LEGISLATIVE COUNCIL

Wednesday 26 August 1987

The PRESIDENT (Hon. Anne Levy) took the Chair at 2.15 p.m.

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

QUESTIONS

HEALTH TRANSPORT

The Hon. M.B. CAMERON: I seek leave to make a brief explanation before asking the Minister of Health a question about transport for the disabled.

Leave granted.

The Hon. M.B. CAMERON: I got the impression from the Minister's reply to my question yesterday that he was going to march into Flinders Medical Centre and seize the person responsible for allowing the 73-year-old man to catch a bus in his pyjamas. But that really was not the point of what I was asking. I used that example to highlight a widespread problem of patient transport, and it is not only in the area of hospital transport but it extends to the transport of the disabled.

I will give two more examples to perhaps persuade the Minister that the problem lies as much with him and the Health Commission as it does with the hospitals. The first involves 15-year-old Quentin Jones, who became a quadriplegic following an accident in January this year. He has little use of his arms and relies on an electric wheelchair. I received a letter from his mother, Mrs Ann Jones, who is concerned that her son is not eligible for Access Cabs because he is under the age of 16. She says in part (and I am quite happly to make the full contents of the letter available):

> We have been told that he may use the Access Cab provided we pay the full fare. This does not seem at all just to us as we feel 'Adult' people have the opportunity to use this service both for appointments of a medical nature and for social occasions, yet our son is not entitled to use the service with subsidy to visit his own dentist, for example.

Quentin is a large young man and Mrs Jones cannot lift him in and out of her car and his wheelchair by herself. This makes it very difficult to organise outings and, as the Minister can understand, is most inconvenient. The family lives at Hamley Bridge, but they do not expect the cabs to run a service to their home. They merely feel they should receive a subsidy for their trips in Adelaide.

The second example involves Mrs Margo Doubleday and her son Jonathan, who was in a coma for eight weeks after an accident in 1984. Jonathan used to attend Payneham Rehabilitation Centre and showed a definite improvement due to therapies there, but now there is no transport supplied by Payneham and it would cost $36 a day to send him. Both Mrs Doubleday and her son are pensioners and cannot afford this. They are entitled to 10 trips a month in Access Cabs, but that is effectively five return trips. Mrs Doubleday sends her son for private hydrotherapy treatment once a week which she says is necessary; otherwise, he would 'cripple up'. This costs $19 per half hour and $9 return for an Access Cab. Her son, a former keen footballer, also watches the football whenever she can afford to send him and meets with a local group of young people once a fortnight. The 10 Access Cab trips a month are obviously inadequate, although very much appreciated.

Mrs Doubleday says that she is saving the Government more than $55 000 per year by keeping her son at home rather than in an institution but feels that he is condemned to being a prisoner because of the prohibitive costs of transport. The Paraplegic and Quadriplegic Association of South Australia shares my concern about the problem of transport for the disabled. It is clear that there are serious deficiencies regarding transport for both hospital patients and the disabled that need urgent attention.

My question is: will the Minister ensure that proper access to transport is restored immediately to people who clearly cannot afford the constant drain on their resources that exists at the moment because of transport?

The Hon. J.R. CORNWALL: Access Cabs were an initiative of this Government, and initially the capital cost came from the Home and Community Care scheme. Twelve special Access Cabs had a capital cost of $300 000. That scheme, as I understand it, is working well. Of course, there will always be questions of eligibility. If anomalies are showing up—and no doubt they will—that is the situation with any new initiative. However, the Access Cab scheme in this city is, by and large, a very good one. I would be perfectly pleased if the Hon. Mr Cameron, instead of rampaging around in this place like an unguided missile, would raise these matters responsibly and bring them to my attention. I am still waiting—

An honourable member interjecting:

The Hon. J.R. CORNWALL:—for the Hon. Mr Davis to shut up. I am still waiting for the Hon. Mr Cameron to give me the details of the matter that he raised yesterday. He has not done that, so his concern was clearly to grandstand, and in that sense he was certainly successful yesterday.

The Hon. L.H. Davis interjecting:

The Hon. J.R. CORNWALL: I was tying bow ties, my son, while you were still in napkins. With regard to patient transport—

Members interjecting:

The PRESIDENT: Order! There is far too much conversation which is irrelevant to the matter in hand.

The Hon. J.R. CORNWALL: With regard to patient transport generally, I am very pleased to be able to inform the Council that on 12 August 1987—some 14 days ago—the Executive Director of the State-wide Health Services Division convened a working party comprising representatives of the major metropolitan hospitals, St John Ambulance Service and Health Commission officers, to examine the current situation concerning the use of St John clinic cars by seven metropolitan hospitals. That was two weeks ago.

Hospital demand for clinic car services, I am told, has reduced considerably in recent months. This may well be due to financial constraints which have been imposed on the hospitals, leading to more careful assessment of patient transport requirements and the use of cheaper alternative means of transport such as taxis. Quite obviously, in that area we need to strike a balance. It is not appropriate for ambulances and clinic cars to be used simply on demand when patients, whether outpatients or inpatients, have access to alternative transport or, in the case of outpatients, are assessed as being fit to use normal transport.

On the other hand, of course, we most certainly never again want to see arising a situation such as that which was reported yesterday. Public hospitals are currently meeting the cost of certain patient transport in accordance with guidelines issued by the Health Commission in September 1980, and it has become apparent that it is an appropriate time to review these guidelines and to give more specific direction to hospital staff concerning the circumstances under which free transport will be provided.

This has been a vexed issue for a number of years. The St John representatives on the working party endorsed the need to review the current guidelines so that they could develop reliable estimates of the future demand for their services and, if necessary, reallocate resources to maintain efficiency and economy of operation. With this objective in mind, they recommended that the guidelines should be completely revised, not only the sections relating to the use of clinic cars. The working party has established a small working group comprising Mr John Rawes of St John, Dr D'Arcy Sutherland of Flinders Medical Centre, Mr Michael Bendyk of Kalyra Hospital, Mr Gary Newell of Royal Adelaide Hospital, and Mr Barry Powell and Mr David Murray of the South Australian Health Commission to review the current guidelines for patient transport and present a revised draft for the working party's consideration by the end of September 1987. The working group met for the first time on 19 August 1987 and will continue to meet each week until it has fulfilled its task.

DRUGS

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question about marijuana links with Adelaide.

Leave granted.

The Hon. K.T. GRIFFIN: On 8 June 1987, the Melbourne *Age* carried a front page report under the heading: 'Marijuana trade thriving in the City of Churches'. That report asserted that since knowledge about Mafia-connected marijuana plantations in Australia first emerged in the early 1970s the significance of South Australia as a drug-growing region has gone largely unacknowledged. The report by Bob Bottom and David Wilson states:

> Today, however, Adelaide is the centre for one of Australia's most intensive and extensive drug investigations by officers from the National Crime Authority, the Australian Federal Police, the Australian Bureau of Criminal Intelligence, and the South Australian Police Force.

The article went on to refer to the arrest of five people, including a high ranking South Australian Police Officer, over a multi-million dollar drug bust. The report also stated:

> The investigations, codenamed Operation Vigilante, stem from a reference given to the National Crime Authority by the State and Federal Governments in April 1986 to examine the drug trade in Griffith, New South Wales. The path has now stretched to Adelaide, Melbourne, and Mildura. In many instances, key figures under investigation are closely linked to the trotting industry in South Australia and Melbourne. The South Australian Police Force has been staggered by the charging of one of its best-known officers over the marijuana bust, in which a big plantation was discovered at Virginia, an outer northern suburb.

There then follows identifying information about the officer to which I will not refer because of the suppression order that is in force. The article continued:

> His arrest on Tuesday, 19 May followed investigations by the National Crime Authority and the South Australian police internal affairs department. The significance of South Australia as a drug centre was originally reported upon in 1980 by a New South Wales royal commission headed by Mr Justice Philip Woodward.

When I was Attorney-General in June 1981 Mr Norm Foster, then a member of this Legislative Council, asked some questions about the Woodward royal commission and the royal commission into the Mr Asia Syndicate. Mr Justice Stewart, now head of the National Crime Authority, was the royal commissioner. The Attorney-General, when shadow Attorney-General, raised questions in December 1980, and in June 1981, focussing on public allegations about a Mafia-type organisation operating in Adelaide and having links with similar bodies in other States, particularly in the Griffith area.

At about the same time it appears that the Honourable Mr Sumner was given by Mr Al Grassby, then Commissioner for Community Relations, two documents criticising the Woodward royal commission's findings that anti-drugs campaigner Donald Mackay's disappearance was a murder organised by the Mafia, and alleging that his disappearance was the product of his own family's activities—namely, that his wife and son had murdered him.

On the occasion when Mr Sumner raised his questions he quoted extensively from a book by Mr Alfred W. McCoy which trenchantly criticised the Woodward commission's findings, tending to suggest that Mr Sumner also had doubts about the commission's findings. In December 1986, the New South Wales Nagle commission of inquiry into the police investigation of the death of Donald Bruce Mackay referred to the documents as scurrilous lies. That report also said:

> . . . it seems certain that Grassby also gave them [that is, the two documents criticising the Woodward commission's findings] to the then shadow Attorney-General for South Australia, Mr Chris Sumner, in Adelaide on 28 July 1980.

In evidence given to the commission of inquiry, Mr Grassby said that he had in fact given those documents to Mr Sumner and that in doing so he 'would have expected him to have raised the matter of defamation [of Calabrians] in that [South Australian] Parliament, to raise the need again for the fullest possible inquiry into all the matters that were concerning the community'. My questions to the Attorney-General are as follows:

1. Was the Attorney-General given documents by Mr Grassby with a request that the matters referred to in those documents refuting the Woodward commission's findings be raised in the South Australian Parliament?

2. Was that the reason for asking questions in Parliament in 1980 and 1981 which raised doubts about the Woodward commission's findings that South Australia was an important link in the national drug trafficking scene?

3. Does he now refute the criticisms of the Woodward Royal Commission in relation to the murder of Donald Mackay and acknowledge that South Australia is a significant centre linked with interstate criminals in the drug trade?

The Hon. C.J. SUMNER: The questions raised by the Hon. Mr Griffin, as he well knows, were referred to the National Crime Authority by the Premier of New South Wales, when the Nagle Royal Commission findings were tabled in New South Wales, in which findings Mr Grassby was criticised—I suppose that would be the word—for having given a certain document to Mr Mair, who was a State member of the New South Wales Parliament at that time. As those matters have been referred to the National Crime Authority by Mr Unsworth—and the honourable member can presume that the matters are being inquired into by the National Crime Authority—it is not possible for me to comment on the matter raised by the honourable member, except to say (and I am authorised to say this by the Chairman of the National Crime Authority) that I have provided assistance to the authority in a certain matter by way of evidence, but it is not possible, because of the NCA Chairman's rulings on confidentiality in the interests of fairness and propriety to persons under investigation, for anything more to be said about the matter.

As the honourable member knows, National Crime Authority inquiries are confidential. They are carried out, as they must be, with a degree of confidentiality, to ensure that all persons being investigated are given proper treatment and treated fairly. So, I am not in a position to comment on any matters relating to the National Crime Authority or indeed any investigations relating to it. The

honourable member knows, from the public record, that the finding of the Nagle committee, which alleged and found Mr Grassby to have done certain things, was referred to the National Crime Authority following the matter being raised in the New South Wales Parliament by, I understand, the Leader of the Opposition in New South Wales, Mr Greiner. I am not authorised by the Chairman of the National Crime Authority to say anything more about any of those matters, except that I have assisted the NCA by providing evidence in a certain matter. Because of the constraints placed on me and indeed on anyone else who appears before the NCA, it is not possible for me to say anything more about that matter.

The Hon. K.T. GRIFFIN: As a supplementary question, in light of the Attorney's answer, is he applying that constraint to each of the three questions to which I referred: first, was the Attorney-General given documents by Mr Grassby with a request that matters referred to in those documents refuting the Woodward commission's findings be raised in the South Australian Parliament; secondly, was that the reason for asking questions in Parliament in 1980 and 1981 that raised doubts about the Woodward commission's findings that South Australia was an important link in the national drug trafficking scene; and, thirdly, was it the reason for the criticisms of the Woodward royal commission in relation to the murder of Donald Mackay? Further, I took his answer to relate to the fact that South Australia is a significant drugs centre link with interstate criminals in the drug trade.

The Hon. C.J. SUMNER: It is a little bit difficult to know just what the constraints placed on the Chairman of the National Crime Authority in respect of that matter. I do not think I am in a position to comment on the first or the second questions in light of the constraints that are placed upon me. With respect to the third question as to the Woodward commission's findings, clearly they indicated connections between the Griffith marijuana growing community and persons in Adelaide. That was never disputed by me or, indeed, as I understand it, by the Hon. Mr Griffin, who was asked the questions at the time. However, the point was (and this was the point that Mr McCoy made at the time) that the Woodward royal commission had in fact concentrated on marijuana—growing, and had concentrated on one particular group in the community, namely the Italian community, to the exclusion of other serious matters. In relation to the Woodward royal commission, that was the gravamen of the criticism raised at the time by Mr McCoy, who was, I believe, an academic at the University of New South Wales. I believe that Mr McCoy had considerable experience in issues of organised crime and, in particular, issues of drug trafficking in Asia and in Australia.

It was those criticisms to which I referred in 1980, as I recall. It is also worthwhile remembering that the Federal Court of Australia, at that time chaired by Mr Justice Fisher, in a deportation case also found that the evidence in relation to one of the persons mentioned by the Woodward royal commission as being someone who was connected with the so-called Griffith mafia, was not sufficient to justify his deportation. It was not only Mr McCoy who was critical of some aspects of the Woodward royal commission, but also that criticism extended impliedly in a case that Mr Justice Fisher heard relating to a particular individual who was to be deported. The honourable member will know—and he will certainly know from the question that I asked in 1981—that there was an extreme concern in the South Australian Italian community about the articles that were published at the time about allegations of so-called mafia involvement in South Australia. The honourable member will recall that I raised those questions in Parliament. Indeed, it is worthwhile noting that the Premier at the time (Mr Tonkin) agreed with me, and it is worthwhile noting also that at the time the Hon. Mr Griffin agreed with me in the questions that I put to this Parliament in 1981.

I was concerned, just as the Hon. Murray Hill was concerned at that time as Minister of Ethnic Affairs (and he is nodding in assent), about the notion that the whole Italian community was being branded by certain allegations which, at that stage, were unsubstantiated and which were a series of allegations in the Adelaide *Advertiser*.

The Hon. Mr Griffin will recall that I asked a series of questions about those allegations, and he made certain inquiries. In fact, he gave me a private briefing on them. Subsequent to the questions he gave me a private briefing on them. The reality was that, as to some of the allegations, he was not able to be specific in the briefing, as I understand it. Some of the allegations, he said, were probably correct; some they did not know about, and some, as I recollect from seven or eight years ago, were probably not correct. So, it was in that context that those questions were raised.

In regard to what I understand to be the honourable member's final question, that is, whether South Australia has connections with international drug rings, that was certainly the finding of the Woodward royal commission at least with respect to the marijuana trade. The honourable member referred to an investigation that has been carried out by the NCA. I am not sure whether that has been made public previously, but I do not believe it has been stated in this Parliament, but the honourable member has made it public—

The Hon. K.T. Griffin interjecting:

The Hon. C.J. SUMNER: Well, it was published in the *Age*. I am not sure that that announcement emanated from the NCA. Nevertheless, the honourable member seems to know that there is such an inquiry going on and that it is code named 'Vigilante' and he has referred to it.

The Hon. K.T. Griffin: I referred to the Melbourne *Age*.

The Hon. C.J. SUMNER: The honourable member referred to the Melbourne *Age*, and has made that assertion. All I am saying is that the NCA in general does not comment one way or the other on these matters, and does not confirm or deny whether an investigation is proceeding for the sorts of reasons that I have outlined; namely, that it can be grossly unfair to individuals who may be the subject of investigation and then, following which, no complaints or charges are laid.

I would have thought that the honourable member would have agreed with that approach. Nevertheless, he has announced in Parliament that the NCA is conducting an inquiry into South Australia and has given the inquiry's code name. All I can say is that the South Australian Government has cooperated fully with the NCA with regard to any such inquiries, and I presume, although I have no up-to-date information, that those inquiries are proceeding. In general terms, the South Australian Government has been briefed and, further, I understand that what the honourable member says about the inquiry by the NCA in South Australia also appeared some months ago as a speculative piece in the *News*. As I say, it is a matter for the honourable member to approach the NCA to confirm whether or not this inquiry is proceeding.

The Hon. K.T. Griffin: Will you consult with the Chairman to the extent that you can answer those questions?

