provide resources for them. All I can say is that if the honourable member wants to quote a few more documents next time the matter comes before the Parliament he can examine the policy document put out before the last election by the Government on the committee system and on Parliament generally, and he will find that there is an assertion in that policy document of the need to increase the role of committees in the Parliament.

That is still a principle to which I adhere very strongly and which I hope we can find some capacity to fund in the near future. One proposition which has been put up, given that everyone is looking for savings, was to see whether or not any savings could be found in the area of *Hansard*, the transcribing of Parliamentary debates; whether there could be some adjustments made there and some savings made which could well release some funds to provide for other initiatives, and the committees is obviously one which could be considered.

I would hope, as I said, that something in that area can be done in the reasonably near future and, certainly, within the term of the Government. If it is proposed, I hope members opposite will not adopt the churlish attitude that they adopted to my previous attempts, and will grasp it with open arms.

Bill read a second time.

In Committee.

Clauses 1 to 11 passed.

First schedule.

**The ACTING CHAIRPERSON (Hon. R.J. Ritson):** I ask honourable members to confine their questions to the specific items listed in the schedule.

**The Hon. L.H. DAVIS:** I would like to speak to the line relating to Treasury, and indicate that I would like to discuss four matters. First, I have questions relating to the South Australian economy and South Australian Superannuation Fund, then matters relating to the ASER development and the South Australian Financing Authority. I should say that I appreciate the Attorney-General arranging for officers of the Treasury to come to the Parliament. It is not a matter the Opposition takes lightly, as the Attorney-General would well know. It is not without precedent for there to be discussion on the Appropriation Bill in this place as, again, the Attorney-General would recollect.

I would like to thank the Attorney for his cooperation in this matter and I want to say that the Opposition does appreciate it. Since the budget was prepared in late August and delivered in another place, two months has elapsed, and the Treasury is in a better position to make a judgment on the budget for the balance of this fiscal year. The budget was predicated on a number of economic assumptions which are contained in the budget papers. Quoting from one of the budget documents, it states, 'It is based on moderate growth in private sector employment between 1985-86 and 1986-87.' At the same time, we have been told that there is zero growth expected in the public sector, notwithstanding the fact that there was a 2.8 per cent increase in the public sector in 1985-86.

If the budget sums, both on the revenue side and the payments side, are to come out right, obviously the predictions about economic trends have to be relatively accurate. Since the budget was presented in late August, South Australia's unemployment rate has in fact climbed to 9.5 per cent for the month of September—quite significantly higher than the month of August (8.7 per cent) and well above the rate a year ago, which was also 8.7 per cent. Currently the unemployment rate in South Australia is the highest recorded since February 1985. I have no doubt that the Treasurer is aware that key economic indicators for South Australia are trending downwards, and I refer to net migration, employment growth, overtime worked, the unemployment rate, building approvals, new private capital expenditure, new motor vehicle registrations, new motor cycle registrations, retail sales, bankruptcies and the inflation rate which, of course, is another factor.

In those key indicators that I have mentioned, South Australia has the worst performance over the last year—and in some instances the last quarter—of all States in Australia. My question to the Attorney, after that explanation, is very simply: has there been any revision of the budget outcome that has been presented in the Appropriation Bill following the latest economic trends in Australia and, in particular, South Australia?

**The Hon. C.J. SUMNER:** The honourable member has made his statement and I suppose that is something he is entitled to say. I can argue about it, but I do not think there is any point in responding at this stage of the financial year, which is four months old, to the matters that the honourable member has raised. If he wants to make his points about key economic indicators, I suppose he can do that in the political forum that he no doubt has.

I suppose that the honourable member can refer to South Australia as 'the capital of the Banana Republic' if he wants to put South Australia down, which he has done on a number of occasions.

**The Hon. L.H. Davis:** Paul Keating does that, not me.

**The Hon. C.J. SUMNER:** The honourable member puts South Australia down; that is the fact of the matter. As we well know, when the budget came out that was the honourable member's response to it—'Adelaide is the Banana Capital of Australia.' There was no substance to that particular remark—it was just a line that the honourable member thought might get him a little bit of publicity. That is the approach that the honourable member wants to adopt. We know that that is the Opposition's approach—it has always been the approach of this particular Opposition and I presume that it always will be its approach. All I know is that it is too early at this stage to give any indication to the honourable member about the progress of the budget.

Obviously, the factors that affect the budget have to be watched and, indeed, are watched by the Government. The Government of South Australia cannot be immune to international or national economic factors, as the honourable member knows. What we can do with the regional economy of South Australia is, by the sorts of policies that have been followed by this Government, basically to have a partnership between the public and private sectors so as to provide a climate for investment in this State.

There have been a number of things done, as the honourable member knows, over the past three or four years in pursuit of that objective. That basic approach will continue. If the honourable member feels that that approach is not one that he thinks is viable, perhaps he can put up his alternative policies and we can debate them in the public arena. I believe that the South Australian community supports the thrust of the Government's initiatives to try to get public and private sector cooperation to create a climate for investment in South Australia, whether that be done through such things as the Grand Prix, which is used unashamedly as a selling point for South Australia; by the incredibly hard work that has gone into getting the submarine project for this State; the ASER project; such proposals as the Porter Bay Marina in Port Lincoln; or Technology Park. These sorts of things are done to provide a basis for investment in South Australia. The philosophy is consistent.

We cannot completely divorce South Australia from the national situation, but what we can do is try to provide a good basis for the development of the South Australian economy. I think that the general thrust of Government policy in that area has so far been accepted by the community. If the honourable member feels that he has another way of doing this, then perhaps he can expound that view to us.

**The Hon. L.H. DAVIS:** I turn now to the Superannuation Fund Investment Trust. The Attorney-General will recollect that as a result of a motion introduced in this Council and, in fact, supported by the Government, it was resolved that the Government should set up an inquiry to examine public sector superannuation in South Australia. That committee was headed by a distinguished and well known Adelaide accountant, Mr Peter Agars. As a result of that inquiry, a report was forwarded to the Government and, in fact, was made available to the public in late May of this year. The inquiry was critical of the investment policies of the Superannuation Trust and, in particular, referred to the comments of an actuary who was retained by the committee to examine the investment policies of the trust. Referring to the South Australian Superannuation Fund Investment Trust, the committee said:

> It had on average substantially underperformed the results achieved by private sector funds.

In addition, it said:

> It was relatively inflexible in the face of future possible adverse experience in the sectors it is concentrated in. Both property investments and the indexed linked loans have relatively low marketability.

They were fairly stinging criticisms of the investment policies, and my concern was that Mercer Campbell and Cook, who I think were the Melbourne based actuaries who delivered that report and conducted that inquiry, were being quoted verbatim in that Agars report, and I have just extracted two sentences from that report. I would be interested to know, first, whether the Government would be prepared to release the full Mercer Campbell and Cook report, as in other public sector superannuation inquiries around Australia some of those documents have become available publicly. For such an important inquiry, where public moneys have been involved on a matter of great public interest, it is not unreasonable to make available some of the key evidence to that inquiry. So, my first question is: will the Government make available that Mercer Campbell and Cook report to the Agars committee and, if not, why not? What has the Government to hide in a matter in which, after all, it was supported by the Opposition Parties at the time that the inquiry was established. Perhaps the Attorney could answer that question first and I will then come back to my second point.

**The Hon. C.J. SUMNER:** The Government does not have the report. It was not made available to the Government. It was sought by the committee.

**The Hon. L.H. DAVIS:** All right, that is a fair answer, and I will now ask a fair question. Presumably, the Chairman of the committee, Mr Agars, and/or members of the committee, would have that report. Will the Government direct the Chairman of that committee to make the report publicly available?

**The Hon. C.J. SUMNER:** I cannot answer that. I will take that on notice.

**The Hon. L.H. DAVIS:** I will not proceed down that path. I want to emphasise very strongly to the Attorney that I believe that that report should be made publicly available. As the Attorney may recollect, I did ask him a question some weeks ago as to whether that report could be made available publicly, but as yet I have had no response from the Attorney, who, generally, is quite diligent in attending to such requests. I just hope that he has not been snowed on that.

*The Hon. C.J. Sumner interjecting:*

**The Hon. L.H. DAVIS:** I asked several weeks ago, when I was talking about the superannuation fund, whether that report would be made available.

**The Hon. C.J. Sumner:** It was in a question?

**The Hon. L.H. DAVIS:** It was in a question indeed. I refer back to the quotation from the Mercer Campbell and Cook report, when they reflect on the composition of the Superannuation Fund Investment Trust portfolio, and when they say:

> Both property investments and the indexed linked loans have relatively low marketability.

They have talked about the relative inflexibility of the portfolio. I do straightway concede that the Public Actuary did take on a portfolio which was a very old fashioned one, composed largely of fixed interest securities, with very little growth component in it and that it was a superannuation fund more suited to the 1950s than the 1970s.

Further, I straightway concede that, when you have a large ship of investments, it is not easy to turn it around rapidly. I accept that efforts have been made to develop the fund for growth purposes as well as for income purposes. But, I am particularly concerned that there is such a high proportion of the fund in indexed linked loans which, as Mercer Campbell and Cook rightly observed, have relatively low marketability. I am curious to know whether any other public or private sector investment institution in Australia, in particular a superannuation fund, has such a heavy investment in indexed loans.

**The Hon. C.J. SUMNER:** It is a matter of opinion as to what is the best investment policy to adopt given the balance between risk and the return that one might get. It is probably true to say that the South Australian Superannuation Fund Investment Trust has gone into this particular area of investment to a greater extent than other superannuation schemes, but that does not mean that others have not been involved in this form of investment.

The most recent report of the South Australian Superannuation Board and the South Australian Superannuation Fund Investment Trust for the year ended 30 June 1985 was tabled in this Parliament, I assume, sometime in early 1986. On pages 30 and 31 it sets out the details of the investment policy and explains the reasons for this method of investment. Once again, if the honourable member disagrees with it, he can give his reasons.

**The Hon. L.H. DAVIS:** The existing fund has been closed; currently inquiries are under way and an active working party is embarking on the very large task of establishing a

new fund. Has there been any active review of the investments within the existing fund to perhaps take into account a larger percentage in equity shares? The Attorney-General would have heard me, and in fact some of my colleagues such as the Hon. Don Laidlaw in years gone by, being critical of the fund in the sense that it seemed to have a predilection for its property rather than equity—

**The Hon. Diana Laidlaw:** It didn't seem, it did have.

**The Hon. L.H. DAVIS:** The Hon. Diana Laidlaw encourages me to take a stronger line, and I do so quite willingly. It had not only a predilection but also a fairly strong aversion to equity shares, to the point that I cannot think of any other public or private sector fund which had the power to invest in equity shares and which had a lower percentage of its total portfolio in equity shares. Notwithstanding the fact that the fund's assets are capped by the Government's decision to freeze the fund where it is, has there been any review of this investment policy.