The Hon. C.J. SUMNER: I have. What the NCA Chairman indicated is what I have outlined to the Council, namely, that I assisted the NCA in its inquiries by providing evidence in a certain matter. It is not possible to say any-

thing more about the matter because of the restrictions as to confidentiality and, for reasons of fairness and propriety, as to persons under investigation by the authority, the Chairman has made those directions. They are made pursuant to the National Crime Authority Act provisions that were put into the Act for very good reason; namely, to protect people from unfair and unjust accusations and innuendos as to what they might be investigated for by the NCA.

SURVIVAL IN OUR OWN LAND

The Hon. M.J. ELLIOTT: I seek leave to make an explanation before asking the Attorney-General, representing the Premier, a question about the book *Survival in Our Own Land.*

Leave granted.

The Hon. M.J. ELLIOTT: The fate of this publication is presently causing a great deal of concern in the Aboriginal community. A number of issues appear to be involved. The Aboriginal people very much see this book as being their book, involving as it does the history of the Aboriginal people over the last 150 years. People had contributed information including photographs, etc, towards the compilation of that book on the clear understanding that the publication was to be produced by the Government. Consequently, they had put their faith and trust in the Government in publication of that book.

The Aboriginal people have a number of concerns. First, they question the quality of the publication, which is a very important publication for the Aboriginal community of South Australia. Secondly, they are concerned about the long-term fate of this book. They are afraid that the handing over of the book to Wakefield Press, if it is reprinted, may involve considerable alteration to it and that the book will no longer be their book and their story but will be subject to changes at the whim of the publisher. Thirdly, as the Government has been so good as to spend approximately $94 000 on the publication of the book, they would have liked to give something back to it in return. The Aboriginal people were hopeful that this book would be a success and that any return from it would have gone to the Government. In that way they would be able to help overcome the impression that Aboriginal people are dependent upon handouts. That is something that they are not happy to see.

I wish to refer to letters which were written by the Premier and which were published in the *Advertiser.* The first letter was published on Monday 17 August 1987. In it the Premier said that a letter written by Christobel Mattingley, the book's editor, contained some inaccurate and bizarre accusations which needed correction. The Premier said:

> There has been no breach of faith in production of the book *Survival in Our Own Land.* On the contrary, the Government had paid $54 000 for Mrs Mattingley to produce the book and has borne the major production costs (approximately $40 000). The commitment to produce this book, made by the Jubilee 150 Aboriginal Committee, has been maintained despite delays Mrs Mattingley has experienced in producing the final script and index.

The Premier talked about breach of faith. Yet, as I have said, the Aboriginal community has said to me that it put its faith in the Government and it believed that the Government would handle the matter in a particular way. The mention of $54 000 may be misleading. That was an amount of money that Mrs Mattingley received over a period of four years full-time work. She is not receiving any royalties, nor does she want any royalties from that book. The Premier has tried here—as he has on other occasions—to suggest that delays are entirely at the feet of Mrs Mattingley. There are other facts that suggest otherwise. The Premier went on to say:

> The Government also has had a contract for publication of the book drawn up which allows for a proportion of royalties from a second edition to be paid by Mrs Mattingley to an organisation which can promote the publication of writing by Aboriginal people. Unfortunately, Mrs Mattingley has not yet signed this contract.

I am told that the Premier has not said that the suggestion that all royalties should go to such an organisation to promote publication of Aboriginal works was her own idea and that of the Aboriginal community and that in fact she did sign a contract on 11 July. The information that I have received is that the Premier's Department wished to sign the contract, but that it did not do so. The Premier said that Mrs Mattingley had not signed the contract. In fact, a contract was signed.

The Hon. C.M. Hill: Can't you hurry it up a bit. You'll get someone calling 'Question' on you.

The PRESIDENT: Under Standing Orders anyone can call 'Question' at any time, and that will cease the explanation. I suggest that, if people wish to stop an explanation, they employ that method.

The Hon. M.J. ELLIOTT: The Premier said:

> Government officers and the *Adelaide Review* have spent considerable time with Mrs Mattingley, attempting to resolve her concerns, but she is persistent in her ill-informed campaign.

I am told that the Premier has not mentioned the fact that many times members of the Aboriginal community have approached the Premier to speak with him and that he has consistently refused to see them. The delays quite clearly rest with the Government and not with the Aboriginal people and Mrs Mattingley.

I have also been informed that George Mulvaney, former head of the Jubilee 150 Board, recommended that that book and three other titles stay with the Government Printer. I believe that the three other books did remain with the Government Printer, but that for some reason the Government did not keep *Survival In Our Own Land* with the Government Printer. I ask the following questions:

1. Is it correct that Mrs Mattingley did indeed sign a contract on 11 July, contrary to the Premier's assertion in his letter?

2. Is it correct that Mr Mulvaney recommended that the book remain with the Government Printer and that three other books did, whereas that one did not?

3. Is it correct that the Aboriginal community would like the book to remain with the Government Printer but the Government refuses to do so?

The Hon. C.J. SUMNER: I will refer the question to the appropriate Minister and bring back a reply.

COUNCIL DEVELOPMENT CORPORATIONS

The Hon. C.M. HILL: I seek leave to make a brief explanation before asking the Minister of Local Government a question about council development corporations.

Leave granted.

The Hon. C.M. HILL: In the latest edition of the Local Government Association's publication *Council and Community*, there is a lengthy article on the subject of development corporations. The author is Mr Jim McDowall, who I understand is the Employment Development Officer at the City of Port Pirie. In this article Mr McDowall explains the establishment of the Thebarton Development Corporation and why he recommends the establishment of similar corporations to other councils. At the end of this article, under the heading 'Conclusions', the following appears:

The events preceding the demise of the Thebarton Developments Corporation were entirely political in nature and should not be interpreted as anything more than a loss of faith in the capacity of the corporation model to achieve council's redevelopment objectives. Indeed, even those redevelopment objectives are now subject to critical review.

Nevertheless, the model remains a viable structure in which local government in Australia may take a leading hand in the development process of its municipality. The establishment of a company such as TDC, able to act within the private sector commercial environment in the interest of council, will prove a major factor in meeting the challenges that face local government in the forthcoming decade.

My questions are: is it the Minister's intention to approve any further proposed development corporations? If not, will she formally advise the Local Government Association so that it can publicise her decision and her reasons for it?

The Hon. BARBARA WIESE: First, I would have to disagree entirely with the remarks that have been made by the author of that article in relation to the reasons for the demise of the Thebarton Development Corporation. I think that I have canvassed that issue quite extensively in this Parliament. Primarily, the problems associated with the Thebarton Development Corporation related to the structure of the organisation, the non-compliance with the original approval and other matters.

It was the council's decision to wind up that corporation and to use a different method, namely, a committee structure to encourage various schemes of development within the Thebarton council area so that it would be able to meet its objectives by using a different vehicle.

As far as development corporations generally are concerned, it is certainly not my intention at this point to approve of any other development corporations. I do not have any applications before me requesting such approval, and I point out, as I have already pointed out with respect to the statement that I made on the Thebarton Development Corporation, that this whole issue is being discussed with local government in association with the other rating and finance provisions of the Local Government Act and the amending Bill which I intend to introduce during this session.

The provisions of the Act relating to the types of vehicles that should be available to councils for meeting economic development objectives are the subject of discussion with local government because the current provision in the Local Government Act may not be appropriate and may need amending. We are talking about those issues now. Members of this Parliament will be able to have an input into the discussion when the Bill is introduced into Parliament. Until then I do not intend to approve any further Development Corporation applications. As far as I am aware, none is likely to be made, anyway.

WOMEN'S CRICKET SCHOLARSHIPS

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking a question of the Minister of Tourism who, I understand, represents the Premier in this place on matters affecting the status of women.

The Hon. Barbara Wiese: No, the Attorney-General represents the Premier.

The Hon. DIANA LAIDLAW: The Attorney-General is not present. The subject is scholarships for women cricketers.

Leave granted.

The Hon. DIANA LAIDLAW: I think the Minister of Tourism may like this question and could well respond on behalf of the Government.

An honourable member: She needs an easy question, after the last one.

The Hon. DIANA LAIDLAW: This is not an easy one. The *Advertiser* gives prominence today to the fact that women cricketers will not be given scholarships next year at the Australian Institute of Sport Cricket Academy in Adelaide. The article notes that the Australian Cricket Board General Manager (Graham Halbish) said yesterday that the academy would be 'unashamedly elitist'. Apparently, between 12 and 20-full time scholarships are to be available to men in January next year, but female involvement would be restricted 'to the odd national training camp'.

The Australian Cricket Board, according to the General Manager, believes that it is too early for women to be involved in the scholarship program. 'They are just starting to get good'—not only does that not make sense in terms of the English language but it also appears that the Australian Cricket Board does not appreciate the fact that the Australian women cricketers are currently world champions; that they also hold the World Cup title for one day cricket; and that the year before last they won the five match series against England and all three one-day matches that year, and last year retained the Shell series against New Zealand. The Australian Women's Cricket Council Executive Director, Mr Sneddon, responds in this article as follows:

We thought we might, as world champions, be invited to the program there. But they (the ACB) continually throw back at us that they've got half a million players and we have five to six thousand.

But there has been an enormous increase in the skills and standard of women's cricket in the past three or four years. It's going ahead in leaps and bounds. I would very much like to see some sort of official approach made about being accommodated at the academy.

I therefore ask the Minister whether she believes that it is acceptable that the Australian Cricket Board is determined to pursue its 'unashamedly elitist' policy and if not, will she call upon the Government to pursue the request by the Executive Director of the Australian Women's Cricket Council for an official approach to be made to the Australian Institute of Sport Cricket Academy in Adelaide to ensure that women cricketers are not denied opportunities for full-time scholarships from next year?

The Hon. BARBARA WIESE: I do not think that this matter really falls within my areas of responsibility or in my responsibility as representing Ministers in another place, and I am not sure whether it should be more appropriately directed to the Premier as Minister responsible for women's affairs or to the Minister of Recreation and Sport. However, my personal view is that it is quite unreasonable that the Australian Institute of Sport will not provide scholarships for women to play cricket, and I shall certainly take up the matter with whichever Minister is appropriate to see whether proper representations can be made to the people concerned at Federal level.

The PRESIDENT: Perhaps I could say that it is not my area of responsibility, either, but I agree with every comment that both of you made.

RU RUA NURSING HOME

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the Minister of Health a question on the subject of Ru Rua Nursing Home.

Leave granted.

The Hon. T.G. ROBERTS: In view of the public disquiet created by statements in the shadow Minister's speech recently and by some articles in the *Advertiser*, can the Minister give me an up-to-date report on the steps being

taken to accommodate the present residents of Ru Rua in suitable community-based accommodation?

The Hon. J.R. CORNWALL: I shall be very pleased to do that, and I think that I should very briefly take up the time of the Council to explain the full background of the situation. Ru Rua Nursing Home, of course, is the old Estcourt House. It has the capacity to accommodate 100 severely and multiply disabled residents. The intellectually retarded persons project, which was established by the Tonkin Government, reported in 1982, and in addressing the future accommodation needs of the residents of Ru Rua recommended the upgrading of services to residents. In particular, it was recommended that the existing beds for totally dependent people at Ru Rua be strategically placed within the community over a period of five years and that no new admissions to Ru Rua Nursing Home should be accepted after December 1982. That was the situation which I inherited when we came back into Government at the end of 1982.

We had to be at pains to ensure that the very considerable nursing home funding for Ru Rua, which came from the Federal Government, was protected in any move to deinstitutionalise, and that took quite some negotiation, both with the Fraser Government, in its terminal stage, and the then Minister and with the first Hawke Government. It took what seemed to me—despite my reputation as a very patient man—to be an unconscionable time.

Early in 1986, I established a task force to examine Ru Rua deinstitutionalisation issues. Included among the range of issues to be addressed by the task force were the operating and capital funding requirements of devolving the residents of Ru Rua into suitable community-based accommodation. After a detailed analysis of staff roster arrangements and goods and services requirements for a typical group home, and taking into account offset savings as a result of the gradual decommissioning of beds at Estcourt House, amounts of $200 000, $200 000 and $253 000 were proposed in successive financial years (commencing 1987-1988) to achieve the full devolution from Estcourt House. This estimate was based on a premise that 23 group homes would be needed to accommodate a total of approximately 100 residents, that is, about four to five residents to each home. This proposal was for operating funds only. It is based on the assumption that capital funding needed to purchase and refurbish suitable community-based accommodation can be obtained through the proceeds of the sale of Estcourt House and adjoining land. It is a very fine and, I believe, valuable property.

The proposal as described was put to the Health Commission's Executive in June 1987 and accepted. However, no specific source of funding was agreed. On 7 July 1987, IDSC was advised by the then Executive Director, Central Sector, that funding for this project would have to be found through a combination of: South Australian Health Commission Initiatives funding; Ru Rua operating funds allocation; and reallocation from within the IDSC global allocation. That is the current situation. The Director of Ru Rua has advised that the devolution process has already commenced. Four houses have been purchased, one in the south at Brighton and three in the north at Brahma Lodge, Salisbury North and Paralowie.

The Brighton house will be commissioned in October, the Brahma Lodge house in November and the Salisbury and Paralowie houses in December. Each accommodates four people, and has between six and seven full-time equivalent staff per house, according to the level of care required. It is now envisaged that a total of 25 community houses will be required to accommodate about 100 residents. The commission schedule proposed by IDSC is: 1987-88, five houses (four already purchased); 1988-89, nine houses; and 1989-90, eleven houses. That is a three-year program. In addition, four van-type vehicles have been ordered for each of the houses being commissioned between October and December. Although this was not allowed for in the proposal endorsed by the Executive, it has always been considered by IDSC that one vehicle per household would be required as part of the devolution program.

With regard to funding, the Health Commission has made available to Ru Rua in the 1987-88 fiscal year a recurrent allocation of $4.118 million. The funding has in fact been maintained very close to real terms. In addition, and this is important, the South Australian Health Commission will make available $160 000 in each of the three years commencing 1987-88 to enable devolution of Ru Rua to occur, so that program has already started. One hopes that by near the end of the 1989 calendar year, certainly by the end of the 1989-90 financial year, the devolution will be complete. It is the intention that at that time, Estcourt House the current home of Ru Rua, will be available for sale.

PARLIAMENT HOUSE TELEPHONES

The Hon. I. GILFILLAN: I seek leave to make a brief explanation before asking you, Madam President, a question about telephones.

Leave granted.

The Hon. I. GILFILLAN: In 1984 I asked the President of this Council (Hon. Arthur Whyte) whether he would arrange for the 008 facility to be available for South Australians living outside the metropolitan STD area who do not have an opportunity to ring their elected representative at Parliament House on a basis equivalent to that of residents in the metropolitan area. He replied that although he was sympathetic to the suggestion the switchboard could not accommodate that facility, but that as there was to be new equipment installed soon he hoped that it could then be done.

I believe that all members support me when I say that every South Australian should have an equal opportunity to ring Parliament House to speak to their member. Therefore, Madam President, could you take the steps necessary to have the 008 facility, which incorporates a no charge for the caller facility, made available for the Parliament House switchboard? Also, it has come to my notice that when someone dials the old Parliament House number (211 8855) that number rings. There are probably many people in South Australia who do not realise that we have had a number change. I think that Telecom has been quite thoughtless in not having a recorded message put into the system. Will you ask Telecom to have this message put into the system to inform those who dial the old number in error that that number has been changed?

The PRESIDENT: When the new telephone system for Parliament House was being considered I made inquiries about having an 008 facility. On investigation it was found that that facility would be extremely expensive to operate, and a decision was made that it would be preferable to inform people that, if they rang Parliament House and said they wished to speak to a particular member and left a message to that effect, the member could ring them back. Of course, all members' telephones in Parliament House have an STD facility, so members are able to return such calls thereby preventing undue expenditure for people in remote areas who wish to speak to their member of Parliament. The advice given to me was that that would be

cheaper than providing the 008 facility. I have been advised that there is, in fact, a recorded message for those who call the old Parliament House number. I have not checked that assertion but will do so and, if that is not the case, I will raise the matter with Telecom.

The Hon. I. GILFILLAN: Your answer, Madam President, in relation to the 008 facility seems a reasonable one. Could you ensure that the media takes particular interest in this matter and publicises the availability of this facility so that South Australians in rural areas will know of it?

The PRESIDENT: I have no control whatsoever over what parliamentary proceedings are reported in the media. I am sure that the member is well aware of my lack of control in this matter.

ESTATE AGENTS

The Hon. J.C. IRWIN: I seek leave to make a brief explanation before asking the Attorney-General a question about estate agents.

Leave granted.

The Hon. J.C. IRWIN: My attention has been drawn to a matter relating to estate agents who practise in Victoria and in other States. I will refer to two letters, one from the Estate Agents Board of Victoria and the other from Elders Real Estate, a division of IXL who are managers of real estate in Victoria and the Riverina area. Can the Attorney-General say what is the situation in relation to South Australians, particularly those living in areas such as Edenhope, Mildura, Nelson, Bordertown and areas along the South Australia-Victoria border? To provide some background, I will quote from a letter sent by the Victorian Estate Agents Board dated 15 July 1987, relating to the Victorian Estate Agents Act 1980, border agents and principal/branch offices interstate, which states:

I wish to advise that the board has, for some time, been giving consideration to the complex issues which arise with respect to estate agents who practise both in Victoria and interstate. Through its solicitor, the board determined to brief senior and junior counsel to advise on a number of issues which may affect such agents. Counsel's advice has now been received, the advice being tabled before the board at its meeting on 29 June 1987. The main points arising from the advice are as follows:

1. A Victorian licensed estate agent carrying on business in Victoria must have a principal office in Victoria.

2. A Victorian licensed estate agent carrying on business in Victoria may not have a branch office (as provided by the Estate Agents Act 1980) interstate.

3. Moneys received by an estate agent in Victoria, in relation to the sale of either a Victorian or an interstate property, must be banked in Victoria.

Such moneys cannot be transferred interstate, or taken out of the trust account until the agent is required to 'account' pursuant to section 59 (1) *(b)* (i).

4. An estate agent dealing with interstate property in Victoria must comply with Victorian estate agency procedures.

I will not read points 5, 6 and 7. The letter continues:

8. Where an estate agent who carries on business in Victoria and interstate employs a sub-agent it is required that the sub-agent be employed on a full-time basis by the estate agent in Victoria. It is a question of fact in each case whether a sub-agent operating in part outside Victoria satisfies this requirement.

The board directed that I [N.P. Dalton, Chief Executive Officer of Elders IXL] write to agents known to be affected, should the board accept the advice, setting out the main points of the advice and inviting submissions on its terms. Such action has now been taken.

I now quote from a letter from Elders IXL.

The PRESIDENT: Order! I draw the attention of the honourable member to the time. We have now come to the end of Question Time—unless the Council grants the honourable member time to finish his question.

The Hon. C.J. Sumner: Ask the question.

The Hon. J.C. IRWIN: All right—but it will be incomplete, because it really needs to tie up with what was stated in the Elders IXL letter. I simply ask the Attorney-General the following questions:

1. Do we have a similar Act in South Australia in relation to border agents, principal branch offices interstate?

2. Will the Attorney consult with the Victorian Attorney-General to ensure that the industry and persons affected in this State are consulted by the Victorian Government?

3. Do we in this State have any input to what is known as the Border Anomalies Committee, which is mentioned in the Elders IXL letter?

The Hon. C.J. SUMNER: I will take the question that the honourable member has asked, together with the correspondence that he has referred to in his question, and bring back a reply as soon as I can.

MEMBER'S LEAVE

The Hon. M.B. CAMERON (Leader of the Opposition): I move:

That six weeks leave of absence be granted to the Hon. J.C. Burdett on account of absence overseas on Commonwealth Parliamentary Association business.

The PRESIDENT: The motion does not indicate when this six weeks will start.

The Hon. M.B. CAMERON: From today.

Motion carried.

ELECTORAL ACT AMENDMENT BILL

The Hon. K.T. GRIFFIN obtained leave and introduced a Bill for an Act to amend the Electoral Act 1985. Read a first time.

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

That this Bill be now read a second time.

It seeks to return South Australia to the company of the major democracies of the world to provide for voluntary voting at State elections. The Bill reflects the Liberal Party's attempts to amend the Electoral Act early in 1985, reflects the policy of the Liberal Party at the 1985 State election supporting voluntary voting, and returns to this Parliament the Bill I introduced in the last session, when time did not allow debate on it. The right to vote is a precious right, and is the basis for any society to be democratic.

In many democracies such as the United States of America, the United Kingdom, France, West Germany, and Canada, and in smaller democracies such as New Zealand, the right to vote has been accompanied by a freedom to choose whether or not to exercise that right by attending at a polling booth, obtaining a voting paper, marking it, and placing it in a ballot box. In countries like India there is no compulsion to vote. Even in the Philippines when voting recently on the new Constitution, voting was not compulsory. What makes Australia different?

The Hon. C.J. Sumner: List the compulsory ones.

The Hon. K.T. GRIFFIN: There are not very many at all, you know.

The Hon. C.J. Sumner: There is a good number.

The Hon. K.T. GRIFFIN: There are not very many at all.

The Hon. C.J. Sumner: Italy is one of them, isn't it?

The Hon. K.T. GRIFFIN: Well, Italy is one of them.

The Hon. C.J. Sumner: Yes, but you are saying it is not a major democracy.

The Hon. K.T. GRIFFIN: I'm not saying anything of the sort.

The Hon. C.J. Sumner: With 65 million people.

The Hon. K.T. GRIFFIN: I'm not saying that it is not a major democracy.

The Hon. C.J. Sumner: Well, that's what you said.

The Hon. K.T. GRIFFIN: Well, you ought to listen and you might learn something.

The Hon. C.J. Sumner: You want to return us to the major democracies you said.

The PRESIDENT: Order!

The Hon. K.T. GRIFFIN: You are just embarrassed because you do not want voluntary voting—that is the problem. In countries like India there is no compulsion to vote; even in the Philippines voting undertaken recently on the new Constitution was not compulsory. What makes Australia different?

Australia is a small minority of western democracies where compulsory voting is the law. In South Australia, voting has been compulsory for 40 years, although enrolment remains voluntary. In countries with voluntary voting, there is no doubt that candidates and Party machines are more active in endeavouring to persuade the electors to go to the polling booths, and to vote for them. The carriage of voters to the polling booths is well organised. In countries like New Zealand and the Unites States of America, the membership of political parties is significantly higher because of the need to have active supporters prepared to give a higher level of commitment to get voters to the polls than under a compulsory voting system. In an article in *The Bulletin* of 13 November 1984, Don Aitkin, writing on the subject of compulsory voting, said:

> Compulsory voting in Australia has for 60 years removed the need for the Parties to get out the vote on election day, to canvass every household, to do the dozens of labour intensive things with which Parties in other countries have to contend. So Australian political Parties have small memberships, mostly because they do not need large ones. As a result, the Parties have become career structures for the politically active. Those already in the Parties do not want hordes of new members pouring in—they would only disturb existing arrangements.

Mr Aitkin says that, on the basis of the most generous allowances, somewhere between 250 000 and 300 000 Australians belong to political Parties which represents about 3 per cent of the electorate. He compares that with the British figure which used to be about 12 per cent, although it has fallen a little in recent years. He goes on to say:

> A safe national figure for A.L.P. membership is 50 000. The Liberals probably have half as many again, the National Party at least twice as many. It is a bizarre picture. The governing Party has a smaller membership than its rivals, yet it is the Party which talks of its historic role in representing the Australian spirit and makes much of participation.

All this will change with voluntary voting. Then, electors will have to want to exercise the power given to them in casting their vote, and be prepared to make the effort to do so. They will have to be convinced about policies and personalities. There is no doubt that voluntary voting will enhance the political process in South Australia and Australia as it has done in democracies where the freedom to choose whether or not to vote is recognised.

Those who argue in favour of compulsory voting argue that it is a citizen's duty to vote, and that there will be a true reflection of community will on polling day when everyone is compelled to vote and to express a view. That is naive, and is very much a contradiction of the essential principle of a democratic society, namely, freedom to choose.

Even spending $2 500 000 of taxpayers' money at the recent Federal election on a voter education campaign resulted in a 7 per cent informal vote in South Australia. So much for a reflection of community will. In respect of the recent Italian election where there is compulsory voting, it is interesting to note that the turnout was about 88 per cent, so that about 12 per cent of the electors entitled to vote under a compulsory voting regime in Italy did not turn out to vote.

In the recent U.K. election, the voter turnout under a voluntary system was 75.4 per cent. In Japan in 1986 where voluntary voting exists, the voter turnout was 71.4 per cent. In other countries where there is voluntary voting, the turnout of voters was high: in Canada's National election in 1984—76 per cent; in West Germany in 1985—84.3 per cent; in the U.S. Presidential election in 1984—53.3 per cent; in the Netherlands in 1986—85.7 per cent; and in Sweden's most recent elections—90 per cent.

The right to vote should be taken seriously, but there is no reason to make it a dull, boring and onerous responsibility under pain of penalty for not attending at the polling booth and marking one's name off the list. Voluntary voting will add some spice to the electoral process. Voters will have to be convinced about the need to vote and the candidate to vote for. We already have voluntary enrolment in South Australia although, regrettably, that does not follow through to the Federal arena. While some would argue that people should be compelled to exercise that right as the price of being part of a democracy, that is, as I have already said, a blatant contradiction in terms. A democracy allows freedom of choice, but in South Australia the State is denying that choice.

It is all very well for people to argue that, technically, the only obligation of an elector is to go to the polling booth and have one's name marked off the roll after collecting a ballot-paper which need not be completed, but that is to split hairs and does not do justice to the debate. While some politicians regard this semantic argument as a serious assessment of the present situation, it ignores the substance of the issue of compulsion. Some who argue against freedom of choice see great harm in allowing political Parties to organise transport to polling booths. Some opposed to freedom of choice in voting argue that transporting people to the polls allows undue influence to be exerted, but that is not a justifiable criticism because that may occur now under the present system of compulsory voting. The answer is to provide heavy penalties for breaches of the electoral laws and to ensure in the electoral laws that such undue influence is proscribed.

Two recent public statements, one by a former Federal Labor member (James McClelland), and one by the new Federal Leader of the Australian Democrats (Senator Haines) suggest that the ALP and the Australian Democrats may be rethinking their entrenched positions on this issue. In the *Sydney Morning Herald* of 12 June 1987, Mr McClelland said, in the context of the recent Federal election campaign:

> The expensive propaganda campaign, including full-page advertisements in the metropolitan dailies, urging people 'to give apathy away' and enrol for a vote, which has been conducted by the Federal Government in recent days, is worthy of a little scrutiny. Was it motivated by pure, unsullied devotion to the democratic principle of maximising the exercise of the right to vote, or was there a more political objective?
>
> I make bold to suggest that the thinking behind it was that most of the apathetic, those who have to be urged to exercise their right to vote, will, if they bother to get their names on the roll, be more likely to vote for Labor than for any of the other Parties. The privileged, the educated, the holders of strong opinions can be relied on to vote. They welcome the chance to defend their possessions or their beliefs.
>
> But what of the underprivileged, the two million or so estimated to be living below the poverty line? A lot of them feel anger at their plight and would like to see it improved. But probably just as many feel merely hopeless and lack faith in amelioration at the hands of any of the political Parties. It has always been an

article of faith in Labor circles that those at the bottom of the heap have nowhere else to go but to vote Labor.

But, first, you have to get their names on the roll and then, the thinking goes, the fear of a fine for not voting will make them vote—to the benefit off Labor. That is why Labor has usually been stronger than non-Labor in its support of compulsory voting. But perhaps their assumptions are beginning to become a little outdated by the changing public perceptions of the role of the traditional parties.

He went on to say in relation to the introduction of compulsory voting at Federal level:

It is suggested that it was introduced not to honour some great democratic principle but as a contrived fix to make life easier for politicians by relieving them of the task of persuading the apathetic to vote at all.

Mr McClelland then makes some observations on the effect of compulsory voting. He states:

Has it had the effect of making Australia a more democratically-governed country than Britain or the United States to whom it has never occurred to adopt it? (You can get government by a minority Party in England, not because of the absence of compulsory voting but because of the absence of preferential voting.)

It can be argued that compelling uninterested, reluctant and uninformed people to vote dilutes the value of the votes of serious and well-informed electors by the mass of votes from persons who are voting because they have to and could not care less about the result.

It has also led to the phenomenon of the donkey vote, that is, the habit of the uninterested elector voting 1, 2, 3, etc., straight down the ballot paper without any regard to the merits of candidate or Party. This has been unscrupulously exploited by Parties selecting nonentities because their names start with A or B.

If I may quote Professor Crisp (*Australian National Government*), compulsion seems actually to have discouraged political education by the Party. 'This has almost certainly helped to make parties lazy between elections about winning this floating vote by propounding a basic political philosophy.'

Compulsion also trivialises elections, since the uninterested elector who is compelled to vote is likely to seek short-cuts as to how to cast a vote such as Hawke's alleged 'charisma'. What's that got to do with the profound issues of this election? Though I haven't finally made up my mind about compulsory voting, I no longer regard its alleged merits as self-evident truths. When the dust settles, perhaps the community might benefit from an informed debate on the subject.

Surprisingly, perhaps, Senator Haines made some caustic comments during the Federal election campaign, saying:

I don't support compulsory voting. We're one of the few countries which has a compulsory voting system. I don't consider it to be part of a democracy. I certainly don't like a system that throws up the sort of letter we've been seeing in increasing numbers to the editor in recent days; people saying they have to go and vote; they don't want go and vote: they are going to vote informal—as if somehow that is going to teach somebody a lesson.

I hope that her State colleagues will be persuaded by her forthright statements to support my Bill.

One can put up arguments about comparative resources available to the Parties to promote themselves, but they will never be resolved. For example, Liberals may argue that the trade union affiliates of the Labor Party will compel their members to vote, or that they will have greater human resources to arrange to get people to the polls. But what that ignores is that a substantial number of union members will not be dictated to by their unions or even vote for them. If a substantial number of union members did vote Liberal at State and Federal elections, the Liberal Party would never win elections. On the other hand, some Labor supporters will argue that voluntary voting plays into the hands of the Liberals, because Labor voters will be less likely to go to the polling booths. I reject that argument. It debases the intelligence of voters. The fact is that, in all Western democracies, opposing Parties do have opportunities to govern and they are elected. In the United States of America, the pendulum swings between the Democrats and the Republicans; in the United Kingdom, the pendulum swings between Labor and the Conservatives; and in New Zealand, the pendulum swings between the Labor Party and the National Party. There are complacent electors supporting both sides of the political spectrum, but voluntary voting would give them a choice—to show they care or to remain complacent.

At least voluntary voting will make blue ribbon seats less blue ribbon and will require candidates and members of Parliament to work for their electorates and woo the electors with policies as they have never done before. Parties and members of Parliament and candidates will no longer be able to take the electorate for granted. Parties will really have to do the work which compulsory voting presently does to get people to the polling booths. Voluntary voting at electons is the only way to go.

Two side benefits of voluntary voting is that the estimated 2 per cent donkey vote will be eliminated and the 60 000 who failed to vote at the last State election in 1985 will not have to be followed up with 'please explain' notices, nor will the 4 000 who failed to explain have to be fined or, in default of paying a $20 expiation fee, be prosecuted. This will be a thing of the past. An article in the *Insurance Council of Australia Journal* in July 1987 puts into a proper perspective the issue of fines for failure to vote. It states:

A crippled Melbourne woman recently went to jail for not paying a fine imposed on her for failing to vote. Within weeks of her incarceration a business person ended up in the same predicament. Both admitted they did not vote and had no intention of paying the fine imposed. Justice took its legal course and both ended up behind bars.

In the same district a man was sentenced to one month's jail after pleading guilty to four counts of burglary and was transported to Pentridge Prison. But, unlike our non-voters, he was immediately set free. According to authorities he was automatically entitled to a reduced sentence for good behaviour, ordinary remissions and the early release scheme! Something is wrong somewhere—a jail sentence for failing to vote and automatic release for burglary.

That is the ultimate consequence of failing to vote in a compulsory voting regime. This Bill repeals division VI of Part IX of the principal Act which provides for compulsory voting. I commend the Bill to the Council and urge support for the principle of voluntary voting.

The Hon. CAROLYN PICKLES secured the adjournment of the debate.

GOVERNMENT MANAGEMENT AND EMPLOYMENT ACT AMENDMENT BILL

The Hon. R.I. LUCAS obtained leave and introduced a Bill for an Act to amend the Government Management and Employment Act 1985. Read a first time.

The Hon. R.I. LUCAS: I move:

That this Bill be now read a second time.

The Bill is very simple and the background to it has been debated on a number of occasions, most recently when I moved a motion for disallowance of certain regulations under the TAFE Act. The essence of the problem, Ms President, was that the Government by the stroke of its legislative pen transferred principals under the TAFE Act into public servants covered by the Government Management and Employment Act. Ms President, you would be well aware, as would all members, that back in 1985 we had a long debate about the Government Management and Employment Act not only in this Chamber but also in another place.