I make this point knowing that the equity market is at an all time high and that it has almost doubled in the last 20 months. I am not necessarily suggesting that now is the time to leap in, because I suspect that one may well be leaping in at the top of the market. I am just bemoaning the fact that so little effort has been made to take advantage of the great strength in the equity market which has left all other markets in Australia well behind in its wake.

**The Hon. C.J. SUMNER:** Last year's report indicated that a major review of the trust's investment strategy would be carried out, and that is under way.

**The Hon. R.I. LUCAS:** Can the Attorney-General say at what stage in the budgetary process Ministers were advised that there would be a 4 per cent cutback (or whatever the figure was) to be achieved in the non-salary expenditure of their departments?

**The CHAIRPERSON:** Order! I remind the honourable member that his question should be related to a specific line.

**The Hon. R.I. LUCAS:** I would refer to the overall expenditure on all lines if a 4 per cent overall cutback was required in non-salary expenditure lines.

**The Hon. C.J. SUMNER:** These matters were raised in Cabinet's deliberations on the budget. Departmental deliberations commenced early in the piece. Cabinet consideration usually begins towards the end of the financial year and the budget is usually concluded some time in July, but it is obviously not possible to make an absolute and final decision on matters until we have the results of the Premiers Conference and Loan Council deliberations and a reasonable idea of the previous year's results. All those factors, as well as departmental bids and Ministerial priorities, are fed into the Cabinet consideration process for a final decision in June or July.

**The Hon. R.I. LUCAS:** While accepting all that and the need to consider last year's financial results and the decisions of the Premiers Conference and Loan Council, at what stage in the budgetary process were Ministers and their departmental heads finally told that they must achieve a 4 per cent saving in non-salary costs, or whatever the figure was? At what stage of the process, after all the variables to which the Minister has referred were accounted for, were the Ministers and departmental heads told that they must save 4 per cent and asked to explain how they would achieve that saving?

**The Hon. C.J. SUMNER:** That is somewhat of a misconception of the situation. Statements were made concerning the level of employment in the public sector, which was fixed at the average level of employment in the specific agency over the previous 12 months, not the actual commitment level, and people had to adjust their bids, taking that average level of employment over the previous 12 months as the base.

**The Hon. R.I. Lucas:** When precisely was the decision made?

**The Hon. C.J. SUMNER:** I cannot recall. From budget to budget it depends on a whole range of factors, and I cannot recall precisely. Presumably, the honourable member could examine the daily press and he might find it there. If the honourable member wants me to get the information I suppose that I could get it, but I cannot recall precisely when each of the final decisions on the budget was made.

A number of uncertainties have to be firmed up, in so far as they can be, before the final policy decisions are taken on the budget. There were policy decisions with respect to the staffing levels and to cuts (1 per cent cut across the board and, if possible, 2 per cent in agencies). There was also the matter of allowing a 4 per cent increase for goods and services instead of the 8 per cent, which is the inflation rate which I assume is what the honourable member is referring to. Those sorts of decisions are made as the budget begins to firm up. It may be possible to make those decisions earlier or to give some kind of indication earlier, but it all depends on uncertainties. Until the Premiers Conference has been completed; until one knows the result for the previous year, and until one actually gets down to the formulation of the policy aspects of the budget, it is not possible to make absolute decisions. In some areas that may be able to be done earlier in some years, but in others it may not.

**The Hon. R.I. LUCAS:** I am not arguing that they be made earlier. I do not want to prolong debate in Committee this evening, but could I take up the offer made by the Attorney-General? I seek general information as to the timeframe within which Ministers have to operate in making their decisions. I am not being critical.

*The Hon. C.J. Sumner interjecting:*

**The Hon. R.I. LUCAS:** The Attorney-General indicated that he could give an indication when the decisions relating to the 1 per cent cut and the 4 per cent rather than the 8 per cent for goods and services were made. Is the Attorney-General to take that on notice and bring back a reply as to roughly when those two decisions that he instanced were made?

**The Hon. C.J. SUMNER:** I am not sure whether I can be any more precise about it than I have been. I am not sure, but the Treasurer may well take the view that that is a matter of Cabinet policy discussion.

*The Hon. R.I. Lucas interjecting:*

**The Hon. C.J. SUMNER:** It is part of the formulation of the budget. The budget process starts early in the year—it may even start late in the calendar year in terms of the budget. A long process has to be undergone before those policy decisions are made. There is no point making a policy decision now with respect to next year's budget when one does not know the end result of this financial year, or one does not know the circumstances in which the budget is being prepared at the end of this financial year.

**The Hon. R.I. Lucas:** We accept all that.

**The Hon. C.J. SUMNER:** I am not sure that I can be any more precise. These decisions were taken in the budget context and the Cabinet consideration of the budget occurs in June and July. The Federal budget could involve some last minute adjustments to the State budget, but the Federal budget is usually brought down one or two weeks before the State budget. That is the usual situation.

Basically, it is set in place in about mid July. There is still some fine tuning that is done to the budget. My rec-

ollection is that this year that fine tuning was done after that before its presentation. We look at the Federal Budget, although probably in terms of the States' allocation, the general purpose grants are generally known through the Premiers' Conference and Loan Council, and it is during that period that the final decisions are taken. All sorts of preliminary indications and options may be canvassed prior to that. If I can get any more information for the honourable member, I will. I am not sure what more I can provide.

**The Hon. R.I. LUCAS:** Whilst I accept that the budgetary process as we are going along is obviously privy to members of the Government, but given that it has been and gone and that the Minister has indicated the two decisions—the 1 per cent cut decision, the 2 per cent for agencies, if possible, and also the decision on the 4 per cent cut—the information on the decisions has been revealed not just here but in the other Chamber and publicly as well. There is nothing secret about the decision. All I seek from the Attorney is the time when these decision were taken and advised to Ministers. If the Attorney is willing to have a discussion with the Treasurer to see whether that information can be provided, perhaps I can leave it at that.

**The Hon. C.J. Sumner:** Yes.

**The Hon. R.I. LUCAS:** Finally, I understand in relation to some departments, and particularly the Minister of Health's responsibilities, that if certain cuts were achieved something called 'initiatives money' of 1 per cent was able to be spent by the Minister of Health in new areas. Can the Attorney-General or his advisers explain that? Was that option available to all Ministers, or just the Minister of Health? In particular, is it available to the Minister of Education, so that if savings are achieved, is he is able to spend an extra 1 per cent or whatever in initiatives money as I understand was available to the Minister of Health.

**The Hon. C.J. SUMNER:** The honourable member has got the wrong end of the stick. There is no sort of general allocation to say that this is initiatives money.

**The Hon. R.I. Lucas:** For savings in certain areas?

**The Hon. C.J. SUMNER:** There may or may not be. The Government adopts a reasonably firm view of that position. Sometimes, if you achieve savings, you can use that perhaps to redirect the resources into another initiative. It may be that Cabinet will decide that that is not on and that those savings are savings that are lost and become part of general revenue. It depends what you mean. The Government has had a strong policy in the past that, if you sell off assets in a particular department, you do not get all those assets to put into your little patch and forget the rest of the Government.

The policy is that that becomes available for distribution in accordance with the broad policies of the Government. There may be some areas, and it probably depends on the agency a bit, to where Treasury or Cabinet will say, 'Yes, if you achieve savings here, they can be allocated to another initiative within your portfolio.' Sometimes that is done, in particular, with the more minor areas, or the departments that are not in the big spending league.

I do not think it is a correct statement to say that that there is automatically some initiatives money. The budget strategy was applied in terms of the level of employment, in terms of the budget allocation and the adjustment for inflation etc, and that was taken as the base. If you wanted to get something in addition you had to argue for that and justify it as a new initiative. Some new initiatives were justified. The Hon. Mr Griffin referred to some in the consumer affairs area. They were justified on the basis that they were implementing legislation and also that they were not in any event a drain on revenue.

That was a cost recovery. That new initiative is allowed. I was allowed, if you like, a new initiative by the provision of funds to try to assist with the backlog in the courts area. I am not sure whether that answers the honourable member's question. It is not an across-the-board policy that applies to everyone equally.

**The Hon. R.I. LUCAS:** I was not suggesting that it was an across-the-board policy: I was asking who could benefit from that option. The Attorney has indicated that he benefited. I am aware that the Minister of Health spent initiatives money in the disability area and new moneys could be expended from moneys saved within the health portfolio in relation to the disability area. My obvious interest is, if money is being saved in the education area, why was not the Minister of Education able to spend money on initiatives within education? I guess the answer that the Attorney has given (and I will leave it at that) is that some Ministers are able to persuade Cabinet that their needs are a priority (such as the Minister of Health and the Attorney) and clearly the Minister of Education has not.

**The Hon. C.J. SUMNER:** I do not believe that is a reasonable position to take. I understand there were some initiatives in education, and other factors may be involved in the decision. Ultimately, the decision is taken by Cabinet. One really must start to wonder about members opposite, because they insist on talking almost incessantly about cutting Government expenditure but, of course, when there is any attempt to do that, they are the first to come in here and complain. I do not blame the Hon. Mr Lucas: that is his job, as the shadow Minister of Education, so one would expect him to make that sort of statement. The policy is as I have outlined. We cannot take an across-the-board position in relation to it.

**The Hon. L.H. DAVIS:** The ASER project was announced in 1983 at an estimated cost of $140 million. Initially, the cost was estimated at $140 million, and then $155 million in March 1984, moving to $160 million in August 1984 (and I should make clear that these figures are in 1986 dollars) and finally the estimate increased to $180 million. That was in December 1984 at the time the Premier, Mr Bannon, announced that bulldozers were moving onto the site

I cite those facts by way of background, because that was nearly two years ago. At that stage it was said publicly that the breakdown between the ASER partners—Kumagai Gumi and the South Australian Superannuation Fund Investment Trust—was $80 million from the Japanese developer initially and $60 million from SASFIT, making up the initially estimated cost of $140 million. The estimate then increased to $160 million, and the breakdown of costs was $86 million from Kumagai Gumi and $74 million from SASFIT.