One of the important matters that had to be considered in that long 1985 debate was the question of which groups would or would not be covered by the Government Management and Employment Act. The debate took much time and eventually agreement was reached whereby under

schedule 2 a number of groups of public officers, I suppose, were exempted from the provisions of the Government Management and Employment Act. Clearly, groups such as the Police Force, the judiciary, the Ombudsman, the Police Complaints Tribunal and a range of other groups like that were exempt from the provisions of the Government Management and Employment Act.

Two important groups included in that schedule were officers under the Education Act and the Technical and Further Education Act. Ms President, that exemption for officers under both those Acts was supported by the Liberal Party not only in this Chamber but also in another place. It was the view of all Parties in this Parliament in the 1985 debate that schedule 2, which included officers under the Education and TAFE Acts, ought to be exempted from the Government Management and Employment Act. No dissenting view was given by any Party or person during the 1985 debate. As I say, Ms President, it was accepted by all that that was appropriate and that teachers under the Education Act and lecturers and principals under the Technical and Further Education Act should be exempt from the Government Management and Employment Act and should retain their own coverage under their respective Acts.

The current TAFE dispute is now entering well into its second month. As the dispute grew, we saw the actions by Minister Arnold and the Bannon Government when, as I said, by the stroke of its legislative pen, the Government sought to reverse the intention and decision of Parliament in 1985. On 30 July 1987 the Governor in Executive Council issued a proclamation. In effect, the Government declared under that proclamation that principals were no longer officers of the teaching service under the Technical and Further Education Act 1976 and that the offices that they held in the teaching service were abolished.

As I have indicated, schedule 2 had that exemption stating that officers of the teaching service under the TAFE Act were to be exempted from the Government Management and Employment Act. By its proclamation the Government sought to say that the exemption still existed but that principals were no longer officers of the teaching service under the TAFE Act.

The Hon. R.J. Ritson: That is a bit devious, isn't it?

The Hon. R.I. LUCAS: The Hon. Dr Ritson says 'devious'. However, 'sneaky' and a number of other words could be used to describe that action of Minister Arnold and the Bannon Government. Clearly, Ms President, the Government and the Minister thought that they had found a loophole to get around the intentions of the Parliament. As I said, it was not just the Liberal Party and the Democrats who had sought to exempt these officers from the Government Management and Employment Act: it was the view of all Parties in the Parliament that they ought to be so exempt.

However, the Government, through what it saw as a clever or devious piece of redefinition, that is, that principals are no longer members or officers of the teaching service under the TAFE Act, has instituted that change. If one wants to go through that sort of devious action, one could see redefinitions coming up if ever the Government wished to exempt other persons under schedule 2 of the Government Management and Employment Act. If the Government wanted to, using this very same logic, it could issue a proclamation saying that members of the Police Force were no longer members of the Police Force and that members of the judiciary were no longer members of the judiciary.

Ms President, that is clearly arrant nonsense, but that is the sort of arrant nonsense that the Government has sought to achieve through the issuing of its proclamation that principals are no longer officers of the teaching service under the TAFE Act. Ms President, the Government and its advisers believe that they have seen a loophole in the Government Management and Employment Act and, through the issuing of that proclamation, have sought to exploit that loophole.

Competent legal advice to the South Australian Institute of Teachers takes a differing view, and the institute has instituted proceedings in the Supreme Court to argue the case that the Government is not legally able to do what it has sought to do through this proclamation. For every side of an argument one can always find a lawyer to develop an argument, but the advice from a QC about this matter is that a pretty strong argument can be put that what the Government has sought to do is not legally possible.

The other part of that proclamation that is of interest to the Council is that the Government by proclamation in effect sacked TAFE principals and vice principals from the positions that they held in the respective colleges. There are in the TAFE Act strict provisions governing the ability of any Government and employer to sack officers of the TAFE teaching service from their positions.

Employers, in this case the Department of TAFE, have to follow strict procedures. Specific reasons must be stated, within the criteria laid down by the TAFE Act, before dismissal can be even contemplated by the Department of TAFE. It is clear that the Government and the employer, in this case the Department of TAFE, have not found just cause under the provisions of the TAFE Act to justify dismissal of hard working principals and vice-principals of TAFE colleges. The legal advice that has been given to the South Australian Institute of Teachers is that the Government is not legally justified in sacking TAFE principals and vice-principals, as it has sought to do under the TAFE Act, and then automatically re-employing them under the auspices of the Government Management and Employment Act.

On 24 July, the President of the South Australian Institute of Teachers was advised by the Minister of Labour, the Hon. Frank Blevins, of Government action in relation to this proclamation, as follows:

> I will receive any representation, representatives or arguments that your organisation may desire to present in relation to the proposed recommendations provided, preferably, that they are received before noon on Monday 27 July 1987 or, at the latest, before the meeting of the Executive Council to be held on Thursday 30 July 1987.

As further examples of the inflammatory and arrogant way in which Minister Arnold and the Bannon Government have sought to provoke confrontation in this TAFE dispute, we see letters being sent by Minister Blevins on Friday 24 July taking this provocative action and saying that 'We would be interested in talking to the institute or representatives, provided that you can make your representations prior to the Cabinet meeting on the following Monday or, at the very latest, we could give you an extra couple of days before the Executive Council meeting on the following Thursday.' That pretence of having consultation before taking this provocative action is clearly seen for what it really is—just a paragraph at the bottom of a letter. Fancy anyone giving notice on a Friday to take provocative action like this and say that by the following Monday morning, 'We will be interested in your having consulted competent legal advice, having discussions with your colleagues and then coming back to us with any problems that you might have with respect to the Government's proposed course of action.' It is clear that the Government did not want to consult or discuss; it had made up its mind to be provocative and

provocative it was going to be. So it went ahead and agreed to it in Cabinet on the Monday, and then issued the proclamation in Executive Council on the following Thursday.

This Bill seeks to reverse the provocative action of the Bannon Government and Minister Arnold. It is a simple Bill that seeks to reverse the decision of the Bannon Government in relation to principals and vice-principals of TAFE colleges. If this Bill passes this Parliament those principals and vice-principals will be returned to coverage under the Technical and Further Education Act, where they ought to be covered. They would not then be covered by the Government Management and Employment Act.

This Bill goes one step further, since it seeks to protect the position of all officers under the Technical and Further Education Act and all officers under the Education Act from similar action by the Bannon Government, or indeed any Government, in the future. The Bill will ensure that the Government cannot, simply by issuing a proclamation, transfer those officers from coverage under the Education Act and the Technical and Further Education Act to coverage under the Government Management and Employment Act. I urge members in this Chamber to give due consideration to the two major principles of this Bill. As I have said, it seeks to reverse those Government decisions which have been provocative and also to protect primary school principals, secondary school principals and area school principals from similar action by any Government in the future, I urge support for the Bill.

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

COUNTRY REGIONS DEVELOPMENT AUTHORITY BILL

The Hon. M.J. ELLIOTT obtained leave and introduced a Bill for an Act to establish a country regions development authority and for other purposes. Read a first time.

CHLOROFLUOROCARBONS BILL

The Hon. M.J. ELLIOTT obtained leave and introduced a Bill for an Act to prohibit the use of chlorofluorocarbons for certain purposes. Read a first time.

The Hon. M.J. ELLIOTT: I move:

That this Bill be now read a second time.

In moving this Bill I note that it is identical to one I moved in the dying stages of the previous session, and it did not get a chance to be discussed adequately at that time. My intention in bringing it forward at that time was to alert industry to the fact that I intended to move such a Bill. I will cover some of the ground I covered last time, but not at quite the same length, since members will have an opportunity to look at what I said at that time if they want to see the more detailed arguments.

I will cover some of the more important issues. First, chlorofluorocarbons are fairly simple compounds of chlorine, fluorine and carbon and they have three main uses: about one-third in Australia are used as propellants in aerosols; about one-third are used as refrigerants, the most common of which is freon; and about one-third are used in the manufacture of polyurethane foams. There is a minor but quite rapidly expanding use in the electronics industry, where they are used in the cleansing of micro-electronic circuits. The CFCs, once released in the atmosphere, make their way to the upper atmosphere where there is quite a high concentration of ozone, which consists of molecules of oxygen—not in the usual form of O2 which we breathe and which is necessary for respiration, but in the form of O3. Current scientific evidence suggests that the chlorofluorocarbons in the upper atmosphere break down and release chlorine, and it is the chlorine which has been implicated in the breakdown of ozone.

The particular danger we face due to this breakdown of ozone is that ultraviolet light is both carcinogenic and mutogenic. The mutogenic dangers are not as great to human life as they are to micro-organisms, but certainly the problems with skin cancers are very well known in Australia, more so in the northern States than in the southern States. There is a clear, direct causal relationship between the amount of ultraviolet rays a person receives and the level of skin cancers. There has already been a deal of scientific evidence which suggests that ozone levels over the past decade have dropped about 3 per cent, and for each 1 per cent drop in ozone it is being suggested that ultraviolet light would increase to the extent that we might have an increase of 3 to 4 per cent in skin cancers.

What we are talking about is not at all a minor problem and, of course, would be catastrophic if the trend were to continue, which it well might, because chlorofluorocarbons have a life in the atmosphere of about 50 to 70 years. Even if we stopped producing them today they would stay in the atmosphere for a long time. CFCs will not cease to be produced, so we will have increasing quantities in the atmosphere. This Bill really aims to reduce the rate of production of CFCs so that the risks we are taking are reduced as far as possible.

Not only have we seen a direct measurement of decline of ozone in the upper atmosphere, but the appearance of an ozone hole has also been noticed over Antarctica. It is not as yet known whether the two phenomena are related. There have been alternative scientific hypotheses to explain the hole, but on the most recent evidence the most likely hypothesis continues to be that the CFCs are responsible for it. However, should the ozone hole prove not to have been caused by CFCs, we still have the question of the long-term reduction of ozone in the upper atmosphere around our planet, and not just at that one site.

Debates have been going on for some time now, not just in Australia but also overseas, and the Americans, who first recognised the potential dangers, acted approximately a decade ago to reduce CFCs, and the sorts of controls I am now advocating in relation to aerosols are identical to the controls the Americans put into place a decade ago. More recently, the Scandinavians have joined the Americans, and in the past two years there has been quite a dramatic reduction in CFC production in the US and in Scandinavia. The West Germans and, I think, the Austrians have taken a very strong stand on CFC production, but there have been major problems in the EEC. Particularly countries such as Britain have been digging in their toes—not for environmental reasons but for what they see as economic reasons. We have a very good indication there of the sorts of problems that we always have when we try to get international agreements. At present, it is proposed that there will be a United Nations protocol which countries may choose or not choose to sign.

Of course, a protocol has been brought about after very long debate and, while countries such as the US and Scandinavia want immediate reductions in CFC production, countries such as Britian are saying, 'Yes, in four years' time we will freeze the production of certain CFCs while many CFCs will continue to rise in production.' That makes it extremely difficult to come up with a protocol everyone

will sign. In fact, one might wonder whether the protocol is worth the paper on which it is written, having been produced by the sorts of compromise processes that need to be gone through.

In Australia, a committee set up under the NH&MRC has been looking at the problems relating to CFCs. The NH&MRC committee, though, is also coming up with what I would consider to be a compromise solution. Not only does it comprise a couple of scientists who understand the atmosphere but, of course, it includes a reasonable dose of industry representatives. If one has to come up with a report with which everyone is happy, one compromises the scientific knowledge with the economic desire of certain companies. I would suggest that what the NH&MRC has come up with—because I have seen the report—is a compromise that has not given sufficient regard to the scientific evidence and has leaned more to the self interest of certain individuals.

After I introduced my Bill, all members of Parliament received a letter from the Cosmetic, Toiletry and Fragrance Association of Australia. It is a great pity the association does not say exactly who makes up that association, because not only are there the companies which use the CFCs, but there are also the manufacturers of the CFCs, and they wish to deny the problems with CFCs just as the tobacco companies have been trying for decades to deny problems associated with tobacco. We must expect that sort of thing, and people in this place must see through their own self interest for the better good of our community. Some of the things the association has said in this letter to all members have been blatantly misleading. It starts off by talking about me as the member for Renmark—that is about the first thing it said and the first thing it got wrong. It suggests, under 'Scientific evidence', that:

> The NH&MRC and reputable scientists both here and abroad, including those at CSIRO, now agree that earlier assumptions about the possible reduction in the ozone layer caused by CFC were grossly exaggerated.

As soon as I got that letter I rang up senior scientists in the CSIRO, Dr Barry Pittock and also Dr Paul Fraser, who also is a member of the NH&MRC committee. Dr Barry Pittock said, 'They are quoting from something a bit out of date' and Dr Paul Fraser said, 'All possible measures should be taken to reduce the release of CFCs into the atmosphere.' That is a direct quote of what he said to me, and I have the CTFAA saying something to the contrary. I believe the association is trying to mislead the members of this Council.

The association suggests that the Bill's introduction is inappropriate. It talks about the Australian Commonwealth Government currently studying the implications of being a signatory to the UN protocol. Of course, it would say that. As I have already suggested, the protocol is already a compromise between countries which want an immediate reduction and are saying that it is already becoming a little late, and some other countries which really do not want a reduction in production at all. The CTFAA suggests we should wait and see whether or not we sign that protocol. I suggest that we should look to see what is right and not right and act on the basis of that alone, and not wait for international compromise. International compromise always comes too late, and is usually not strong enough, anyway.

The association says that any move by the South Australian Government to unilaterally introduce legislation will only complicate the situation. I do not see such a problem. When I discuss the Bill again later, I will take into consideration the problems that could be caused by a unilateral decision, as such problems can be overcome. I do not accept the suggestion that we should wait for the protocol. It is suggested that the proposed Bill is unnecessarily alarmist, and would deprive South Australian residents of the benefit and convenience of aerosols, refrigerators and air conditioners and that it is unlikely to advance attempts at national and international level to reach agreement on the CFC issue.

Talk about alarmists! The association has suggested that people will not have aerosols, refrigerators, or air conditioners: that is quite clearly alarmist, because anybody who has read my Bill and studied its implications would have seen that aerosols will continue to be used and that refrigerators and air conditioners will remain in use. I will take that matter further at another time. The other expressed main concern was damage to industry, which I believe will be adequately addressed when I speak to the clauses of the Bill. Clause 3 attempts to control the use of CFCs in aerosols and provides:

> A person shall not—
>
> *(a)* manufacture an aerosol spray in which chlorofluorocarbons are used as a propellant;
>
> or
>
> *(b)* sell any such aerosol spray manufactured after the commencement of this section.

If that is read in isolation it calls for a total and immediate ban on the use of CFCs in aerosol cans. However, if one reads clause 5, which provides in part regulations exempting or providing for the exemption of a specified person or class of persons from compliance with this Act or a specified provision, one sees quite clearly that a case can be made by a manufacturer that there is no available alternative and, therefore, they would like to continue to use CFCs, or that the economics of their plant means that they will need two or three years to change before they can start using one of the alternative propellants. Once again, they can put their case. This occurs in the United States where there are aerosols using CFCs but the manufacturers must present a strong case before they can get a special exemption for their use.

Aerosols will continue to be available using CFCs, but there will have to be an extremely good reason for a manufacturer to do so. Clause 4 provides:

> A person shall not—
>
> (a) manufacture any goods in which chlorofluorocarbons are used as a refrigerant;
>
> or
>
> *(b)* sell any such goods manufactured after the commencement of this section.

There are two ways to go with this clause. The exemption clause means that manufacturers could be granted a considerable phase-in period. They may suggest that they are capable of changing the chlorofluorocarbons used because some are far less damaging to the ozone layer than those now used in refrigerators. Perhaps they can make a case to the Government that they may be able by exemption to alter the refrigerant that they now use.

There is another alternative. I am considering amending this Bill, and replacing clause 4 with another clause. The main problem with refrigerators occurs when they are serviced, occasionally strike a leak, or die of old age, releasing freon into the atmosphere. A member of the Parliament House staff has said that when working with refrigerated equipment in his early life he released 500 tonnes of freon into the atmosphere—that is one service person.

Perhaps in place of clause 4 we might be able to persuade the refrigeration and airconditioning industry to come up with a set of protocols under which refrigerants are not released but are recovered at the time of regassing, rather than bleeding systems and then regassing them. Certain design changes could be made to reduce the danger of loss of refrigerant or airconditioning material. If such protocols could be worked out, clause 4 may become unnecessary.

It has been suggested to me that this Bill is too short, and needs another clause to tackle the question of the production of polyurethane foams. I agree with the person who contacted me and made that suggestion. Although that clause is absent from the Bill, manufacturers of polyurethane foam should be addressing seriously alternative expander gasses, because the time will come when they will be asked to cease using CFCs for that purpose.