The cost has now moved to $180 million over the past two years. We can be reasonably certain as to the expected breakdown from reading the Auditor-General's Report and statements from the South Australian Superannuation Fund. There has been some difficulty in ascertaining the progress in cost for the ASER project. I refer briefly to a question that I asked in May 1985, to which I received a response on 14 May 1985, as to SASFIT's expected commitment to the ASER project. It was broken up in the following fashion:

Equity Capital—$20 million.
Subordinated Debt—$10 million at 14 per cent.
Indexed Loans—

$40 million for 40 years at a real rate of return of 5½ per cent per annum, secured as a first charge on leases from the Government fully covering the repayments required.

$18 million for 20 years at a real rate of 5½ per cent per annum, secured as a first charge on property costing $140 million.

The exposure of the fund to the ASER scheme was equity capital and the subordinated debt, a total of $30 million,

but there were the indexed loans as well. If we take the $20 million in equity capital, the $10 million of subordinated debt, and the indexed loan of $40 million for 40 years and $18 million for 20 years (both at a real rate of return of 5.5 per cent per annum), we see the SASFIT commitment as at 14 May 1985. That was a question on notice, so it was a considered answer. The commitment from SASFIT was $88 million.

In the Auditor-General's Report for 1986 at page 378 further information is provided about the ongoing cost of ASER as far as SASFIT is concerned. Those figures reveal that loan funds totalling $49.5 million have been committed and there is an additional cash commitment of $49 million which aggregates to $98.5 million. Then there is the capitalised interest on the loan funds to date of some $6.5 million. I will seek a response to each of my questions, because they are related. First, when we talk about a final figure (in 1986 dollars) of $180 million for the ASER project total cost, does that include the capitalised interest on the loans or is that just the cash component?

**The Hon. C.J. SUMNER:** It includes the capitalised interest.

**The Hon. L.H. DAVIS:** What is the current exposure of SASFIT in respect of its interest in the ASER project? Can that be described along the lines so conveniently set out in the response I received on 14 May 1985, namely, what is its equity capital, the subordinated debt and the indexed loans which are for 40 years and 20 years? What is the current expectation of the final cost, given that the figures from the Auditor-General are already somewhat out of date?

**The Hon. C.J. SUMNER:** I refer the honourable member to the report of the South Australian Superannuation Board and the South Australian Superannuation Fund Investment Trust for the year ending 30 June 1985. The report was tabled in the Parliament in early 1986.

**The Hon. L.H. Davis:** I have read that.

**The Hon. C.J. SUMNER:** It has the information at the bottom of page 33.

**The Hon. L.H. Davis:** I know that—I have read that too.

**The Hon. C.J. SUMNER:** Well, what is the problem? It answers your question. Those figures are higher than those the honourable member has indicated. The report, the most recent document of SASFIT, has provided the honourable member with updated figures. The next report will provide another set of updated figures.

**The Hon. L.H. Davis:** I understand that too.

**The Hon. C.J. SUMNER:** Well, what are you on about?

**The Hon. L.H. DAVIS:** The Attorney has alerted me to something with which I was quite familiar, namely, the report from the South Australian Superannuation Fund for the fiscal year ending 30 June 1985, but that is now some 16 months behind us. Of course, four months have elapsed since the end of the 1985-86 financial year.

**The Hon. C.J. Sumner:** Do you want to cancel the project or something?

**The Hon. L.H. DAVIS:** I am asking for information. It is a matter of public interest and we are talking about a large project. The Attorney should not take the wrong view that, simply because I am asking questions, the Opposition is knocking the project. The Attorney should know that the Opposition's responsibility is to examine matters of public interest and, in particular, matters where public moneys of this magnitude are involved. I come back to the question I asked—that quite clearly the figures presented at 30 June 1985 have been to some extent made redundant by the fact that there have been problems with the project which would have resulted in an escalation in costs. The Attorney may reassure me by simply saying that the figures made available in the latest report ending 30 June 1985 are still operative. Is he saying that or is he saying that I have to wait until the next report is tabled? If he is saying that I have to wait until the next report is tabled, that is not a satisfactory answer.

**The Hon. C.J. SUMNER:** The simple answer to the honourable member's question is that the specific information will not be provided until the report is handed down. The information in the annual reports of SASFIT is information derived from a private organisation, the ASER Property Trust, but there obviously will be a report to the public and members of the superannuation fund at the proper time when the figures have been updated.

The honourable member does not seem to be happy with that, but he has figures that are more or less current at the end of last calendar year—not last financial year. It relates to the report for the year ended 30 June 1985, but the report was written later (it is dated early 1986), and I assume that the estimates in the report then were updated to the stage when the report was written. So, the honourable member has that amount of information and he will be entitled to some more information when the 1985-86 report is published and when those figures and any updates in estimates have been calculated and placed in the report, depending on the information from the ASER Property Trust.

**The Hon. L.H. DAVIS:** Can the Attorney-General advise when that report is likely to be tabled in the Parliament?

**The Hon. C.J. SUMNER:** I think it would be available for the sittings of the Parliament early next year.

**The Hon. L.H. DAVIS:** Is the Attorney-General indicating that the Superannuation Fund Investment Trust annual report will not be available in this calendar year but will be tabled in the Council perhaps in February or whenever the Council resumes after the Christmas break?

**The Hon. C.J. SUMNER:** I anticipate that the report will be tabled next year. It will be prepared in the next few weeks. Some information may be available before that on the matters the honourable member has raised, and I can only suggest that he correspond with the Treasurer to see whether the Treasurer is prepared to provide the information in advance of the report being tabled in the Parliament.

**The Hon. L.H. DAVIS:** If that is the case, I am bemused that the information is not made available, and I am even more bemused by the fact that I have had a question on notice for several weeks on this very subject, so that if, in fact, that was going to be the answer—that I could not have the information, or the Council was not privy to the information until the report was tabled—why was I not told that instead of my asking the question in the Parliament every week?

**The Hon. C.J. SUMNER:** I do not know: perhaps you could get a surprise next week. Life is full of surprises, and one never knows. I might find sitting on my desk when Parliament resumes in a fortnight's time a brand new answer to the honourable member's question, which resolves all his problems. If that occurs, he probably need not have bothered us this evening and had all these highly paid Treasury officials down here to answer the questions.

**The Hon. L.H. DAVIS:** The Attorney-General finds this amusing, but I find it far from amusing. I do not want to prolong the debate on the subject, but it is a matter of public interest, and I am surprised that, both here and in another place, the Government has attempted to cover up what I would have thought was very basic information. I come back to the question that was not answered earlier, that in May 1985 I received an answer to a question that I had asked which did not relate in any way to any annual

report of the South Australian Superannuation Fund Investment Trust.

It was an answer to a question on notice on 14 May. It was information which was obviously up-to-date information, unrelated to any annual report. It gave me the information which I sought tonight, and I will repeat it for the benefit of the Attorney.

Equity capital—$20 million.
Subordinated debt—$10 million at 14 per cent.
Indexed loans—
$40 million for 40 years at a real rate of return of 5½ per cent per annum, secured as a first charge on leases from the Government fully covering the repayments required.
$18 million for 20 years at a real rate of 5½ per cent per annum, secured as a first charge on property costing $140 million.

The aggregate of the equity capital, subordinated debt and loans totalled $88 million. That did not relate to the 1985 report which in fact had an aggregate figure of $76.5 million, so I am curious to know why, on 14 May, I can get a straight answer to a straight question of public interest, yet on 4 November I cannot get a straight answer to an identical question. Again, I give the Attorney the opportunity to answer the question just using the Auditor-General's Report, which is a public document and which, by the Auditor-General's calculation, means that the South Australian Superannuation Fund Investment Trust has a commitment, as at 30 June 1986, of $98.5 million, together with the capitalised interest. Will the Attorney break that down as between equity capital, subordinated debt and indexed loans for 40 years and 20 years?

**The Hon. C.J. SUMNER:** I do not really know why the honourable member is insisting on responses in this way. He seems to have all the information, anyhow. He has a list of figures for 14 May 1985, and he has the SASFIT report—

**The Hon. L.H. Davis:** That's 16 months ago.

**The Hon. C.J. SUMNER:** That is not right. The estimates in there are more up to date than that. The honourable member also has the Auditor-General's Report.

**The Hon. L.H. Davis:** I'm asking for the breakdown in exactly the same way as I received the breakdown in May 1985.

**The Hon. C.J. SUMNER:** Despite having spent a lot of time in the private sector—and I bet he does not harass his own clients about the information they make public of their own commercial dealings—and despite having had all that experience—

*The Hon. L.H. Davis interjecting:*

**The Hon. C.J. SUMNER:** The ASER Property Trust is not required to report statutorily. The honourable member seems to be assuming that the ASER Property Trust is SASFIT: it is not. Perhaps he ought to study the structure of the thing before he comes in and asks questions. It is a private company. It is basically a private development, which has received some funding from a semi-public authority, if you like, in terms of SASFIT.

*The Hon. L.H. Davis interjecting:*

**The Hon. C.J. SUMNER:** The honourable member has the May 1985 information.

*The Hon. L.H. Davis interjecting:*

**The Hon. C.J. SUMNER:** To get the SASFIT figures that will be in the report, obviously depends to some extent on an up to date assessment of the private company including Kumagai Gumi, right? Accept that!

**The Hon. L.H. Davis:** I am just looking at the figures that the Auditor-General has reported as at 30 June 1986.

**The Hon. C.J. SUMNER:** Then the honourable member has figures up to 30 June.

**The Hon. L.H. Davis:** Yes, but I am simply asking whether you can please break them down into equity capital, subordinated debt and indexed loans?

**The Hon. C.J. SUMNER:** No, not at this particular moment. The area where there would be an increase is in the indexed loans, probably; that is the most likely.

**The Hon. L.H. Davis:** That is all I am asking.

**The Hon. C.J. SUMNER:** That is not what the honourable member was asking: he was asking for specific figures on all of them.

**The Hon. L.H. Davis:** Why aren't they available?

**The Hon. C.J. SUMNER:** They will be available. The Auditor-General has certain figures which have been provided in so far as it was possible to provide them, because he has to report by a certain time. The Auditor-General was satisfied that the information provided was reasonable at that point in time. The final details of the last financial year and the audited statements of the ASER Property Trust have not yet been finalised. So, what will appear in the SASFIT report will depend on the finalisation and auditing of those accounts as a private organisation. When that is done more information can be provided to the honourable member.