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

MILK

Adjourned debate on motion of Hon. M.B. Cameron:

That the regulations under the Food Act 1985 concerning unpasteurised milk, made on 21 May 1987, and laid on the table of this Council on 6 August 1987, be disallowed.

(Continued from 19 August. Page 300.)

The Hon. J.R. CORNWALL (Minister of Health): In considering these regulations it is important that members recognise the extent to which they seek to control the sale or supply of raw or unpasteurised milk. Clearly, they do not seek to prohibit access to unpasteurised milk. When fully operational, the regulations require that unpasteurised milk be sold only from the dairy at which it is produced, and that the milk must be in sealable containers not exceeding two litres in capacity—as simple as that. The purpose of the regulations is to restrict but not totally prohibit the sale of unpasteurised milk, and also to ensure that it is sold only in an hygienic state free from contamination. I would have thought that, a hundred years on from Louis Pasteur, that is a simple requirement, indeed.

In 1981, the National Health and Medical Research Council, a Federal-State body of public health experts—the national body in Australia—whose charter it is to protect the health and wellbeing of the community, recommended to the States that unpasteurised milk and milk products should not be sold at all for direct human consumption—that was six years ago. In justifying this statement, the council said that survey data had demonstrated that serious diseases have been associated with the consumption of unpasteurised milk. The regulations in question do not go as far as the NH & MRC recommendation, and seek to take some middle ground in recognition of the established preferences of a small number of consumers for unpasteurised milk.

In particular, in framing the present regulations, the Government was concerned to cause as little disruption to the existing industry as possible. It was also conscious of the preference of consumers who specifically sought access to unpasteurised milk. As a result, the regulations preserve this right and seek to ensure that where unpasteurised milk is sold it will be stored in a sanitary condition.

The regulations also require warning statements at the place of sale stating that unpasteurised milk should be refrigerated and boiled before consumption. The regulations further seek to require that after 1 January 1989 unpasteurised milk can only be sold from the point of production and in sealable containers not exceeding two litres in capacity. In doing this, the Government is providing a sufficiently long lead time to cause minimum disruption to the industry whilst seeking to safeguard the health of the community.

In brief, the regulations do not prohibit persons from obtaining unpasteurised milk. However, they do require that where unpasteurised milk is sold it must be from the point of production, that is, the dairy, in sealable containers that protect the milk from contamination.

Given the National Health and Medical Research Council concerns for the health of the community, these requirements were considered to be a minimum position. They were very carefully thought through. A balance between the interests of persons wanting to continue to purchase raw milk and the health concerns expressed by the national body was considered. In his speech, the mover of this motion, the Hon. Mr Cameron, glossed over a number of proven health problems associated with the consumption of raw milk.

Members should know that there are many concerns, well documented, and reports of incidents of milk borne infections associated with the consumption of raw milk. These incidents have occurred and will continue to occur sporadically in South Australia, while unpasteurised raw milk is available for consumption. The most significant occurrence in the past decade or so was the 1976 Whyalla dairy salmonella infection, from which an estimated 600 were treated, and the salmonella organisms are very nasty. There is no doubt that the salmonella infection originated at the Whyalla dairy and spread via the raw certified bottled milk supply. It was also estimated by the Health Commission that more than twice that number were actually infected but did not seek medical attention, because they were not as severely infected, apparently, as the 600 who did.

There are a number of other examples of gastric infection in South Australia highly likely to be attributable to the consumption of raw milk. For example, between March and June 1984, eight cases of campylobacter infection from the Bordertown area were notified to the Central Board of Health. This was an unusual occurrence, and a case control study was attempted in view of an apparent relationship between the illness and the consumption of raw milk. A detailed investigation discovered many cases of diarrhoea, none of which had been investigated in detail at the time. Re-analysis of the results showed that a statistically significant relationship did exist between the consumption of raw milk and the diarrhoea in Bordertown during the period in question. These are the sorts of facts, of course, that the Hon. Mr Cameron and the Hon. Mr Elliott, who is usually a guarder and a guider of public health, scoff at.

More recently, it is highly likely that raw milk acted as a medium for the transmission of a salmonella organism in Brown's Well in April 1987. In this case, students of a junior primary school consumed raw milk. Of the 30 to 40 children and teachers involved, 16 developed diarrhoea within three to seven days. Where pathological testing occurred, a salmonella typhimurium phage type one was detected in five cases. Subsequently, the same rare phage type had been found in the milk of the cow which supplied the original milk. The Health Commission medical officers accept that this is adequate epidemiological evidence of infection resulting from the consumption of raw cow's milk.

Overseas, in countries where the consumption of raw cow's milk is more prevalent, there are many more examples of resulting infection. For example, in Scotland prior to 1983 (at which time all milk was required to be pasteurised), there were many examples of diseases associated with raw milk consumption. In the three-year period between 1980 and 1982, there were 14 separate outbreaks, affecting over 1 000 persons; by comparison, three years after compulsory pasteurisation there were no outbreaks of similar illness in the general population.

There are many other examples of illness associated with the consumption of raw milk. For example, in Switzerland in 1981, 700 persons suffered from gastric infections as a

result of consuming raw cow's milk containing a campylobacter bacterium. In a review of milk and milk product consumption between the years 1951 to 1980, the *British Medical Journal* concluded that there were 233 reported outbreaks of communicable disease attributed to milk products. These outbreaks affected nearly 10 000 people of whom four died. These illnesses were largely attributable to the consumption of raw milk. The article concluded—and I point out that this was published in the *British Medical Journal*, not the Penola *Penant*.

The Hon. M.B. Cameron: Don't be nasty!

The Hon. J.R. CORNWALL: I am sure that the Penola *Penant* is a very fine paper, but it does not have the standing in the scientific society of the *British Medical Journal*, not to put too fine a point on it. The article concluded that the pasteurisation of milk is an effective measure and that it was regrettable that the continued sale of raw milk was permitted in England and Wales. In the United States, an article published recently in the journal of the Medical Association—again, not the *Naracoorte Herald*—concluded that the role of unpasteurised dairy products in the transmission of infectious diseases has been positively established.

The article stressed the need to encourage persons to consume only pasteurised milk. The article stated that the relative merits of raw and pasteurised milk have been debated for at least 90 years. In this period the theoretical health benefits of raw milk have never withstood careful scientific scrutiny. Persons advocating the consumption of raw milk expose themselves and their children to the risks of infectious diseases without a full understanding of the dangers involved. These dangers involve both the risk of disease being transmitted from the animal through the milk, contamination at the time of milking, or subsequent contamination because the milk is not properly sealed from the environment as would be required with pasteurised milk.

I must stress that in agreeing to the regulations, the Government relied heavily on its expert bodies and, in particular, both the Food Quality Committee (a committee of independent community experts) established under the Food Act 1985 and the Central Board of Health. Between 1981 and 1982 the Central Board of Health commissioned a microbiological survey of raw milk. This was done specifically in South Australia at the time when, I believe, the Liberals were in Government—not that that has anything to do with it: in the public health area we are interested in the facts, not in political interference.

Of the 158 samples obtained from vendors throughout the State each sample was examined for staphylococci, coliforms, E. coli, standard plate count, salmonella and campylobacter. Of the 158 samples, 72 (or 45.6 per cent) were unsatisfactory in relation to the established criteria for one or more of the items tested. In view of the high incidence of unsatisfactory unpasteurised milk disclosed by the survey, the Central Board reiterated its policy of encouraging the sale of pasteurised milk. It indicated that it favoured the ultimate distribution of pasteurised milk throughout the State.

The Food Quality Committee and its predecessor, the Food and Drugs Advisory Committee, both recommended the regulations now being considered. Thus, expert bodies at a State, national and international level are completely agreed that the continued sale of unpasteurised milk is undesirable, and presents a risk to the health of the community. It seems that only the Hon. Mr Cameron and the Hon. Mr Elliott are out of step. Members are aware of the claims made by persons who state that they have consumed unpasteurised milk for many years without adverse effects.

Unfortunately, the Health Commission is not in the position to measure the true extent of illness associated with the consumption of unpasteurised milk. Advice available to me indicates that the cases reported constitute the 'tip of the iceberg', and that there are many additional instances of illness associated with the consumption of unpasteurised milk that are not reported to medical practitioners, or if they are, they are not attributed to the consumption of raw milk.

Consequently, members who oppose the regulations assert that on the basis of anecdotal evidence, the consumption of raw milk is safe. To the contrary, scientific evidence available both in Australia and overseas is clearly and overwhelmingly against this view. Indeed, the fact that outbreaks of poisoning are comparatively rare, and generally in rural areas, demonstrates the success of the pasteurisation program and the fact that the vast majority of South Australians consume milk that has been made safe by pasteurisation and hygienic packaging.

Members should also be aware of the position in other States. For example, in New South Wales all milk sales are made to the Dairy Corporation, which does not permit the sale of raw milk, full stop. In Victoria, the sale of raw milk has not been permitted for a number of years. In Queensland, even in Queensland, the sale of raw milk is being phased out by a licensing mechanism. At present only 20 vendors are permitted to sell raw milk in the whole of the very vast State of Queensland, and new licences are not being issued.

I would now like to respond to some of the comments made by the Hon. Mr Elliott. He has a similar motion, if not an identical motion, on file, and I believe that, if I may be permitted the indulgence of the Chamber, I can respond to them while on my feet. Certainly we can document cases of illness through the consumption of raw milk in previously unexposed populations such as school camps. Mr Elliott uses this fact to suggest that habitual users of raw milk have developed an immunity to it. Not only is this a quite extraordinary view to take of the matter but also, on the medical advice available to me, it is quite wrong. Mr Elliott fails to understand that the major reported outbreaks in this State involved residents of country areas such as Whyalla and Bordertown who were stricken with the illness in their own backyards and not at a school camp or on holiday.

The majority of major outbreaks overseas involved the residents of small communities whose normal practice was to consume raw milk until it became contaminated. Once again, these people were largely stricken in their own homes. But, even if Mr Elliott were correct (and my medical advisers assure me that he is not), he seems to be suggesting that, because some persons in the community have developed a degree of immunity to the bacteria inherent in raw milk, this means that we do not have to worry about the problem and do not have to take any measures to prevent infection. Presumably, the policy is: bring them up tough.

Indeed, Mr Elliott acknowledges the problems of raw milk. He says that there is no doubt that persons drinking it run a risk of infection. The people at risk include the very young, the elderly, visitors and even established residents. It should not be assumed, as the Hon. Mr Elliott tended to assume, that exposure to a bacterium provides lifelong immunity. That is another fallacy. Advice from the University of Adelaide's Department of Immunology indicates that reinfection from the same strain of salmonella organism can occur and that successive exposures to staphylococcus organisms can result in repeated bouts of illness through the enterotoxins so generated. Even if Mr Elliott's

argument were correct (and as I have pointed out, for a variety of reasons, I am able to assure members that it is not), it is surely outrageous to suggest that, because some members of the community have immunity, we should do nothing about remedying a situation that is obviously a documented risk to health.

What about babies or the very old or the immuno-compromised, as Mr Elliott blithely describes them? Are they to receive no protection, thereby risking the dangers inherent in consuming raw milk? Is it desirable that the South Australian community is constantly being exposed to the risk of repeated infections? Let me rephrase that. Limited numbers of people in the Murray Bridge area, in the Hills and in small pockets in the South-East are constantly being exposed to the risk of repeated infections and will continue to be exposed to the risk of repeated infections if these regulations are disallowed. Let me reiterate that the proposed regulations will still permit the farm gate sale of unpasteurised milk under controlled conditions.

The Hon. M.J. Elliott interjecting:

The Hon. J.R. CORNWALL: Mr Elliott has very flexible principles. He can interject as much as he likes, but the simple fact is that he has been nobbled in this matter, and he is doing what he thinks will be politically popular in two or three limited areas of the State. He therefore stands exposed on this matter for the fraud that he is. Residents of Murray Bridge, the South-East, the Adelaide Hills—

The Hon. L.H. Davis interjecting:

The Hon. J.R. CORNWALL: I am not sure about that—and other parts of the State that traditionally have purchased—

The Hon. M. J. Elliott interjecting:

The Hon. J.R. CORNWALL: The degree of hurt can always be gauged by the amount of noise. It has been my experience during my political life that, when somebody is really hurt, they squeal, and we can hear Mr Elliott in full flight at the moment. Thus, residents of Murray Bridge, the South-East, the Adelaide Hills and other parts of the State who traditionally have purchased unpasteurised milk, either for preference or for price, will still have a guaranteed access to the product. It is acknowledged that itinerant vendors will no longer be able to sell unpasteurised milk from 1 January 1989, but they will be able to deliver and sell packaged pasteurised milk.

In concluding, I should stress that the public health authority has an obligation to protect the health of the community. Indeed, so do I. In this matter, I have a clear responsibility as Minister of Health. Unlike other countries, and indeed unlike other States in Australia (and I refer to the Eastern States), the Government is not moving to totally prohibit the sale of unpasteurised milk. Rather, it is regulating the outlets and requiring that its sale be made under hygienic conditions. That is a minimum position in 1987. By comparison to controls interstate and overseas, the South Australian regulations are modest, and take account of the established preferences of consumers of raw milk. Under the circumstances, I strongly urge members to support the regulations in the interest of the health of communities.

The Hon. M.B. CAMERON (Leader of the Opposition): That is one of the weakest contributions that I have heard the Minister make about an issue in this place. What makes it particularly weak is the fact that, at the finish, he finally came to the crucial point, that is, that raw milk sales will still be allowed at the farm gate. If raw milk is as bad as the Minister indicates, surely he would ban it altogether. I would be willing to take a bet that, if the Minister's Party still held the seat of Murray Bridge with Mr Bywaters, there would be no way in the world that this measure would have been introduced. I suggest that, had that been the case, it would never have seen the light of day under this Government. So, do not talk to me about politics, Mr Minister, because the simple fact is—

An honourable member interjecting:

The Hon. M.B. CAMERON: Well, you do not know much about it. The simple fact is that it would not have been introduced. It gets down to a question of whether people have a choice. It is the clear view of the Opposition that, if people choose to have raw milk, that is their right, and we will make certain that they can avail themselves of that right. That is not to say that we do not agree—

The Hon. M.J. Elliott: What about marijuana?

The Hon. M.B. CAMERON: That is a drug; that is a different matter. We agree that every possible step should be taken to ensure cleanliness of dairies and all the other matters that are associated with the sale of milk in a form that has the least potential problems with it. I notice that the Minister has carefully avoided any of the questions which were raised or any information which would not have supported his argument. I refer to the medical practitioners of Murray Bridge. This is one of the key areas where most of the bulk milk is supplied. The evidence of the Subordinate Legislation Committee in relation to a letter from some Murray Bridge doctors states:

> . . . collectively, the members of the group have totalled over 150 years of medical practice in the town. During this period none of them have encountered a disease in any patient that could be directly attributed to the local milk supply.

On a personal basis, they enjoy the convenience of bulk milk home deliveries and have no qualms about its safety. That letter was signed by Dr Altmann, Chairman, on behalf of nine doctors who are in partnership in the Murray Bridge Clinic.

Further evidence was provided to the Joint Committee on Subordinate Legislation in the form of a letter from Dr Helps. It states:

> Further, our local hospital has been provided with fresh milk since its inception and, if the system is changed, the Health Commission will have to foot a bill of $2 000 or $3 000 over 12 months to pay for the milk consumed there.

Surely that indicates that there is not a huge problem. Can members imagine the local hospital using raw milk if it is a huge problem in the district, or if it is a huge problem *per se*? Of course it would not. The Minister ignored that piece of evidence which was given to the Subordinate Legislation Committee.

The Minister took us on a very quick round-the-world trip, and I gather that this happens every time that this matter is introduced anywhere in the world, or when anybody raises a report. The Minister tooks us on a trip to Scotland, to Switzerland and to other areas. The fact is—and the Minister knows it—that in those countries dairy farming practices are totally different to those practised in Australia. The cows are housed during the winter. I know exactly what it is like to work in a dairy where the cows are housed during the winter, because I have worked in such a dairy.

The Hon. L.H. Davis: Have you?

The Hon. M.B. CAMERON: Yes. To say the very least, the dairies are very difficult to keep clean because the cows are in the one position virtually all day every day for weeks and months on end.

The Hon. L.H. Davis: Were you good at it?

The Hon. M.B. CAMERON: No, I wasn't; I did not like it at all. In fact, that experience turned me off milk altogether, full stop, because I would not care whether they

pasteurised it, boiled it, or what they did to the milk from that sort of dairy: they would not be able to give it to me.

In Australia it is a totally different system, and to say that 100 years on we have not improved our dairy practices is, of course, nonsense. In the last 10 years there have been even more dramatic changes, as the Minister knows, because he is a vet and knows exactly what has happened with the dairy and beef industries in this State. Clear steps have been taken to ensure that some of the major diseases have been eliminated. I am pleased that that has happened. The Minister played a strong part in that, as I well know. Anyone who was a vet at that time knows exactly what happened.

Dairies themselves have had vast improvements with milk cooling systems. In fact, milk coming from these dairies is much fresher than anything supplied elsewhere. One of the problems is that there has been severe pressure on the Government from certain people within the industry to introduce this measure because they want to take over the entire supply of milk. Only a couple of companies are doing this. I do not admire some of the steps that they have taken, and I indicated that in my initial speech in moving this motion. The steps of some companies concerning individual farmers have been reprehensible. If the Minister wants details of them, I am happy to provide that information to him at some time, as I am sure the member for Victoria would do also.

The Hon. J.R. Cornwall: You are unusually coy.

The Hon. M.B. CAMERON: Yes, I am. Pressure has been applied, mostly because of the individuals concerned. I am not concerned about the companies, as I named them earlier. However, the individuals concerned have had severe pressure placed on them, and I do not have much respect for the companies because of that. So, without going into any great detail, I indicate that I believe that this measure will assist people in country areas who have enjoyed the benefits of raw milk, not the least of which is the price of raw milk and the accessibility of it to those individuals.

I understand that three-quarters of Housing Trust residents in Murray Bridge have raw milk supplied, and they cannot affort to travel around looking for pasteurised milk. Some residents would have to travel three or four kilometres to buy milk, and many of them have no vehicle in which to travel. However, as is often the case these days, the Minister seems prepared to ignore the people in this State who are finding it difficult to live and who do not have the finance that they need to live a normal lifestyle. The Minister is prepared to throw them aside—all because of some supposed problems that arise with raw milk. The fact is that the Minister has little heart towards these people who are perhaps the less fortunate members in our society, I urge the Council to reject these regulations and to let these people get back to their business, so that the people of this State who enjoy the freedom to choose the sort of milk with which they wish to be supplied can continue to enjoy that privilege.

The Council divided on the motion:

Ayes (9)—The Hons M.B. Cameron (teller), L.H. Davis, M.J. Elliott, I. Gilfillan, K.T. Griffin, J.C. Irwin, Diana Laidlaw, R.I. Lucas, and R.J. Ritson.

Noes (6)—The Hons G.L. Bruce, J.R. Cornwall (teller), T. Crothers, M.S. Feleppa, T.G. Roberts, and G. Weatherill.

Pairs—Ayes—The Hons J.C. Burdett, Peter Dunn, and C.M. Hill. Noes—The Hons Carolyn Pickles, C.J. Sumner, and Barbara Wiese.

Majority of 3 for the Ayes.

Motion thus carried.

CITY OF ADELAIDE PLAN

The Hon. L.H. DAVIS: I move:

That this Council recognises:

(a) the unique and distinctive character of the city of Adelaide; and

(b) the need for development which is sensitive both to this character and to the needs of the city; and therefore urges the Government to ensure gazettal of the 1987-92 City of Adelaide Plan as a matter of urgency.

The city of Adelaide is splendidly located, nestled on the Adelaide Plains between the Mount Lofty Ranges to the east and Gulf St Vincent to the west and surrounded by its unique parklands. The colony of South Australia and its capital city Adelaide were planned—involving the Wakefield plan for land ownership and, more particularly, Colonel Light's vision of a planned city.

Light's plan provided for 700 acre lots in Adelaide south of the river and 342 acre lots in North Adelaide, north of the River Torrens. Light planned Victoria Square in the centre of the city, with a cathedral in the centre of the square facing down King William Street to Government House, which was in fact placed at the end of King William Street. Of course, those elements of the plan were not complied with and shopkeepers opted for Rundle and Hindley Streets rather than Wakefield Street, as had been intended. It is worth quoting Geoffrey Dutton's *The Founder of a City*, a biography of Colonel Light, to see what he had to say about this amazing founder of Adelaide. I quote from page 214, as follows:

His plan of Adelaide was brilliant, in its site, its sensitive relation to topography and climate, its wide streets and squares and its belt of parklands.

Further, it states:

Light's plan is, in the end, entirely original. It is intimately related to local circumstance. Light had neither the time, the men nor the equipment to lay out a plan more complicated than the rectangular one he devised. If Adelaide is lacking in mystery, so is the light that beats upon it and the plain that bears it. Wide streets need to be balanced by noble and strategically placed architecture . . .

It also states:

Perhaps the master stroke of the plan is the way in which the classical clarity and order of the central city emerges from and is softened by the natural disorder of the surrounding parklands. It will be a pity if the orderly citizens of Adelaide ever completely subdue these parklands to the ornamented neatness of a botanical garden.

Part at least of them should look like Australia, with untidy gum trees, pale grass in the summer and galahs and magpies free to find ground unsprinkled and unhoed.

That is Geoffrey Dutton commenting on Light's vision and the City of Adelaide as we find it today. He comments on Light's prodigious speed in planning the City of Adelaide:

The survey and staking off of the town sections were commenced on 11 January 1837 and finished on 10 March; on the 15th the meeting took place to decide on a method for drawing the town sections; on the 17th the order of choice was determined by lot; on 23 March the preliminary town sections were chosen. Thus in Adelaide 1 042 acres were ready for settlement in less than two months, a remarkable achievement made against interruptions, interference, lack of transport and shortage of men. In Melbourne, with full means of support available, the surveyors took five months to lay out a town of 240 acres and it was eight months before the land sales could be held.

That is some interesting background from *Founder of the City* by Geoffrey Dutton.

Finally, I wish to quote from Colonel Light himself who was under such stress and such attack for choosing the site of Adelaide where it now stands. In the splendid preface to his journal the Surveyor-General, Colonel William Light, wrote:

For the reasons that led me to fix Adelaide where it is I do not expect to be generally understood or calmly judged at present.

My enemies, by disputing their validity in every particular, have done me the good service of fixing the whole of the responsibility upon me. I am perfectly willing to bear it and I leave it to posterity and not to them to decide whether I am entitled to praise or to blame.

The early buildings in Adelaide were modest: tents, wurlies and huts made of mud. There were a few prefabricated wooden houses brought out from England, but they proved to be an easy target for white ants. Building timber and skilled craftsmen to work with timber were in short supply, but Adelaide was blessed with both quality and variety of building stone as well as clay deposits for bricks, along with Willunga slate. The nineteenth century distinctive villas of Adelaide and the inner suburban houses built of stone and decorated with iron lace remain as an attractive feature of Adelaide as the twentieth century draws to a close. During the nineteenth century Light's Adelaide was slowly growing with many fine public buildings such as the Legislative Council building, which is now Old Parliament House, and the North Terrace boulevard buildings, many of which were made possible by philanthropists who had earned great wealth in mining, agricultural or pastoral pursuits. By 1895, the City of Adelaide had expanded to the extent that Mark Twain remarked:

This was a modern city with wide streets, compactly built with fine homes everywhere, embowered in foliage and flowers and with imposing masses of public buildings, nobly grouped and architecturally beautiful. There was prosperity in the air.

So spoke Mark Twain in 1895. Adelaide's gum trees for many years were taller than the buildings of the city and today we watch as a new 31-storey building for the State Bank climbs skyward. But the classic buildings in a variety of stone and small in scale nevertheless remain a feature of Adelaide in 1987 a feature, I would suggest, well worth preserving.

South Australians have seen the demolition of Adelaide's heritage in recent years. Colonel Light on Montefiore Hill would not have been gruntled at what has happened in recent years—the demolition of the South Australian Hotel on North Terrace opposite Parliament House, which has been replaced by a mediocre and absolutely forgettable building; the near demolition of Edmund Wright House, saved only by the efforts of some stout hearted citizens, who were not leaders in any particular field but who certainly believed in the heritage of their city.

Until about 15 years ago nineteenth century domestic buildings were out of fashion. Stone villas, could be purchased for a song. The view existed that a building which was only 100 years old could not be important, although those many century old buildings in England and Europe should be saved—that was understandable and acceptable. In fact, 15 or 20 years ago it was not easy to borrow money to buy or to renovate old buildings. Mercifully today the majority of the community recognises that 100 years is a long time span in a State which only last year celebrated its 150th birthday. Certainly the 1960s and the 1970s were no worse than the 1920s. Colonel Light's cottage at Thebarton was torn down. It is hard to believe that in the late 1920s there was a concerted move to tear down the Adelaide Town Hall and to build a new town hall in its place. Fortunately the opponents of this plan won the day and turned the argument around to the extent that the town hall including the Queen Adelaide room was tastefully refurbished.

In the first 110 years of settlement, from 1836 through to 1947, the population of South Australia grew to 650 000 people. South Australia is a highly urbanised community and 70 per cent of the population, even in 1947, were living in urban areas. It took only another 30 years for the population to double. In other words, from 1947 to 1977 the population doubled from 650 000 to 1.3 million, that growth certainly being fuelled by the post war migration boom. In that year of 1947 there had not been many significant changes to the Adelaide skyline. It is in the last decade in particular that the numerous commercial development proposals in the city of Adelaide have focussed attention on the heritage of Adelaide and the role of planning in this city of Light.

The City of Adelaide Plan of 1975 was a positive attempt to come to grips with orderly planning and a recognition of the heritage of the city. The City of Adelaide Plan of 1975 divided the city into four districts. First, the central core district embracing Victoria Square and Rundle Street contained the retail business heart of Adelaide and the highest buildings. A major initiative in the central core was Rundle Mall, which was opened in 1976 to the joy of pedestrians. Some retailers were nervous at the suggestion of closing Rundle Street to vehicular traffic, but the Mall has been a great success and the Rundle Mall retailers now accept that fact. There was also in the City of Adelaide Plan of 1975 a frame district around the core with both lower buildings and lower density activities. The third district was residential, comprising North Adelaide and a significant part of south Adelaide. The last district comprised Adelaide's unique parklands.

A priority of the 1975 plan was to provide Adelaide with more trees and landscaping, more adequate conservation of heritage, and to attract people back to living in the City. It is interesting to note that in the 1920s 33 000 people lived in Adelaide and that figure had halved by the early 1970s. Certainly in the past 15 years old homes in the city have been revitalised by restoration, and inner city living has become fashionable. My wife and I are pleased to live very close to the city in a town house on Norwood Parade and certainly the joys of near city living are evident daily.

I now turn to the new City of Adelaide Plan for 1987 to 1992. That plan will supplement the 1981 to 1986 City of Adelaide Plan which is currently in operation. The 1987-92 City of Adelaide Plan was adopted by the Adelaide City Council just before the local government elections in May. There had been considerable public debate, scrutiny and consideration of submissions over the preceding months. The City of Adelaide Planning Commission then examined the plan. The commission is made up of representatives of Government and council and it has the power, acting on planning principles, to make a number of practical suggestions for alterations to the plan. As one would expect, interested parties in the planning of the City of Adelaide have made representations to the City of Adelaide Planning Commission. They include BOMA, the heritage branch of the Department of Environment and Planning, architects, planners and other interested parties.

The City of Adelaide Planning Commission is expected to adopt the plan shortly and to recommend it, in turn, to the Minister for Environment and Planning. After consideration by Cabinet, it will be gazetted and become law. That is the nub of the motion I am moving today. I move it because Parliament will not necessarily become directly involved in these changes to the plan.

I am pleased to see that there are some positive features in the 1987-92 City of Adelaide Plan. First, the heritage register will now be given equal weight with the desired future character statement in the event of any appeals. The heritage factor will now be recognised formally, and will be weighted equally with minimal regulatory standards such as density controls, plot ratios and the dwelling unit factor, that is, the minimum area per allotment. It is certainly a positive feature to formally recognise the importance of

those items on the heritage register in considering planning matters.

Secondly, the plan is much more specific than its predecessor; it spells things out. The desired future character statements for each precinct are well detailed. It can be said to be a prescriptive, design orientated document which parties dealing with planning have to note. It will force those people dealing with Adelaide to be sensitive and caring in proposing alterations or additions to new or existing buildings. Thirdly, it introduces height controls throughout the city: 110 metres in the core. Of course, the highest building is the State Bank building currently being erected on the corner of Currie and King William Streets.

So, in those two central precincts there is a maximum height imposed which scales down to 18 storeys maximum around Victoria Square and other core areas, then to lower heights further out in the city of Adelaide. In other words, the City of Adelaide Plan has a pyramidal effect with the tallest buildings in the centre, in the core of Adelaide, scaling down to lower heights on the perimeter adjacent to the parklands. That was one of the key debating points evident in the very public and protracted debate recently on the proposed East End Market redevelopment.

The fourth commendable feature of the City of Adelaide Plan 1987-92 is that it provides for the transferable floor area concept. This is an incentive that will appeal to many people with heritage buildings, as well as to developers. For example, if someone owns a two-storey heritage building in an area which permits six floors, the surplus four floors can be sold off for use in another area, even if the two properties have different ownership. I understand that that system will operate in both the city core and the so-called frame districts. This will encourage people to retain a heritage building while at the same time not disadvantaging the owner of a heritage building.

The fifth feature of the proposed plan is that it provides for residential development. There is a new residential zone in the plan: Angas through to Wakefield Streets and Frome Street, with Elders Mews on the south-west corner. That will provide for up to four storeys of residential accommodation with provision for perhaps more modest residential accommodation—modest in terms of scale and height—on the south-west corner, and both of these proposals capitalise on the growing concern that the city needs life. We need life in terms of people living in the city, and additional residential accommodation in the south-east and south-west of the city will certainly breathe life into the city of Adelaide. It also, of course, has important economic benefits in the sense that there are existing facilities in place in Adelaide: schools, shops and transport. This makes residential development in the city much cheaper and more cost effective than development many kilometres distant from Adelaide.

Quite clearly, one of the concerns that can be expressed about this proposed residential development is the fact that there have recently been sharp rises in the cost of city land, and it could well be argued that the values placed on land in those proposed residential zones would be more akin to commercial prices than residential prices. In other words, it is becoming very expensive indeed to accommodate people in Adelaide. This would suggest that modest high rise smaller units would be the logical way to go if such development is to be economic.

One of the interesting developments in many American and European cities, particularly old cities, has been the renewal of urban residential living. Where urban blight has been a feature of cities such as Baltimore and Philadelphia, in the past decade or so there has been a wonderful refurbishment of many of those battered tenement houses. The redevelopment has taken place in some very novel ways. For example, I understand that in Glasgow, where Victorian tenement houses stood unwanted and unloved, the council cleaned the exteriors, gave them a facelift and, suddenly, they became very fashionable and people moved back into those areas and put flowers in the garden. We have seen that, of course, in Melbourne and in Adelaide in recent years in the inner suburbs of Norwood and Parkside. It is my view that in Adelaide, because we have not had urban blight of the severity of many of the mature cities of Europe and America, we have become too complacent. There has been no stimulus for change, for renewal, and I think it is important for us to recognise the challenge of accommodating people near the city, given the economic and social benefits that flow from living in the city or nearby suburbs.

The Adelaide Council Adelaide itself, certainly, has played a key role in the development of the City of Adelaide Plan, and there has been understandably a lot of controversy and tension involved in the development of this plan, which will serve the city of Adelaide through to the year 1992. The conservation question, as I say, came into focus in the early 1970s when we saw the demolition of the South Australian Hotel and the near demolition of Edmund Wright House. Following the introduction of the State Heritage Act in 1978 and 1979, the Adelaide City Council initiated a heritage study in early 1981.

That study was most worthwhile because it involved, first, an historic analysis and the development of an inventory of historic buildings and precincts and, secondly, the examination of economic and legal aspects of conservation. We are now in the third stage, which involves the promotion and interpretation of the very rich heritage of the city of Adelaide.

The Lord Mayor's Heritage Advisory Committee was established with the aim of securing the advice of historians, architects and other people who have an interest in the city of Adelaide. A little time ago that committee recommended a list of 400 items that should form the basis of the City of Adelaide Heritage Register. It has been pleasing to see the City Council develop a modest range of incentives to encourage heritage conservation. I understand that the council's annual commitment for this purpose is about $100 000. These incentives, both financial and non-financial, take the form of grants for heritage items, building facade, restoration, and projects involving special restoration tasks or research.

In addition, owners of properties listed on the council's heritage register are able to obtain rate rebates and freezes; for example, owners of residential property are entitled to a one-off 10 per cent rebate in the year following the expenditure of a minimum amount of $1 000 on defined conservation work. It is quite clearly important that the council take a key role in protecting the fabric of the city of Adelaide. It has been pleasing that the city of Adelaide planners have been active in negotiating with property owners and developers to help them achieve a sensitive development of certain sites.