However, I think that we have provided as much information as we possibly can, given those constraints. The honourable member has May 1985 and the end of December 1985 in the last report. He has the Auditor-General's Report, and he will have (believe it or not) an update of the figures in the 1985 report in the 1986 report of SASFIT when that is prepared. That will be prepared when all the final financial information from a private organisation—the ASER Property Trust—is finalised and therefore available to SASFIT.

**The Hon. L.H. DAVIS:** I am mildly surprised that the ASER Property Trust accounts are not yet in place for the year ended 30 June 1986. I recognise that they are complex accounts, but there are certain statutory obligations to report, and I would have thought that those accounts would be finalised by now. Just to ensure that the Attorney-General does not think that I am churlish on this point, I draw attention to the fact that the South Australian Government Financing Authority (SAFA) in fact reported by 10 September 1986 for the year ended 30 June 1986, a most credible effort, which probably broke most records.

**The Hon. C.J. Sumner:** It is a Government authority.

**The Hon. L.H. DAVIS:** The Attorney-General would know that I am hot on this matter. By way of an aside, I should mention that another question on notice of some 12 or 13 weeks duration is, in fact, an inquiry as to how many statutory authorities have yet to report for the 1984-85 year.

No doubt, the Attorney is beavering around very hard to try to get an answer to what I would have thought was a fairly straightforward question. However, I will leave that matter for another occasion. The ASER project is of public interest, because a lot hangs on the development of infrastructure in Adelaide to attract tourism and provide jobs; we readily accept that point, as the Attorney would know. The casino, employing as it does 1 000 people, to date has quite clearly been a most successful venture. The two key components of the ASER project are the convention centre and the hotel. The convention centre was originally scheduled to open in November 1986, and the hotel was originally scheduled to open in mid 1987.

On 5 September a statement was made in the local press that ASER project managers and Mr Stephen Middleton, an ASER spokesman, had admitted that the convention centre could fail to meet its revised opening date of April 1987, and they blamed industrial problems for that—includ-

ing, of course, the six week steel fixers strike by the BLF earlier this year. Yet, on 17 September, only 12 days later, Mr Ray Neuling, ASER Property Trust General manager, was quoted in the *News* as saying that the convention centre was progressing towards completion at the end of March 1987. So, there were two varying stories about the progress of the convention centre. It is quite clearly an important project, because many conventions are centred around the project for 1987, which will be a quieter year for visitors to South Australia, sandwiched as it is between the Jubilee 150 celebrations and the 1988 bicentenary. So, I ask the Attorney whether he has any up-to-date information on the progress of the convention centre.

**The Hon. C.J. SUMNER:** The honourable member would know that there are a lot of variables in these things, but I still hope that it will be completed by early April.

**The Hon. L.H. DAVIS:** The Government is responsible for the convention centre, and it is good news to hear that the convention centre is scheduled to be completed on the revised date of April 1987. Quite clearly, the convention centre and the international hotel need each other. If, for example, the convention centre does open in 1987 but the hotel does not open until late 1987 or early 1988, as has been suggested, that may well jeopardise conventions that have been booked in anticipation that the new hotel adjacent to the centre will be open. Does the Attorney have any information on the progress of the hotel: I readily accept that it is not the Government's responsibility and that it is being built by private interests.

**The Hon. C.J. SUMNER:** Well, once again, a lot of variables operate in this area, as the honourable member would know, but it is hoped that the hotel will be opened in late 1987 or early 1988.

**The Hon. L.H. DAVIS:** I raise this matter because there has been growing public comment about the hotel project which has put on maybe one or two floors in the past nine months. That is in sharp contrast to the State Transport Authority building across the way which has progressed quite rapidly. I am told that the hotel should be being built at a rate of 10 days per floor in relation to outside work and, from memory, it is 23 to 24 storeys. However, it is certainly not anywhere near that and even at that rate it would take until May to complete the basic structure, and then the fitting out would take at least another six months.

It has been suggested strongly from several sources that there are continuing problems with the hotel site relating to union difficulties. I know that in September the Premier was sufficiently alarmed about the slow progress of the hotel to indicate that he was stepping in and demanding that more progress be made. Has there been any further resolution of this obvious difficulty which was highlighted in an article in the *Advertiser* of 9 September under the heading '"Finish on time" Bannon tells ASER builders'?

**The Hon. C.J. SUMNER:** The honourable member seems to think that the Government should take some responsibility for the hotel, and I suppose—

*The Hon. L.H. Davis interjecting:*

**The Hon. C.J. SUMNER:** Okay—it is important that the hotel be finished as soon as practicable. However, it is a private development, and I suppose the next thing is that the honourable member will be coming into Parliament and asking us questions about other private developments and why the Government has not resolved any problems that may have arisen with respect to them.

**The Hon. L.H. Davis:** This isn't as private a development as most, is it?

**The Hon. C.J. SUMNER:** It is essentially a private development, particularly in relation to the hotel. I am not able to provide any further detailed information at this time. Construction seems to be proceeding satisfactorily. Industrial disputes arise from time to time and have arisen on that site in the past, as the honourable member is aware. I can assure him that the developers, the builders and the unions are attempting to ensure that any differences are resolved and that the construction proceeds as expeditiously as possible.

**The Hon. L.H. DAVIS:** The convention centre, which will be completed, hopefully, in March or April next year will be leased back from the ASER Property Trust by the Government. That rental will presumably reflect the market value at the time. If there has been a blow-out in costs of the convention centre—and of course we do not know that answer because it is not available at this stage—clearly the return on the project will not be as great as perhaps was initially planned.

What arrangement is there if, for instance, there has been a 20 per cent or 30 per cent blowout in, let us say, a particular project where the Government has responsibility (for example, the convention centre)? If that occurs, what will be the situation?

**The Hon. C.J. SUMNER:** There is no change in the financial arrangements which were entered into in Tokyo with respect to the convention centre. The Government will pay a rent which will repay the SASFIT loan to ASER Property Trust, which is an indexed loan with a return of 5.5 per cent. There has been no alteration in that arrangement.

**The Hon. L.H. DAVIS:** I am aware of the heads of agreement, but is there a final legal document in place between the Government and in the parties to the ASER development and, if so, how long has that been in place?

**The Hon. C.J. SUMNER:** Mr Weiss's recollection is that the documents were executed in November or December last year, but my recollection is that that information has been given in this Council in response to a question by the Hon. Mr Griffin.

**The Hon. L.H. DAVIS:** My understanding is that the exhaust system at the railway station was a world first. Perhaps it was the first time that there has been a building over a diesel railway station which requires exhaust systems of the magnitude of those at the ASER site. One can understand there being some technical difficulties with that, but what indemnities has the Government issued with respect to the exhaust system? Have there been any additional costs involved with the installation of the exhaust system as distinct from what was originally planned and. if there are future problems with the exhaust system, has the Government given any undertakings with respect to those exhaust systems?

**The Hon. C.J. SUMNER:** It is just not possible to answer that question at this moment. I can only suggest that I take it on notice.

**The Hon. L.H. DAVIS:** For a speedy reply, no doubt, Mr Attorney. Further, we are told that the announced $180 million cost in 1986 dollars did include capitalised interest on loans, which meant that we know from the latest figures available through the Auditor-General that we are talking about $105 million end of project costs in regard to SASFIT, which contrasts sharply with the initial cost of $60 million.

The Japanese developer Kumagai Gumi committed itself initially to $80 million. The last published figure that I saw was an increase in its commitment to $86 million. I know that there is a complex relationship—although ASER has 50 per cent of the equity, it does not operate across projects as simply as that (I understand that point)—but is the

Attorney in a position to know what the overall contribution of Kumagai Gumi is in end of project figures?

**The Hon. C.J. SUMNER:** I understand that there has been an answer in general terms in the Estimates Committee—

**The Hon. L.H. Davis:** Not—

**The Hon. C.J. SUMNER:** The constraints on answering the question with respect to Kumagai Gumi apply equally to SASFIT, and I have already explained the reasons for that. Secondly, what Kumagai Gumi decides to make available publicly in terms of this project is presumably a matter for it—it is a private company. If the honourable member wants us to harass it and insist that it provides full details, that is fine. I assume it will not have any problems indicating its contribution at some appropriate stage.

**The Hon. L.H. DAVIS:** Like the Attorney, I am quite relaxed about the matter. I make the point simply that there was no difficulty in having regular information available on the cost of the project, both in regard to SASFIT and Kumagai in the early stages of development and as late as 17 May last year. Up-to-date figures were made available to me—

**The Hon. C.J. Sumner:** In December.

**The Hon. L.H. DAVIS:** I am talking specifically about the Question on Notice. I will not pursue that matter but I hope in time that figure will be made available. That completes my questions with respect to the ASER project.

I wish now to refer to the South Australian Financing Authority, also under the Treasury line in the first schedule. I refer to the fourth annual report of the South Australian Government Financing Authority (SAFA) for the year ended 31 June 1986. As I said, I thought it was a most commendable effort to have the report available in such a short space of time—

**The Hon. C.J. Sumner:** It made so much money it had the resources to do it.

**The Hon. L.H. DAVIS:** SAFA is not an easy vehicle to get aboard and ride with: it is a complex statutory authority and, obviously, to put together the annual report with all the information in it required considerable effort. I should say, however, that I had some difficulty understanding the document. That may relate as much to my simple and dying knowledge of accountancy as anything else. However, I have taken advice on this matter from people who have qualifications in accounting—and public sector accounting at that—and there has been considerable difficulty in interpreting the document. I do not wish that to be a criticism of the officers involved—not at all. I am sure that relatively new creature will be refined as we go down the track and that more information will be made available publicly through the annual report and by other means.

The Liberal Party supports SAFA, and the Attorney would well know that in late 1982 the then Tonkin Liberal Government introduced a Bill into this Council that sought to establish a similar creature. That creature was beheaded by an election, but it rose in another form, with another rider. I want to put that on record, lest the Attorney think I am being too negative. In the annual report (chapter 6, page 15), in the income and expenditure statement for the year ended 30 June 1986, shows a fairly sharp increase in interest on loans to semi-government authorities. Under the heading 'Income' it is indicated that interest on loans to semi-government authorities increased from $67 million in the 1985 financial year to $170 million in the financial year just ended. That was a very sharp increase indeed—$103 million in interest on loans to semi-government authorities.

That increase must be made up of an increase in interest rates on existing loans plus the income due on new loans made during the year. I hope that I am right at least in that basic assumption. There might be another small point there. At page 16 in the balance sheet as at 30 June 1986, under the heading 'Assets', it is indicated that loans to semi-government authorities have increased from $1 140 million to $2 299 million. That is a doubling, basically, of assets, that is, loans to semi-government authorities, and yet the interest on loans to semi-government authorities has increased by much more.

I can understand that part of that would be due to the fact that there is a component, which I think is 0.45 per cent, applied by SAFA on loans raised on behalf of semi-government authorities. I am curious to know the reason for the sharp increase. I understand that a large slice of the semi-government loans set out in note 16 relating to those accounts is the South Australian Housing Trust, quite obviously. I think I am correct in saying that the Housing Trust, which had been formerly paying interest to Treasury (and which is now paying interest to the South Australian Financing Authority), is paying interest rates at basically the same rate.

So, if it includes the Housing Trust along with interest on other loans to semi-government authorities, while that may account for the sharp increase in interest there, is there not a corresponding loss on the Treasury side because the Housing Trust no longer pays interest to Treasury? In other words, I accept and understand the basic concept of SAFA—that it has taken over the debt of the State Government and most semi-government authorities with the exception of ETSA, the Local Government Authority and other creatures such as the Australian Barley Board and it has now become the major funding source for the Government. I understand that it has taken over obligations to the Commonwealth and that it mobilises funds for semi-government authorities. I understand all those things, but I remain mystified as to the income that it has received—income that has increased so sharply.

I will crystallise my comments into two questions: first, why is there such a sharp increase in that line 'Interest on Loans to Semi-government Authorities', and what are the components of that increase, given that I assume they relate to 'loans to semi-government authorities' on page 16 under 'Balance Sheet' which has just doubled; and, secondly, if the Housing Trust (amongst others) is now taken on board by SAFA and is no longer paying interest to Treasury, is there not a corresponding book adjustment somewhere in Treasury to compensate for that fact?

**The Hon. C.J. SUMNER:** The honourable member seems to be on the right track, for a change. The increase in income through interest on loans to semi-government authorities is the result of general interest rate increases in connection with the Housing Trust. Regarding the question of bringing the Housing Trust into SAFA, the answer to the honourable member's question is, 'Yes'; there is an offsetting notation with respect to Treasury, and that is explained in the budget documents.

**The Hon. L.H. DAVIS:** Could the Attorney elaborate on that point? I understand that the matter is canvassed in the Auditor-General's Report for the year ending 30 June 1986.

**The Hon. C.J. Sumner:** Why don't you have a seminar?

**The Hon. L.H. DAVIS:** You wouldn't get too many people to a seminar on SAFA.

**The Hon. C.J. Sumner:** The Premier has offered your Leader a briefing. You can come too.

**The Hon. L.H. DAVIS:** It is a matter of public interest. I am happy to put the matter on public record. In view of the non-replies to questions, if the Attorney-General was in my position he would be doing exactly the same. We have

had no reply to questions that have been on notice for many weeks and some are very basic questions.

**The Hon. C.J. Sumner:** Not on SAFA.

**The Hon. L.H. DAVIS:** No, not on SAFA. I refer to pages 15 and 16 of the Auditor-General's Report which set out some of the impact of the introduction of SAFA into the overall scheme of things. I am interested to know whether I can have explained in simple terms what is the overall effect of those points, as they seem to be the key to it. I refer to *(a)* and *(b)* on page 15, and the three dot points on the top of page 16. Although the Attorney responded by complimenting me and saying that I had got it right, I am still not sure what was the offset in the consolidated accounts. I was right in my diagnosis of the situation in my last question, namely, that although SAFA receives the benefit of having the Housing Trust brought under its umbrella nevertheless there is an offset in the Treasury accounts themselves. I was referred to the budget documents. I would like to have a more specific answer. Where should I look in the budget documents? Can I have an elaboration on the overall impact of pages 15 and 16?

**The Hon. C.J. SUMNER:** The restructure involving the South Australian Housing Trust in the 1985-86 budget was explained in the Treasurer's financial statement to the Parliament in introducing the budget, as I said in answer to the previous question. Further background and details were given in chapter 4 of SAFA's annual report tabled in Parliament in September. The South Australian Housing Trust restructuring in itself had no effect on the consolidated account result for 1985-86. Interest costs in respect to the South Australian Housing Trust were in no way affected.

As highlighted in the Treasurer's financial statement, while SAFA's contribution to the budget was $8 million above the original budget projection, there was an effective reduction of $26.1 million in that contribution. This reduced contribution, which was reflected in SAFA's retained surplus at 30 June 1986, arose from a combination of factors, including a desire on the part of the Government to further improve SAFA's capital base through increased retained earnings and the creation of a general reserve, the latter being supported by the Auditor-General. Does that answer the honourable member's question?

**The Hon. L.H. DAVIS:** I would like to know what is that offset to which you referred earlier in the Treasury. I make the point that whilst SAFA receives the benefit of having the South Australian Housing Trust receiving the interest on loans to semi-government authorities as income, which appears on page 15 of its income and expenditure for the year, as I have said, there is a corresponding offset in the Treasury account somewhere.

**The Hon. C.J. SUMNER:** I refer the honourable member to page 50 of the Premier and Treasurer's Financial Statement, as follows:

> The rearrangement had no net effect on the budget, as interest payments of $34.1 million that would have been received from the South Australian Housing Trust were credited to Consolidated Account by way of a return to the Government on capital provided to SAFA, and the Government was relieved of the obligation to make principal repayments of $5 million to SAFA under Minister of Housing and Construction and Minister of Public Works Miscellaneous appropriations.

The honourable member should have read his documents before he started asking these questions. I think it is time that I made a statement about this.

The Premier, during the Estimates Committees proceedings on Tuesday 7 October undertook to arrange for Mr Olsen a briefing on SAFA's operations, because the operations are complex, and that is accepted. The Government would not want to be accused by the Opposition of not answering its questions or of hiding any information that could be made available to it. So, on 10 October—almost a month ago—the Premier wrote to the Leader of the Opposition and indicated that on 7 October he undertook to arrange the briefing. He concluded as follows:

> Could you please advise when would be the most convenient time for such a briefing session to be held at Parliament House and who you would wish to be involved?

However, there was no answer. So, now we have this tedious process prompted by the Hon. Mr Davis in this Chamber, that honourable member knowing full well that I am not the Minister directly responsible and that the answers he gets will inevitably be third hand, when he has the opportunity of a briefing—when he can have all these people and anyone else he wants. They could all sit around and have a nice chat about it, and the honourable member could find out what he wants to find out. The offer was made by the Premier, but there has been no response from the Leader of the Opposition, which makes us feel a little bit cynical.

**The Hon. L.H. DAVIS:** If we conducted Parliament by briefing sessions, it would be a very dull place indeed.

**The Hon. C.J. Sumner:** You should have got Olsen to ask the questions in the Estimates Committees.

**The Hon. L.H. DAVIS:** I really had not intended to respond to this, but it is an interesting contrast. On the one hand, when questions are asked about ASER there is what can only be described as a cover-up—a refusal to give information. That is in sharp contrast to the offer of a briefing for SAFA, and I welcome the opportunity to have a briefing on SAFA in due course. That is not to say that it is not in the public interest to continue to ask questions in this Council when the opportunity arises.

I hope that the Attorney-General—when he is in Opposition one day, as he surely will be—will also take a similar view. I will proceed with my questioning under the Treasury line. How is the common public sector borrowing rate calculated, and are savings to the authorities being passed on to authorities using SAFA, as a result of their having a lower than otherwise common public sector borrowing rate?

**The Hon. C.J. SUMNER:** I am sure that the honourable member would have read the report but, on the assumption that he has forgotten what he read, page 8 of the SAFA report for the year ended 30 June 1986 indicates—and if the honourable member wants it all read—

**The Hon. L.H. Davis:** No.

**The Hon. C.J. SUMNER:** I can, but I will not. 'The Common Public Sector Interest Rate' is a heading on page 8 of the report. It then proceeds to page 9 and explains the question that the honourable member asked.

**The Hon. L.H. DAVIS:** I also ask the question: are they passing on the savings to authorities which have presumably had the benefit of having funds raised for them at a lower than otherwise interest rate?

**The Hon. C.J. SUMNER:** Yes.

**The Hon. L.H. DAVIS:** How are the savings of lower interest rates that are achieved by having SAFA (rather than a multitude of often small semi-government authorities raising funds) passed on to those semi-government authorities? Is there a formula that is used?

**The Hon. C.J. SUMNER:** It is not possible to quantify the saving, but the saving is the difference between what SAFA can get the funds for and what the authorities would have had to pay to get the funds had they been individually raising them. SAFA also takes a small amount of retention generally for its own operations.

**The Hon. L.H. DAVIS:** Take the example of the Electricity Trust and its indebtedness to the Government in the order of $158 million. Of that, $110 million was said to be a capital contribution—a base for equity. No redemption payments were involved but the average borrowing rate was

increased considerably, so ETSA received a large infusion of cash. I am interested to know whether I am right in that assumption.

**The Hon. C.J. SUMNER:** The answer is 'Yes'.

**The Hon. L.H. DAVIS:** With regard to SAFA taking over responsibility for indebtedness to the Commonwealth, the Treasury previously had been repaying loans to the Commonwealth Government on the basis of redemption and interest. SAFA will continue to do that and pay it on the basis of redemption and interest. One would imagine that much of it would be at a low rate of interest. For example, if moneys had been borrowed in 1970 for, say, a 15 or 16 year period at 8 per cent, and in 1986 they fell due, they would be rolled over at 14 per cent, together with a redemption factor which, I understand, varies depending on the length of the loan. It could be perhaps 1 per cent. Over a period of time, all loans of moneys borrowed in the past will come up to a higher rate because some quite low interest rate loans are still outstanding. We could take the example of the Engineering and Water Supply Department, borrowing and paying the common public sector rate. Eventually, when that loan comes up for renewal, a redemption rate of let us say 1 per cent will have to be paid and that will vary, as I understand it, with the length of the loan that is negotiated. Who makes the redemption rate payment to the Commonwealth?

**The Hon. C.J. SUMNER:** The sinking fund payments, which are presumably what the honourable member calls the 'redemption payments', are paid by SAFA.

**The Hon. L.H. DAVIS:** Is that in turn passed back to the authority in question?

**The Hon. C.J. SUMNER:** It is a general liability that SAFA assumes on behalf of the Government generally.

**The Hon. L.H. DAVIS:** That is right, but that is for a loan that may well be rolled on for, let us say, a department. Is that built into the calculation of what they pay?