I hope that heritage conservation is given practical recognition with a range of tax or other financial incentives in the forthcoming Federal budget, because there are enormous pressures on heritage properties in all capital cities. The fact that other countries provide benefits for people owning heritage buildings is a practical recognition of the considerable advantages that heritage buildings provide as visitor attractions; it is also recognition of the link that exists between heritage, tourism and the arts.

It is not inappropriate to mention that at the last State election the Liberal Party was committed to providing a

package of financial incentives to encourage the preservation and restoration of registered heritage properties. One of the key proposals, if a Liberal Government were elected, was that it would provide $150 000 to the State Bank to help subsidise interest rates on loans taken out for conservation and restoration projects on commercial and private properties. We would have pressed the Federal Government to amend the income tax Act to allow special deductions against income for capital expenditure on restoring registered heritage items.

I have mentioned in detail the advantages of the proposed City of Adelaide Plan 1987 to 1992. I have mentioned also the important role of the Adelaide City Council. It is not inappropriate to mention the key role played by the City of Adelaide Commission, which comprises representatives from both Government and Council, thereby bringing them together. This is certainly quite unique in Australia, as I understand it. In Sydney and Melbourne there is no such commission. In those cities the council and the Government share control of development. That is not to say that there are no mechanisms in place in Sydney and Melbourne to control planning. I will refer to those cities in greater detail in a moment.

I think that the commission is unique in Australia, although there may be some development along these lines in Perth. The City of Adelaide Planning Commission is by no means as powerful as its many counterparts in American cities. It would be true to say that without the relatively impartial stance of the City of Adelaide Planning Commission, which bases its decisions on sound planning principles, Adelaide would be a mess.

To implement the City of Adelaide Plan will take strength and vision. It is one thing to have a detailed plan set down, but it needs a strength of purpose, commonsense, vision and determination to ensure that that plan is implemented in an appropriate fashion so as to balance not only the rich heritage of Adelaide but also the needs of an expanding city.

We must recognise that tourists to South Australia, and to Adelaide in particular, and tourists from overseas, are not after a take-away Texas if, for example, they are from America; they are increasingly cultural tourists who come here to experience Adelaide, who want to see its history and who want to be educated and take in the culture and ambience of Adelaide. It is particularly true that visitors from big cities are interested in smaller scale cities and the intimacy of these cities. The ability for Governments, councils, planners and architects to recognise the link between heritage and tourism will be critical in ensuring the sensitive development of Adelaide in future years.

An argument has been developed, particularly by developers, that Adelaide developers are hard done by, and that if they were in Sydney or Melbourne it would all be much easier; also, key people are said to be against progress. We should put that argument into perspective. The New South Wales Government and the Sydney council are working towards an urban design study. Lend Lease, a leading Sydney property company, recently funded a chair in urban design at one of the universities. Sydney has the scale and topography to allow it to get away with sky scrapers that are stunningly different. It has a harbour and rolling hills that make it such an attractive city.

However, Adelaide is quite different. It comprises a grid system with its wide roads set out on a north-south and east-west axis, and it is built on a plain. The topography makes super-rise development much more difficult in Adelaide. Governments and councils should not be bullied into believing that it is harder to develop properties here, because it is not. I can remember full well a development in Bridge Street in Sydney which was going full steam ahead when what appeared to be the remains of Sydney's first Government House were discovered. It was not expected to be where it was found. After considerable pressure was applied, all work on the site stopped. That work has now been stopped for two years and tenders have been called for the sensitive development of that area—a prestigous area of Sydney. Tenders are being called to ensure the sensitive development of that area, taking into account the archeological discovery that has been made and the remnants that have been found.

Visitors to Adelaide are invariably impressed with the wide streets, the grid system, the generous parklands and squares of Adelaide and with the unique North Terrace cultural precinct which has no less than 13 visitor attractions contained in little more than one kilometre. The nineteenth century architecture is also an attraction—again, along North Terrace, in the King William Street-Victoria Square precinct and, I am confident, in time, the East End Market development will also rate highly. The visitor to Adelaide would not leave the city of Light's vision breathless with excitement about the twentieth century architecture. In fact, the visitor to Adelaide would be underwhelmed by the twentieth century architecture. Recently constructed buildings, certainly post-World War II, generally have been pedestrian rather than memorable.

In recent years a facade mentality has existed and, unfortunately, there has been an increasing stock of mediocre buildings. That is not to say that there have not been some good and pleasant buildings constructed recently—and I think of the Remand Centre in Currie Street, with its relationship to the nearby school, the TAFE building in Light Square. Further, there is the Standard Chartered Bank building—the black building on the south-eastern corner of Victoria Square—which is adjacent to the very pleasant white Victorian building which now, of course, is the headquarters of the Ethnic Affairs Commission; originally, that white building was the manse for Stow Church. In addition, the Catholic offices in Wakefield Street near the Cathedral and the residential developments in East Terrace and Flinders Street come to mind.

I find some of the architecture of Rod Roach appealing. Certainly architecture is a subjective judgment, and I suspect that we really have to leave it to outsiders to be objective about the quality of Adelaide's architecture in recent years. But one does not write home about Adelaide's twentieth century architecture if one is a visitor to Adelaide. Certainly, the nineteenth century architecture is much more memorable. Let us consider some of the more notable buildings which can be regarded as being architectural lemons. For example, the Telecom Building in Pirie Street is an architectural refugee from 1978: it looks like a multi-storey industrial shed clad in a remarkable fashion with metal sheeting, and one can see many buildings—

The Hon. J.R. Cornwall: I think it suits pretty well—I quite like it.

The Hon. L.H. DAVIS: Goodness me! I suspect that many of us take our heritage for granted—perhaps the ambience of Adelaide is an anaesthetic for the residents of Adelaide. I believe that it would be quite productive to conduct a competition amongst the residents of Adelaide—in fact, the residents of South Australia—to discover what their favourite building in Adelaide is. I think that is a productive and constructive suggestion, and would help focus attention on the quality and variety of our nineteenth century architecture. Certainly there would be some candidates from the twentieth century, as well.

Finally, I want to focus on two specific issues. This motion is in the nature of a grieve, and one of the points of focus in recent weeks in the debate on planning has been, of course, the proposed $300 million redevelopment of Adelaide's East End Market. I do not want to debate the merits and demerits of that proposition today, because I believe that it is moving in the right direction. When architects of the calibre of Ian Hannaford are involved, the architect who was responsible for the development of Rundle Mall and someone who is sensitive to Adelaide's heritage, I am confident that a reasonable solution will be found. But certainly sensitivity must be shown with regard to the scale of any proposed development, so that the existing East End Market facade is not overwhelmed in size and bulk by any development. It is a precious part of Adelaide which in time could be a very exciting tourist attraction, but if this challenge is muffed there will certainly not be an opportunity to fix it in our lifetime. So, the planning is critical.

I was pleased to see that the National Trust of South Australia put out a press release on the East End Market development. It made several excellent points—for example, that in relation to the East End Market the National Trust would encourage:

> Tourist development drawing on the existing strong character; high quality architecture mixing old and new; greater pemanent residential accommodation for differing incomes and lifestyles; commercial development which builds upon and complements existing activity; adherence to the agreed principles of the City of Adelaide Plan; public involvement in reaching decisions; and a strong economic base for development and conservation.

The National Trust points out that what it opposes is:

> New development which overwhelms existing [development] by scale, materials, height, detail, colour and mass; fundamentally changing the architectural and cultural character of the precinct; facadism and parody; predominately non-residential components; unrelated new commercial development; rapid 'behind closed doors' decision making; short sighted development destructive of the long term historic character of Adelaide; pushing of major new development proposals without regard to the objectives of the new City of Adelaide Plan; and 'salami tactics' being used to slice away at the new plan.

The National Trust makes the very valid point that:

> Other cities have shown that conservation and appropriate development pay, and in the long run pay more. Large scale development is not necessarily a good investment for a community.

Finally, I refer to Rundle Mall: it is unique because it attracts 60 per cent of the metropolitan retail dollar—more than any other capital city. I suspect that, in the near future, that will be a new challenge for both the Government and the Adelaide City Council—to ensure that the mall is kept alive and fresh, and an attraction to not only the residents of Adelaide but also visitors to Adelaide.

I have covered a wide range of issues in addressing this motion relating to the City of Adelaide Plan, but the nub of the motion is that the Liberal Party believes very strongly in the principles embodied in the new City of Adelaide Plan for the five year period, 1987 to 1992. Certainly, it is not perfect, but it is a plan which is generally well accepted, and we hope that the Government will not delay in any way the gazettal of this plan, which is so important to the heritage of Adelaide.

The Hon. T. CROTHERS secured the adjournment of the debate.

MARIJUANA

Adjourned debate on motion of Hon. K.T. Griffin:

That the regulations under the Controlled Substances Act 1984 concerning expiation of simple cannabis offences made on 30 April 1987 and laid on the table of this Council on 6 August 1987 be disallowed.

(Continued from 12 August. Page 119.)

The Hon. J.R. CORNWALL (Minister of Health): As we are now four years down the track of drug law reform in this State, I intend to use this motion and this forum to give a comprehensive report on the progress of our strategy to combat substance abuse in South Australia. As long ago as 1977, the Senate Standing Committee on Social Welfare, under the chairmanship of Senator Peter Baume, a senior medical consultant and a member, of course, of the Liberal Party, was telling us that, in his words, 'Changes in the laws on cannabis are needed to relate social intervention to current social realities regarding its use.' Changes in the legislation sought to do just that. As I emphasised at the time of introduction of the measure, the Government was in no way condoning or advocating the use of this psychoactive drug.

No-one has ever said (and more particularly I, as Minister of Health, have never said), that cannabis is in any way good for you, or other than harmful. I do not regard it as a harmless drug and I never have. It is a psychoactive drug and nobody contests that. In the spectrum of drug abuse, marijuana is one of the numerous substances that are abused by people when they get into that scene.

Moving to the expiation scheme, the Government specifically moved to discourage the smoking of marijuana in public places, and particularly to discourage the flaunting of it in public places where families gather, by excluding such activities from the expiation scheme. It moved also to ensure that children were excluded from the scheme and that they continued to be dealt with in terms of the Children's Protection and Young Offenders Act. In fact, legislation sought to put the matter into contemporary perspective.

The expiation fees prescribed for the various offences are broadly in line with the penalties which have been handed down in recent years by the courts. While the new system gives the alleged offender the opportunity to dispense with the matter outside the criminal justice system and thereby to avoid the stigma of a conviction, the financial penalties for simple possession are not substantially reduced—or indeed in any way significantly reduced—by legislation.

It was our view—and it remains our strong view—that it was unnecessarily draconian for a person, particularly a young adult, to be plagued by the stigma, often the restriction of employment opportunities and even refusal of a visa to enter some countries, including the United States, if they were convicted of possession of as little as five or 10 grams of marijuana. Of course, this is a conviction that could stay with him or her for the rest of his or her life. I pose the question, as I have done on so many occasions before: do we really want to make criminals for life of our young people who inevitably experiment at the age of 18, 19 or 20? In seeking to disallow the regulations, in his contribution the Hon. Mr Griffin stated:

> The great difficulty with the regulations is that they provide the easy way out.

He is really saying to our young people, 'We want you to suffer.' Let us be very clear about that. He is a senior shadow Minister; he who would be in the other House in a Party that recently proclaimed itself as a caring Party. He is saying, 'We want you to suffer (literally). We want you to carry for life the stigma of a criminal conviction. We want you to be restricted in your travel if at some time in the future you wish to travel to a country such as the United States. We will ensure that you can't have a visa because at some stage in your formative years you were foolish and

you were convicted of possession of five, 10 or 15 grams of marijuana.' This is from the Party with the new-found image of caring. Surely Mr Griffin can see that in 1987 our young people suffer enough. Let me tell him that I, as Minister of Community Welfare, certainly can see how much they suffer. His whole approach to this issue is so blinkered and so myopic that he seems incapable of looking beyond the offence to some of the underlying causes of drug related behaviour amongst our young people.

Young people of today live in a world marked by stress and uncertainty. The economic and social dislocation that has occurred in recent times has led to the sad situation where children are becoming an increasingly important target for welfare agencies. The most recent statistics available to me show that in June 1985, one in five children living in Australia were in families who lived below the poverty line. Traditional values in extended family support systems have been shaken by the modern world. There are pressures at school.

Our young people cannot be sure that they can get the job of their choice or find any kind of employment when they leave school. There is a very genuine fear of nuclear war. Life's opportunities are uncertain. They are bombarded by media images of success styles and material wealth and they are increasingly made to feel that they are failures. Peer group pressure is probably stronger now than in previous generations and it is a very real, powerful and often coercive force. Faced with all that, this senior shadow Minister in the 'caring Party' says, 'Don't provide them with an easy way out. Make them suffer a bit more.'

The Hon. T. Crothers: Do you think he's in the dry Party?

The Hon. J.R. CORNWALL: It is a caring Party indeed—as dry as a chip. It is understandable that people should seek a simple legislative prohibition model to this very complex set of problems. If members think it through and apply their intelligence to it, then most certainly, if they do not allow short-term political opportunism to supervene and they do not practise the lowest common denominator theory of politics as Mr Griffin does, it will become very clear that there are no simple solutions to these very complex problems.

If the law and order approach and the prohibition model in isolation were workable solutions, there would not be an estimated 180 000 heroin addicts in the city of New York alone. No country in the world has pursued the prohibition model in the whole range of substance abuse areas over a period of more than 50 years more vigorously than has the United States of America. No country in the world has failed more abysmally to overcome the problem.

In this State we developed a comprehensive strategy to tackle a complex set of problems which manifest themselves in substance abuse. Following my recent trip to the United States and Europe, I am very pleased to report that our strategy is amongst the most comprehensive and enlightened in the world. By 'substance abuse', I mean the whole spectrum of licit and illicit substances, including alcohol, tobacco, so-called minor tranquillisers and opiates. Alcohol abuse is a significant problem of the 1980s. Under-age alcohol abuse, especially among the 13 to 15 year olds, currently is a matter of serious social concern.

So-called learning to drink, frequently associated with binge drinking, until now at least has been considered a normal part of growing up. That has got to change. Cigarette smoking has been identified as the single most important cause of preventable morbidity and premature mortality. In 1987 it is particularly a problem amongst schoolchildren and women.

Almost 700 000 doctors' prescriptions are written annually for more than 30 million so-called minor tranquillisers, such as Valium, Mogadon, and Serepax in a State with an adult population of about one million people. Illicit psychoactive drug consumption has increased substantially since the late 1960s. In this State it ranges from casual marijuana use to infrequent but devastating heroin addiction. Fortunately, I am able to report that the level of opiate use, that is, principally heroin use and addiction, is low in South Australia in comparison with some other Australian States and Western democracies. On current estimates it is perhaps some comfort to be able to say that less than one family in 200 should be touched by it, but I stress that that certainly does not provide any room for complacency. We will continue to strenuously do whatever is necessary to combat abuse of opiates and the other hard drugs.

At the other end of the illicit spectrum, surveys in this State show that marijuana has been assimilated into the community culture of up to 10 per cent of the young adult population. There is strong anecdotal evidence that consumption is less widespread than in the early to mid-1970s and overall demand is probably generally decreasing. Nevertheless, demand at this time is still high enough to support a criminal black market of some size.

In early 1983, very soon after we were returned to Government, the Bannon Government began the development of comprehensive strategies to combat substance abuse. Those strategies were to be built on two basic premises: first, to diminish the supply of illicit drugs by redirecting the full force of the criminal law against the drug traffickers; and, secondly, to decrease demand by a multi-faceted social health approach to prevention and treatment.

A comprehensive strategy was to be based on prevention education, early intervention and rehabilitation. In 1984 the newly created Drug and Alcohol Services Council was formed as a task force to develop these strategies as a three year program.

Early in 1985, shortly after the completion of its task, Prime Minister Hawke called a special Premiers Conference, the so-called the 'drug summit', to establish a major cooperative attack on drug problems with the States and the National Campaign Against Drug Abuse (NCADA) began. One of the direct results of this initiative was that funding for the fight against drug and alcohol abuse was increased virtually overnight by almost 50 per cent. This in turn has meant, I am pleased to report, that most of the recommendations of South Australia's task force will be implemented by the end of 1987.

Because of our small population, our record in social innovation and our 'city-state' advantages in social administration, South Australia has special potential to find solutions to the complex problems of substance abuse. Our strategy aims to produce a new generation for whom a drug-free alternative is a realistic and preferred option. Prevention—and particularly preventive and protective drug education throughout the entire primary and secondary school system—will be backed up by early intervention, treatment and comprehensive rehabilitation programs. Concurrently in 1987 the State Government has endorsed a major five year social justice strategy to address issues within our jurisdiction which will contribute to a better and fairer society. Details of that strategy will be released in the near future.