**The Hon. C.J. SUMNER:** The sinking fund is not directly passed on—it is part of the general operations of SAFA, which makes the payment on behalf of the Government and its agencies.

**The Hon. L.H. DAVIS:** The public sector borrowing rate which has been adopted has an impact on the accounts. I am interested to know—and the Attorney-General may prefer to take this question on notice—what was the overall effect of adopting the common public sector borrowing rate? Did it give the Government more money and, if so, how much? What was the impact on Consolidated Account, and what was the overall impact on the authorities? Finally, what was the impact on rates of interest of the authorities?

**The Hon. C.J. SUMNER:** I understand that an answer to a similar question was provided in the House of Assembly on 3 April 1984 in answer to a question from the honourable member for Mitcham in relation to the first year's operation of the new arrangements. However, it is not possible to continue to produce for future years such figures that would be in any way meaningful.

If the previous arrangements had continued as the existing debt of authorities matured, it would have been rolled over at prevailing current market interest rates. Assumptions would need to be made about the timing and maturity of such roll-overs to estimate what would have been the cost under previous arrangements compared to present arrangements. As part of the simplification of debt relationships applying in the State public sector, a policy has been adopted that agencies should not make repayments of principal while they have net capital funding requirements. I understand that that answer has been provided to the honourable member's colleague in another place.

**The Hon. L.H. DAVIS:** My final question relates to deferred annuities. In late September, publicity was given to the fact that the Federal Treasurer, Mr Keating, had closed off a so-called tax loophole which had apparently been exploited by the Labor Governments in South Australia, Victoria and New South Wales. A senior South Australian Treasury source was quoted in the *Advertiser* of 20 September as saying that the Federal Treasurer, Mr Keating, had not been aware of the South Australian Government's fundraising activities through the deferred annuities scheme and that South Australia had managed to secure $100 million, I think, mainly from major Australian trading banks under this deferred annuity arrangement, shortly before the cut-off time. The article explained that, quite obviously, there were cash benefits to those raising money and tax benefits to those investing money: nevertheless, the scheme had been closed off. The inference was made that the South Australian Government had intended to continue to use that scheme.

This $100 million deferred annuity entered into by the South Australian Government was due for repayment, apparently, in 1993-94, and payment was in the order of $325 million. In other words, it was a deferred annuity with suspended interest payments in the intervening seven or eight years, with a balloon payment made in the final year, that is, the year of maturity, either 1993 or 1994. I am interested to know whether in the SAFA books annually interest on this deferred annuity is taken into account, or will it be suspended and taken into account only at maturity?

**The Hon. C.J. SUMNER:** Interest is accrued annually, and is then taken into the books. I should make a point on that: the Loan Council was advised of this method of investment.

**The Hon. L.H. DAVIS:** I thank the Attorney for the courtesy and patience that he has extended to both my colleague the Hon. Robert Lucas and me. It has advanced the state of knowledge, certainly on this side of the Chamber, on the subjects covered, and I hope that in time it may prove to be of benefit to the community as a whole.

First schedule passed.

Second schedule and title passed.

Bill read a third time and passed.

## OCCUPATIONAL HEALTH, SAFETY AND WELFARE BILL

Received from the House of Assembly and read a first time.

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

*That this Bill be now read a second time.*

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

Leave granted.

### Explanation of Bill

In South Australia each year some 12 500 workers on average suffer injury and disease in the workplace. Of that number approximately 30 cases will prove to be fatal and some 1 600 workers will be rendered permanently disabled.

The direct cost of this toll of injury and disease is staggering. The level of workers compensation premiums payable by employers in South Australia is currently in excess of 170 million dollars per annum. If account is also taken of the indirect costs which arise through such things as the loss of productivity and the costs of retraining, then it is

estimated that the total cost is a massive 600 to 700 million dollars each year. On this basis the cost each week is in excess of 10 million dollars and as each hour ticks by it costs somewhere between $300 000 and $400 000. Over the period of the debate on this Bill the cost will have accrued to millions of dollars.

In 1985, 365 000 days were lost in South Australia as a result of occupational injury and disease. This was 13 times greater than the time lost through industrial disputes over the same period.

This massive level of costs is totally unacceptable. However as high as these costs are, they only tell one side of the story. The cost in money terms is a very poor measure of the toll of human suffering, personal hardship, social trauma and family crisis which for workers are the bitter harvest of injury and disease in the workplace.

In recognition of the enormity of this social, human and economic problem, the Government in 1983 established a tripartite steering committee on occupational safety, health and welfare to inquire into and make recommendations on a suitable legislative framework to improve the standard of occupational health and safety in this State. That committee was chaired by Dr John Mathews and included representatives from Government, employers, the United Trades and Labor Council and the Working Women's Centre Inc. The steering committee completed its report in 1984.

The committee examined the existing system in South Australia in some depth and found a number of major deficiencies. When the current Act was introduced in 1972 it was considered to be progressive legislation for its time. The 1972 legislation, however, was framed without any real concept of workers having any rights in matters of health and safety. Insufficient importance was attached to workplace consultation, and the value of a general tripartite framework in the administration of the Act was only given partial recognition.

One of the major problems with the current Act is its limited scope. For an industry to be brought under the Act it is necessary for it to be separately proclaimed. This is a cumbersome process and many industries have not yet been covered. There are also technical difficulties in the existing definition of 'worker' which make it difficult to capture sub-contracting relationships. This has resulted in a very patchy coverage with only an estimated 60 per cent of the workforce having protection under the current Act.

The issue of tripartite involvement is one area which is poorly recognised under the current Act. The Industrial Safety, Health and Welfare Board which is established under that Act is only empowered to make recommendations on occupational health and safety issues referred to it by the Minister. The Board has no secretariat of its own, has no power to initiate its own investigations or to adopt a dynamic promotional role on occupational health and safety issues. A much more vigorous tripartite authority is clearly needed if regulations under the Act are to be developed in a timely way to meet the occupational health and safety problems thrown up by new technologies, substances and work practices.

The consultative mechanisms provided in the current Act can only be described as rudimentary. There are no provisions covering the establishment or role of safety committees. The election of worker safety representatives has been provided for but the legislation only grants them limited rights to consult with the employer and has accordingly been of little practical use. Indeed the Mathews Report stated in relation to these worker safety representative provisions that 'they might just as well never have been enacted'.

The right of workers to be provided with information on hazards in the workplace has been completely ignored. Provision does exist under the current Act, however, requiring employers to provide their workers with written details of safety arrangements and procedures in the workplace. Even this provision, which does not go anywhere near far enough, has been an almost total failure.

A major deficiency with the current Act is the total lack of proper penalties. The penalties under the Act were last revised in 1976. The maximum penalty for an employer who fails to exercise a general duty of care towards an employee is only $500. The penalty for workers for their negligent acts is a mere $25. These penalties are totally inadequate. As an example of their gross inadequacy, in 1984 a major multi-national company was fined the paltry sum of $250 for negligence which resulted in the death of a worker.

Whilst such penalties exist it is not surprising that the law is treated with contempt. In the face of these numerous and serious deficiencies with the current Act it is useful to outline the new theoretical base upon which this Bill has been constructed.

First, in this Bill it is accepted as a basic premise that accidents and diseases do not necessarily or even usually occur because of 'apathy' or carelessness on the part of the workers, but instead arise in the main through unsafe and unhealthy systems, processes and tools of work. Accordingly, this Bill is focussed on these underlying causes, and not solely on making workers (and employers) more 'aware' of hazards in the workplace.

Secondly, it is recognised that unsafe systems of work can be encouraged by economic forces, which favour cheaper commodities over those produced at higher cost, because making workplaces safer may initially involve added costs. Therefore a minimum level of safety needs to be imposed by the law on all enterprises, to ensure that these responsibilities are not avoided.

Thirdly, the basic standards of safety and health secured by the law cannot be determined in a vacuum, but only as the outcome of a social process. In the case of standards to protect workers' health the role of technical experts is seen as providing the data that enables the health effects consequent upon a certain level of exposure to be predicted. Based on this risk assessment, a social process of evaluation can then take place to determine the level of risk that is acceptable. This latter social process should involve workers, employers and government on a tripartite basis.

Fourthly, although the provision of a safe and healthy workplace is a management responsibility, it is not a management prerogative. This means that workers need to be involved collectively, through their unions, in jointly determining with employers the work practices and procedures that define a safe and healthy workplace. This in turn means giving legal recognition to certain rights and powers of workers' health and safety representatives, to enable them to participate in this process effectively.

Fifthly, recognising the basic conflicts of interest that may exist between employers and workers over health and safety, a further aim of the Bill is to provide proper and effective forums for their resolution.

This Bill incorporates most of the recommendations contained in the Mathews report. Much debate has taken place since the release of that excellent report and many submissions have been received. The report and various drafts of this Bill have been considered in depth by the industrial relations advisory council. This Bill is the outcome of that process of extensive study, discussion and debate.

This Bill is a comprehensive, enabling piece of legislation. Detailed regulations will be made under the Bill covering specific problems relating to specific industries. Existing regulations will be adapted so that they continue to apply under the new Act and over time will be modified and added to.

The Bill establishes the Occupational Health and Safety Commission. This is a ten member tripartite body comprised of a chairperson, three employer and three union representatives, one expert in occupational health and safety matters, the Director of the Department of Labour and the Chairman of the South Australian Health Commission. The commission will provide a source of strong independent advice to the Government on all aspects of occupational health and safety.

It will be empowered to recommend regulations and codes of practice. It will commission research and establish inquiries into particular occupational health and safety problems. The commission will operate with a relatively small secretariat and will be encouraged to utilize the expertise that exists within the community. It will liaise closely with the national occupational health and safety commission. The Bill sets out in some detail the duties of employers, self employed persons and manufacturers and suppliers of plant and substances. It also provides for duties on employees.

Under the Bill employers will be required to ensure so far as is reasonably practicable that their workers are, while at work, safe from injury and risks to health. This duty of care extends to all things under the employer's control in the workplace. It applies to the use and maintenance of plant and machinery; the environmental conditions under which work is carried out, the substances used and the manner in which work is organized and performed.

This general duty of care is limited by what is reasonably practicable. In practice this will mean that account must be taken of the seriousness of a hazard and the availability of methods for removing or minimizing it.

The duty of workers has also been spelt out in detail. Workers are required to exercise reasonable care to protect the health and safety of themselves and other people. They are also under a duty not to interfere with anything provided in the interests of health and safety. The Bill provides inspectors with comprehensive powers to enable them to adequately enforce the measures contained under the Bill. However, the prime objective of this Bill is to put emphasis on workplace mechanisms which prevent hazards from arising, thus minimizing the need for the Act to be enforced by inspectors.

In the event that prosecutions are necessary the Bill provides for realistic penalties which are designed to have a proper deterrent effect. Fines for negligent action by employers have been raised to $50 000 and in cases of repeated offences employers will face fines of up to $100 000. For serious cases where a person has been recklessly indifferent, the penalty will be up to $100 000 and or imprisonment for a term of up to five years. These are severe penalties but they are necessary because of the seriousness of the problem that they seek to deter.

By including such penalties this Bill is not breaking new ground. The radiation protection and control act already contains penalties as a result of amendments made by the then Liberal Government, of up to $50 000 and or imprisonment for up to 5 years for serious acts of negligence which endanger the safety of workers.

Whilst the deterent effect of such penalties is important, overseas experience has shown that initiatives to improve health and safety at work have only had a limited chance of success where employees have been denied involvement in their development and implementation.

This Bill therefore seeks to provide for that close involvement, in matters, which for workers, can literally involve questions of life and death. This is primarily to be achieved by the election of health and safety representatives. These representatives will represent workers in all matters relating to occupational health and safety which may arise in their particular workplaces. Without doubt these particular proposals have raised the most controversy.

Under the Bill all workers will have a right to participate in the election of respresentatives. However, where the workforce is partly or wholly unionised the selection process has been designed so as not to undermine existing union structures.

This is basic common sense. It has to be recognised that unions as representative organisations of workers have in the past played a key role in promoting safety in the workplace. This should continue to be encouraged and their legitimate rule in this area has been recognised in the Bill. Worker safety representatives will be electd to represent the interests of workers in designated areas within a workplace.

The Bill provides mechanisms to determine these designated work groups which require negotiations between unions and employers in workplaces where unions have members, and negotiations between workers and employers in workplaces where there are no unions. Where agreement cannot be reached on designated work groups the assistance of the Industrial Commission can be sought to resolve any such disputes by conciliation. Once the designated groups have been determined, the unions, the workers, or an officer of the commission, as the case may be, may conduct elections for representatives. Once selected, workers safety representatives will have a key role to play in assisting employers and workers to resolve health and safety issues.

Worker safety representatives will have the right to attend courses of training without loss of pay, will be enabled to inspect the workplace at any time and to receive relevant health and safety information. They will also have an important role in identifying and resolving issues which represent an immediate threat to the health or safety of any workers in their designated work group.

This Bill provides that where any health and safety issues arise in a workplace, worker safety representatives will be required to attempt to resolve them directly with the employer through a set procedure which requires early and proper consultation.

Situations can arise where there is an immediate threat to the safety of workers. In these instances the Bill recognises the workers common law right to cease work. In addition, and in order to make this common law right effective, the Bill will enable a worker safety representative to direct that work cease. In South Australia such powers to halt work already exist under Federal awards covering the wharves and the pulp and paper industry. Victoria has similar powers under its occupational health and safety legislation and in Queensland trade union employed worker safety inspectors, have statutory powers to halt work in the coal and metalliferous mining industries.

The Bill provides that where work is halted as the result of a direction from a workers safety representative, the employer will be enabled to redeploy the employees involved in suitable alternative work. In addition the Bill sets down the conditions under which employees are paid for any period during which work is not performed because of risks to their safety.

Health and safety committees are also provided for in the Bill. They will have equal numbers of employee and

employer representatives and will be required to take an overview of health and safety matters within a particular workplace and be responsible for longer term policy issues.

The Bill contains detailed provisions for the settlement of disputes through a formal independent appeal process, in those cases where other intermediate steps provided for have failed to resolve the issues involved. Rights of appeal will be available in relation to such matters as designated work groups the election of worker safety representatives, directions to halt work, and notices to remedy unsafe situations issued by either worker safety representatives or inspectors.

This Bill is of critical importance to improve health and safety in the workplace. Together with the Government's proposed changes to the workers compensation system the two reforms represent the most concerted attack on the problems of workplace accidents and disease that has ever been undertaken by any Government in this State. I commend the Bill to the House and seek leave to insert into *Hansard* the Parliamentary Counsel's detailed explanation of the clauses.

Clause 1 is formal.

Clause 2 provides for the commencement of the measure.

Clause 3 sets out the chief objects of the Act.

Clause 4 contains the various definitions necessary for the purposes of the measure. Subclause (2) relates to contract workers and subclause (3) provides that the definition of 'worker' includes persons who perform work gratuitously in connection with a trade or business carried on by an employer. Subclause (4) provides that the concept of occupational health, safety and welfare includes considerations relating to the physiological and psychological needs and well-being of workers, the prevention of work-related injuries and work-related fatalities, the investigation of the causes of work-related injuries and work-related fatalities and the rehabilitation and training of injured workers.

Clause 5 allows for prescribed work or classes of work or prescribed workers or classes of workers to be excluded from the application of the Act. The Act will apply to work on all South Australian ships and to the Crown.

Clause 6 provides for non-derogation.

Clause 7 establishes the South Australian Occupational Health and Safety Commission.

Clause 8 provides for membership of the Commission. It is proposed that the Commission be constituted by 10 members, being a full time member, the Director of the Department of Labour, the Chairman of the Health Commission (or his or her nominee), three members appointed on the recommendation of employer associations, three members appointed on the recommendation of the United Trades and Labor Council and one member who is experienced in the field of occupational health, safety and welfare.

Clause 9 provides that members of the Commission may be appointed for up to five years. Provision is made for deputies, removal from office on prescribed grounds and vacancies.

Clause 10 provides that the full time member of the Commission is to be entitled to such salary and allowances as the Remuneration Tribunal may determine. The fees, allowances and expenses of other members of the Commission will be determined by the Governor.

Clause 11 prescribes the procedures to be followed by the Commission.

Clause 12 relates to the validity of acts or proceedings of the Commission and the protection of members from personal liability when acting in good faith in the exercise or discharge, or purported exercise or discharge, of a power, duty or function.

Clause 13 requires a member to disclose any pecuniary or other personal interest in a matter before the Commission.

Clause 14 prescribes the functions of the Commission. The Commission is to formulate and promote policies and strategies relating to occupational health, safety and welfare, provide reports to the Minister and make recommendations, issue and revise codes of practice, monitor and review the various aspects of occupational health, safety and welfare, promote education and public awareness in occupational health, safety and welfare and carry out research. The Commission will be required to consult with interested parties and to make its recommendations in relation to regulations and codes of practice available for public comment. The Commission will be able to perform functions conferred by or under the laws of the Commonwealth, another State or a Territory, and will be required to consult with the National Occupational Health and Safety Commission.

Clause 15 requires the Commission to ensure that in the performance of its functions racial, ethnic and linguistic diversity in the population of the State, and the interests of both sexes and the disabled are taken into account.

Clause 16 contains a delegation power.

Clause 17 provides that the Commission is subject to the general control and direction of the Minister.

Clause 18 relates to the staff of the Commission.

Clause 19 prescribes the duties of an employer in relation to occupational health, safety and welfare. Subclause (1) provides that an employer shall, in respect of each of his or her workers, ensure so far as is reasonably practicable that the worker is, while at work, safe from injury and risks to health. Subclause (2) provides that a breach of a relevant code of practice is evidence of a breach of the statutory duty referred to in subclause (1). Subclause (3) prescribes various duties of employers in relation to monitoring the health and welfare of workers, the keeping of records, the provision of appropriate information and the appointment of health and safety consultants.

Clause 20 requires employers of prescribed classes to maintain formal policies in relation to occupational health, safety and welfare and to prepare appropriate policy statements.

Clause 21 prescribes the duties of workers in relation to occupational health and safety. A worker is to be required to take care to protect his or her own safety at work and to avoid adversely affecting the health or safety of another.

Clause 22 prescribes the duties of employers and the self-employed in relation to occupational health and safety.

Clause 23 prescribes the duties of occupiers of workplaces.

Clause 24 prescribes the duties of manufacturers, importers and suppliers of plant and substances that are to be used in the workplace. Plant and substances will need to be safe when used and when subjected to reasonably foreseeable forms of misuse. Appropriate testing will have to be undertaken and adequate safety information supplied.

Clause 25 makes it an offence for any person to damage or misuse any safety equipment or to place at risk the health or safety of another person while that person is at work.

Clause 26 is an interpretation clause for the purposes of Part IV.

Clause 27 provides for health and safety representatives to represent designated work groups. Provision is made for the formation of these work groups. Lists of work groups will be displayed at workplaces.

Clause 28 provides for the election of health and safety representatives. Every member of a workgroup will be entitled to vote at the election to appoint the health and safety representative.

Clause 29 provides for the election of deputy health and safety representatives.

Clause 30 provides that health and safety representatives are to hold office for two years. A person will cease to hold office if his or her term expires and he or she is not re-elected, the person ceases to belong to the relevant work group, the person resigns or the person is disqualified by a review committee. A health and safety representative will be liable to disqualification if he or she repeatedly fails to perform his or her duties or acts in a manner intended to cause harm to an employer or the business of an employer.

Clause 31 provides for the appointment of health and safety committees. These committees will facilitate co-operation between employers and workers in relation to occupational health, safety and welfare matters and assist in the resolution of disputes and the formulation of policies.

Clause 32 sets out the functions of health and safety representatives.

Clause 33 sets out the functions of health and safety committees.

Clause 34 sets out the responsibilities of employers to health and safety representatives. Employers will be required to consult with representatives and committees on occupational health and safety issues and to allow representatives to carry out their functions effectively.

Clause 35 provides for the resolution of certain disputes and empowers health and safety representatives to issue default notices in the event that a person is contravening the Act or the regulations or has contravened the Act or the regulations in circumstances that make it likely that the contravention will be repeated and the matter cannot be otherwise resolved. An employer or other person to whom a notice is issued may require an inspector to attend at the workplace.

Clause 36 is concerned with the situation where there is an immediate threat to the health or safety of a worker. It is proposed that the health and safety representative and the employer should consult in relation to any such threat and that the matter should be referred to a health and safety committee in the event that the representative and employer cannot resolve the issue themselves. Furthermore, in a certain case the health and safety representative may direct that work cease until adequate measures are taken to protect the worker.

Clause 37 provides for attendances by inspectors where a default notice has been issued or a cessation of work has occurred.

Clause 38 prescribes the powers of entry and inspection under the Act. Inspectors will be required at the conclusion of an inspection to consult with all the parties on the issues arising from the inspection and make available any written report that is subsequently prepared. Inspectors will also be required to disclose the contents of any verbal discussions that follow an inspection.

Clause 39 provides for the issuing of improvement notices by inspectors.

Clause 40 provides for the issuing of prohibition notices where an inspector is of the opinion that there is an immediate risk to the health or safety of a worker.

Clause 41 provides for the disclosure of notices.

Clause 42 provides for the review of notices. An application for review will be made to the President of the Industrial Court, who will then constitute a review committee.

Clause 43 prescribes the powers of a review committee on a review.

Clause 44 ensures that workers are paid during a cessation of work in consequence of the issuing of an improvement notice or prohibition notice.

Clause 45 empowers an inspector to take action if a person fails to comply with an improvement notice or prohibition notice. The Crown will be able to cover the costs incurred in taking the action in a court of competent jurisdiction.

Clause 46 provides for the constitution of review committees.

Clause 47 establishes panels from which review committees are to be formed. It is proposed that each committee consist of a judge, or industrial magistrate (who shall preside), a person selected from a panel constituted after consultation with employer associations and a person selected from a panel constituted after consultation with the United Trades and Labor Council.

Clause 48 sets out the procedures to be followed by review committees.

Clause 49 provides for appeals to the Supreme Court on questions of law.

Clause 50 provides for the personal immunity of members of review committees.

Clause 51 provides for the personal immunity of inspectors and officers of the commission.

Clause 52 provides for identification certificates for inspection.

Clause 53 empowers the commission to require the production of information relating to occupational health, safety or welfare.

Clause 54 protects the confidentiality of information.

Clause 55 makes it an offence to discriminate against a worker or a prospective worker on the ground that he or she has performed a function under this Act or made a complaint in respect of occupational health, safety or welfare.

Clause 56 entitles an employer to reassign workers during a cessation or suspension of work.

Clause 57 provides for offences under the proposed Act. A person who commits an offence for which no penalty is specifically provided will be liable to a penalty of up to $10 000.

Clause 58 creates a special offence in cases where a person is guilty of seriously endangering the health or safety of another.

Clause 59 provides for the punishment of continuing or repeated offences.

Clause 60 relates to offences by bodies corporate.

Clause 61 provides for the promulgation of codes of practice. These codes will provide guidance to employers, self-employed persons and workers in relation to occupational health, safety and welfare. They will be subject to approval by the Minister and published in the *Gazette*.

Clause 62 is an evidentiary provision.

Clause 63 provides for the publishing of annual reports by the commission and the director of the Department of Labour. The commission's report will be required to contain prescribed information.

Clause 64 will allow the Chief Inspector, in appropriate circumstances, to modify the application of the regulations in relation to specified work, workplaces, plant, substances or processes. A right of review will exist.

Clause 65 provides for consultation with the commission on proposed regulations under the Act.

Clause 66 relates to the making or regulations.

Clause 67 provides for the repeal of the Industrial Safety, Health and Welfare Act 1972.

Clause 68 provides for consequential amendments.

The first schedule expands on the regulation-making power.

The second schedule sets out the transitional provisions that are to apply.

The third schedule provides for the amendment of section 157 of the Industrial Conciliation and Arbitration Act that is consequential on the insertion of clause 55. The schedule also contains consequential amendments to the Mines and Works Inspection Act 1920.

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

## IRRIGATION ACT AMENDMENT BILL

Received from the House of Assembly and read a first time.

**The Hon. M.B. CAMERON:** Madam President, I draw your attention to the state of the Council.

*A quorum having been formed:*

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

*That this Bill be now read a second time.*

In view of the lateness of the hour, I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

### Explanation of Bill

This Bill provides for an amendment to the Irrigation Act 1930, in order to provide a rate for the supply of water to blocks for domestic purposes. With the advent of pipe-main supplies in irrigation areas, the practice of filling underground tanks with water for domestic purposes during periods of irrigation was made obsolete. Domestic supplies in rehabilitated areas should now only be obtained through 25 mm metered services. A domestic service is fixed free of cost, but a minimum annual rate and additional water rates, where applicable, are charged. The current practice is to secure these charges by means of a signed agreement with each consumer. This is administratively unwieldy and has also led to a small minority refusing to sign the agreement thereby legally exempting themselves from these charges.

By continuing to use irrigation water for domestic purposes these consumers have placed themselves in a financially favourable position with respect to other domestic consumers. This amendment seeks to rectify that by imposing a domestic rate on all blocks to which a domestic supply is available. This Bill also provides a power to make regulations to charge an interest rate on unpaid fees and charges. It is proposed to make a regulation imposing interest on unpaid spray irrigation charges.

The provisions of the Bill are as follows:

Clauses 1 and 2 are formal.

Clause 3 inserts a definition of 'the consumption year'. The amendments made by this Bill provide for water to be charged for by volume with a minimum or base rate that must be paid whether water is consumed or not. Payment of the base rate entitles the ratepayer to a quantity of water costing the amount of the base rate. If additional water is used an additional charge is made at the declared rate. The definition inserted by this clause defines the period over which consumption of water is measured.

Clause 4 replaces the first four subsections of section 74 with new rating provisions. Two base rates can be declared in relation to blocks. One in relation to water for irrigation and one in relation to a domestic supply. A base rate may also be declared in respect of town allotments. New subsection (3) ensures that the base rate at least must be paid and any additional water used must be paid for as well.

Clause 5 makes a consequential amendment to subsection (1) of section 75 which simplifies the wording of this subsection.

Clause 6 makes a consequential amendment to section 76 (1).

Clause 7 repeals section 77 of the principal Act. The substance of this subsection will be provided by new subsections (3) and (4a) of section 74.

Clause 8 amends section 78 of the principal Act. New subsection (1) empowers the Minister to supply water to non ratable land.

Clause 9 amends section 114 to allow the imposition, by regulation, of interest on unpaid fees and charges.

**The Hon. PETER DUNN** secured the adjournment of the debate.

## RATES AND LAND TAX REMISSION BILL

Received from the House of Assembly and read a first time.

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

*That this Bill be now read a second time.*

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

Leave granted.

### Explanation of Bill

This Bill provides for the repeal of the Rates and Taxes Remission Act 1974, and extends the benefits of the existing South Australian Pensioner Remission Scheme to eligible pensioners who are supplied by, and pay domestic water rates to, private water boards and trusts. The present Rates and Taxes Remission Act 1974, grants rates and tax remissions to eligible pensioners on their land tax, local council rates, and water and sewerage rates, levied under the Land Tax Act 1936, the Local Government Act 1934, the Waterworks Act 1932, and the Sewerage Act 1929, respectively. Eligible pensioners who reside within Government irrigation areas, such as Berri and Waikerie, are also currently granted rate remissions on their domestic water rates levied under the Irrigation Act 1930. Similar concessions have been extended, on an *ad hoc* basis, to pensioners who reside in the private irrigation areas administered by the Renmark Irrigation Trust and Lyrup Village Association.

However, there are 17 other smaller private water boards and trusts, similar to the Renmark Irrigation Trust, whose clients include pensioner home owners. Residents in these areas are not included within the ambit of the present Rates and Taxes Remission Act 1974 in relation to remissions on their domestic water rates. Recently, representations were received from pensioners in these areas, requesting remissions on their domestic water rates. The benefits of the remission scheme should logically be extended to eligible pensioners who are charged domestic water rates by these private Water Boards and Trusts. This Bill extends the benefits of the South Australian Pensioner Remission Scheme to eligible pensioners who are supplied by and pay domestic

water rates to these private water boards and trusts. I commend this Bill to members.

Clause 1 of the Bill is formal.

Clause 2 provides that this Bill is to come into operation on a day to be fixed by proclamation.

Clause 3 is an interpretation section. 'Council' is defined as a council constituted under the Local Government Act. 'The prescribed sum' is defined, for the purposes of determining the amount of each remission that an eligible pensioner is entitled. In relation to rates and taxes levied under the Land Tax Act 1936, and Part XII of the Local Government Act 1934 the amount of the remission is fixed at $150. In relation to water and sewerage rates levied under the various Acts listed in schedule 2, the amount of the remission is fixed at $75. 'Rates' is defined, for the purposes of declaring the criteria by which ratepayers are entitled to remission of rates and land tax, to include fees payable under the Local Government Act 1934 for the removal of sewerage, contributions payable to the Lyrup Village Association under the Crown Lands Act 1929 and land tax payable under the Land Tax Act 1936, in addition to rates payable under the various Acts listed in Schedule 1. 'Rating authority' is defined to mean the authority to whom rates are payable under the various Acts listed in Schedule 4.

Clause 4 empowers the Minister under proposed new subsection (1), to declare the criteria on which ratepayers are entitled to remission of rates, by Ministerial notice in the *Gazette*. Proposed new subsection (2) fixes the amount of the remission at three-fifths of the rates payable by the ratepayer in respect of his or her principal place of residence (or some lesser proportion where the ratepayer is jointly liable with another person who is not a spouse and who is not entitled to a remission in respect of those rates) or the prescribed sum, whichever is the least. Proposed new subsection (3) provides that a ratepayer who complies with the eligibility criteria, is entitled to the prescribed remission in respect of rates payable under the Acts listed in Schedules 2 and 3 and in respect of rates, fees or charges payable under the Local Government Act 1934 for the removal of sewerage.

Clause 5 provides for the delegation of any of the Minister's functions or powers under this Act.

Clause 6 provides for the amount of the rates remitted to be paid to the appropriate rating authority from Consolidated Account.

Clause 7 excludes the payment of any interest, fine or other penalty in respect of rates that are remitted.

Clause 8 provides that it is an offence to make a false or misleading statement or give false or misleading information in making an application for the remission of rates, punishable by a fine of up to $2 500 or imprisonment for up to three months.

**The Hon. L.H. DAVIS** secured the adjournment of debate.

## HAWKERS ACT REPEAL BILL

Returned from the House of Assembly without amendment.

## FAMILY RELATIONSHIPS ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

## TOBACCO PRODUCTS CONTROL BILL

Returned from the House of Assembly without amendment.

## ADJOURNMENT

At 11.14 p.m. the Council adjourned until Wednesday 5 November at 2.15 p.m.