I now turn to the major components of the strategy. To take the legislative component first, the past four years have seen major reforms in the legislation pertaining to substance use and abuse. First, there was the Controlled Substances Act 1984 which spearheaded the legislative reforms. Among

other things, the Act, brought together administrative and criminal controls over the use of legal and illegal drugs into one coherent piece of legislation.

At one end of the spectrum, it introduced some of the toughest penalties in Australia at that time for large scale trafficking. They included mandatory imprisonment and fine, powers to charge financiers as the principal offender and forfeiture of property. At the other end of the spectrum, it reflected the Government's concern and compassion for the victims of drug abuse by establishing drug assessment and aid panels, to enable persons with substance abuse problems to be diverted out of the criminal justice system and into treatment and rehabilitation programs. The legislation introduced modest reforms in relation to penalties for simple possession of cannabis, in line with the then current practices of the courts; the maximum fine was reduced from $2 000 or two years gaol to a maximum fine of $500 without any gaol sentence.

The Controlled Substances Act Amendment Act 1986, which is really at the nub of this debate, introduced further amendments, taking account of the first year's operation of the Act. It further upgraded penalties for trading and trafficking in drugs, to ensure again that they remained amongst the highest in Australia. For trafficking in hard drugs the penalties were lifted even further to a $500 000 fine and life imprisonment and forfeiture of assets. The maximum penalty for trafficking in 100 kilograms or more of marijuana was lifted to a $500 000 fine and 25 years gaol, and again forfeiture of assets. For trading in any quantity of marijuana less than 100 kilograms, the maximum penalty was 10 years gaol and $50 000 fine. That legislation introduced controls on drug analogues, the first legislation in this country to do so. And, of course, it introduced the expiation scheme for simple cannabis offences.

Further significant legislation in this area was the Public, Intoxication Act 1984. It repealed the offence of public drunkenness enabling the introduction of a protective custody system so that persons apprehended drunk in a public place could be taken to an appropriate place, be it home, to a sobering up centre or a police station, again, without being treated as criminals. It is now treated as an illness, which is the humane and sensible thing to do, and the only medically sound thing to do. It was also the legislative vehicle for the repeal of the old Alcohol and Drug Addicts Treatment Act and board, paving the way for the establishment of the Drug and Alcohol Services Council, an incorporated body under the South Australian Health Commission Act.

The other piece of significant legislation in the area of substance abuse is the Tobacco Products Control Act of 1986, which provides a comprehensive legislative base for the control of tobacco products. It enabled the introduction of tougher health warnings on cigarette packets, on a rotating basis. It obliges retailers to display tar, nicotine and carbon monoxide yield labels and, very shortly, it will prohibit, upon proclamation, sucking tobacco, sale of confectionery cigarettes, sale of tobacco products to children under 16, sale of cigarettes in packets of less than 20, and smoking in lifts.

I turn now to the prevention and education component of the strategy. Education, as I have said so often, is one of the cornerstones of both the State and Commonwealth strategies. When I refer to education, whether it be in the general area of health education or the specific area of drug education, I am not just talking about information or presenting a few simple facts: I am talking about education, which is at a level and which is consistent enough to substantially modify attitudes and, in the longer term, lifestyles. It is very important. We should always make that very clear distinction, particularly in the health spectrum generally, between simple information, on the one hand, whether it is about AIDS or substance abuse, and education, on the other hand, which is literally about modifying lifestyles.

Both the Commonwealth Government and the South Australian task force identified young people as a 'special needs group'. The Education Unit of the Drug and Alcohol Services Council has been upgraded and a major thrust of its work is to develop, in conjunction with the Education Department, a comprehensive program for schools. A program called 'Free to Choose' has been introduced into secondary schools. This is a package which includes a resource manual for teachers, designed to assist in developing skills in young people on how to retain independence and resist peer group pressure in a variety of situations. For example, there are sections on the influence of images on promoting socially accepted drugs; alcohol in the context of a teenage party; the abuse of amphetamines in the context of particular youth cultures; and solvent misuse. A similar program, targetted at primary school children, is currently being developed by the Drug and Alcohol Services Council and the Education Department, called 'Learning to Choose'.

Another initiative, developed by the Adelaide Central Mission in conjunction with DASC, is the 'Learning for Life' project. The program offers drug education to primary school children within health education programs. A range of education sessions are conducted in a mobile classroom with resources being available for pre and post activities. The program basically aims to educate children on how the human body works and the effects that various substances have on the working of the body. It is designed to equip children with the skills necessary to overcome pressures to abuse their bodies later in life.

In addition, DASC has developed a drink driver education program aimed at all sections of the community, but with a particular emphasis on young people. A nurse awareness program has been introduced, incorporating drug and alcohol information into generic and specialist nursing curricula. A mobile resource van has been commissioned. The van, equipped with various health displays and a computerised lifestyle assessment program, is staffed by community educators and other health staff at metropolitan and regional centres, shopping complexes, fairs and expositions. Designed to encourage initial interest, the project has both interactive and 'take-away' approaches to information dispersal and community awareness. We are anxious to learn more about the nature of substance use and abuse among special needs groups.

In regard to school children, DASC has been funded to conduct a survery, which began in September 1986, to seek specific information on the use of alcohol, tobacco, prescription and illegal drugs by schoolchildren. The survey will extend over a five-year period and will cover 3 000 students from grades 7, 8, 9, 10 and 11 from urban, rural, public and private schools. The survey should provide valuable information for planning of future drug education programs and anti-drug strategies.

In the area of women, the dependent women's needs survey aims to examine the services available to women who have drug and/or alcohol related problems in relation to their needs. It is expected that priorities for primary, secondary and tertiary service development will come out of this three-phase study.

Phase one, which has already been made a public document, was the compilation of a directory of services for women with alcohol and drug related problems. Phases two and three, for which the methodology is currently being

developed, will match the information from phase one with the needs of women with alcohol and drug related problems.

In relation to treatment and rehabilitation, South Australia is fortunate to have a combination of treatment and rehabilitation services within both the Government and non-government sectors. The Drug and Alcohol Services Council is the major provider of metropolitan and country services in the Government sector and funds a significant number of non-government agencies.

DASC is currently undergoing the most comprehensive re-organisation and upgrading of services in its histroy, or in the history of its predecessor, the A.D.A.T.B. One of the major recommendations of the task force report of 1985 was to separate services for the alcohol dependent persons from those provided for the drug dependent persons. It has been DASC's experience that the illicit drug user has very different needs from, and is frequently antagonistic to, the alcohol dependent person and vice versa. Consequently DASC has established separate campuses at Joslin and Norwood which will provide services for alcohol dependent persons and drug dependent clients respectively.

The Warinilla Drug Services Unit, in Osmond Terrace, Norwood, which was once a stately gentleman's residence at the turn of the century, is undergoing an extensive rebuilding and redevelopment program. The unit provides a comprehensive range of treatment and supportive services for individuals and families affected by drug misuse and abuse. A multidisciplinary team of professionals offer a caring and non-judgmental approach in which no one treatment or philosophical tenet is seen as being the only solution, with the aim of promoting self reliance, self worth and increased levels of self awareness in the client.

The ultimate goal of the unit is to foster the client's full integration into a drug-free and valued lifestyle within the community. 'On Campus' programs and services include: assessment and referral, 24 hour counselling and crisis intervention, 24 hour telephone counselling, inpatient detoxification, extended detoxification and education, outpatient programs, methadone programs, benzodiazepine programs, and a telephone consultancy to external practitioners. 'Off Campus' services include: community houses, a therapeutic community, narcotics anonymous, and a sessional consultancy to other agencies.

In relation to the Alcohol Service Unit, the former St. Anthony's Hospital and St. Christopher's at Fourth Avenue, Joslin, have just undergone a major refurbishment program to provide this unit for people who require professional assistance with alcohol dependency and its associated problems. Every attempt is made by a team of professional health care workers to tailor a treatment and rehabilitation program to suit the individual client's needs. 'On Campus' program and services include: assessment and referral, inpatient detoxification, 24 hour conselling and crisis intervention, outpatient counselling and programs, and day patient programs. 'Off Campus' services include: telephone consultancy to external practitioners, community house programs, home detoxification (which is increasingly important and successful), alcoholics anonymous, and a sessional consultancy to other agencies.

The Woolshed: A long term, residential therapeutic community for drug dependent people, located in a rural community 60 kms south east of Adelaide, is being established and should be commissioned before the end of October. With accommodation for up to 24 male and female residents in log cabin homes, the activities of the community will centre around therapy groups, farming activities, craft courses, stress management and recreational pursuits. With the assistance of resident staff, much of the day to day management of the community will be undertaken by residents. The objectives for the Woolshed are that on completing the program each resident will have made a firm decision to live a drug free lifestyle; have a good understanding of the nature of dependence and his or her responsibility to overcome problems; and experienced a range of practical learning situations and acquired new skills and improved existing ones in interpersonal relationships, problem solving, self acceptance, creative time use and personal care.

Regarding the Royal Adelaide Hospital Drug and Alcohol Resource Unit, for some time it has been recognised that a large number of admissions to general hospitals are of people with medical conditions that are directly or indirectly related to alcohol or other drugs. This unit provides an in-house resource to assist with the management of persons for whom alcohol or other drugs have contributed to their admission to hospital. Staffed by sessional medical consultants and a full time nurse consultant, the services offered are inpatient and outpatient assessments, treatment and referrals with a heavy emphasis on staff and student education.

Flinders Medical Centre Drug and Alcohol Service: For several years DASC has employed a community health nurse to provide an assessment, counselling and referral service for persons admitted to Flinders with alcohol or drug related problems. The community health nurse also undertakes telephone counselling, follow up and home visiting of patients as well as a considerable role in staff liaison and education.

Second Story Adolescent Health Centre: Recognising that health problems are often lifestyle based, Second Story uses an educative-preventative approach to provision of services. Within this holistic model, young people can have assistance with problems concerning drugs, education, employment, finance, health, housing, interpersonal relationships and recreation. The DASC have seconded to the centre a youth worker who specialises in substance abuse. The budget funding of the Second Story is one of the initiatives of the funding under the national campaign against drug abuse program.

Southern Area Adolescent Service: This project uses a full time youth worker who is a specialist in drug and alcohol problems to provide support, information and advocacy for young people with substance abuse problems in the southern metropolitan area. If this pilot project proves effective, consideration will be given to establishing similar programs in other areas of the State.

The Prison Drug Unit involves the DASC and the Department of Correctional Services in a cooperative venture to address drug and alcohol problems within South Australian correctional institutions. The objectives of the unit are: to assist persons detained in South Australian Correctional Institutions who have drug, alcohol or other substance abuse problems to modify, control or cease that abuse by providing individual counselling, group intervention and education programs; to encourage more positive use of recreation, better coping with stress, improved diet, adequate physical services, increased self control and responsiblity and more constructive use of time; and to assist the prisoners to live without drugs and alcohol while in prison and, on release, to live in the community without resorting to substance abuse and related crime.

Voluntary (non-government) agencies: Several non-government agencies are involved in the provision of services to drug and alcohol dependent persons in South Australia. DASC actively supports their efforts by providing annual grants and representing their submissions for funding to the

relevant Government departments at State and Commonwealth level. DASC also plays a co-ordinating role in facilitating regular meetings between agencies and thus promoting interagency co-operation, information exchange and rationalisation of services.

Some agencies also receive assistance through the provision of medical service and relieving staff, and all DASC clinical staff work in a close cooperative network with the voluntary sector staff. Examples of some of the non-government agencies which work with DASC in various ways are: the Adelaide Central Mission, Alcoholics Anonymous, Archway, Bethesda, OCARS (Occupation Assessment and Referral Service), and the Salvation Army.

The Drug Offensive (NCADA): I want to say a few words about NCADA. South Australia has been pleased and proud to be a part of the national campaign. When the national campaign was announced South Australia was ideally placed to become a part of it. The DASC ministerial task force had just developed its blueprint for services in the form of a three year strategy and South Australia's drug laws had just been reformed by the Controlled Substances Act. South Australia's comprehensive drug abuse strategy virtually mirrored that proposed under NCADA, enabling the State to rapidly take up the additional funding. As I said earlier, funding for alcohol and drug abuse was increased by almost 50 per cent, which has meant that South Australia's strategy has been able to be implemented at a greatly accelerated rate.

I say finally that, although I believe we have done well indeed over the past four years, there is no doubt that the challenge remains. In South Australia we believe that the efforts of the past four years have produced positive results in the area of the misuse of alcohol and other drugs: positive in that the general public is becoming more aware and better informed about the problems associated with the inappropriate use of alcohol and tobacco; positive in that the health and caring professions are showing some signs of attitudinal changes towards the alcohol and drug dependent person; positive in that emphasis is being placed on helping those abusing drugs to help themselves, and by demonstrating that help is accessible, non-judgmental and caring; and positive in that a lot of effort is being directed to prevention. It is directed at and involves working with the potential consumers.

Chemical dependence does not respect race, creed or colour, nor does it just affect one socio-economic group or those of high or low intellectual ability. Persons at risk from abuse of alcohol or drugs are interwoven throughout the fabric of South Australian society, and we cannot afford the time to address the issues singly or from only one perspective. We must not become complacent. We need to acknowledge our achievements, and indeed I believe that at this stage we can begin to rejoice at our achievements. In doing so, we must also recognise that the battle has only just got under way. The war against drug abuse will continue, and it must be waged on many fronts. I hope that members opposite will join the Government in leading the challenge.

The Hon. M.J. ELLIOTT: The Democrats oppose the motion. I must express my admiration for the Hon. Trevor Griffin because, if he has one strong point, it is that he is entirely consistent in what he says. That cannot be said of many people in this place, but it can certainly be said of him. He has continued to pursue this matter, which was before us only a few months ago.

However, having listened to and read what the Hon. Mr Griffin said earlier in this debate, I feel that he has not brought up any new matters of substance which would cause me to change my mind about the way I voted only some months ago. For that reason I will not be supporting his motion.

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

LOW-INCOME HOUSING

Adjourned debate on motion of Hon. M.J. Elliott:

1. That a select committee be appointed to consider and report on the availability of housing, both rental and for purchase for low-income groups in South Australia and related matters including—
   - *(a)* Housing for young people, especially those under the age of 18 years whose only income often is derived from the Department of Social Security.
   - *(b)* Housing for lone parents and married couples with children dependent on the Department of Social Security.
   - *(c)* Single people over the age of 50 years.
   - *(d)* The role of the South Australian Housing Trust in providing accommodation for all age groups.
   - *(e)* The role of voluntary groups in provision of accommodation for all age groups.
   - *(f)* The role of the Department for Community Welfare in advocating for accommodation for all age groups.
2. That the committee consist of six members and that the quorum of members necessary to be present at all meetings of the committee be fixed at four members and that Standing Order No. 389 be so far suspended as to enable the Chairperson of the committee to have a deliberative vote only.
3. That this Council permit the select committee to authorise the disclosure or publication as it thinks fit of any evidence presented to the committee prior to such evidence being reported to the Council.

(Continued from 19 August. Page 313.)

The Hon. CAROLYN PICKLES: Seldom could this Council have had suggested to it a more inappropriate, superfluous select committee. The motion reflects poorly indeed on the honourable member who proposed it. Its content confirms a superficial approach to a complex subject to which the State Government has given the highest priority for the past four State budgets, in terms of both social need and economic necessity. The subject canvassed in this motion is indeed significant, but has long been recognised as being so by the Government. More to the point, the subject has been addressed in the most effective ways possible.

Ms President, there is a wealth of information available that clearly refutes the intent of this motion. This motion calls for a select committee to 'consider and report on the availability of housing for low-income groups in South Australia'. It singles out certain age groups and welfare recipients for attention in terms of housing need. Its implication is that this is a matter which requires public investigation, that rental and purchase opportunities for low-income earners in this State are of such desperate status that this House must conduct its own hearings into the matter.

If only the honourable member who proposed this motion had done some work first! If only he had made some phone calls, consulted public documents, even talked to some of the organisations in the community that assist the people whose cause he hopes to champion. Where to begin: that is my only dilemma. The libraries and research facilities are bursting with evidence that shows that the very issues that it is proposed this select committee reports on are already well understood in this State and have been for at least the time that the current Government has been in office—and further, that these issues are being addressed in the most positive means possible. I think it best if I dissect this

motion piece by piece and expose its emptiness for all to see.

First, the motion calls for a report on the availability of housing, both rental and purchase, for low-income groups. It so happens that this is a function already more than adequately performed by several respected bodies and organisations. The most superficial inquiries would have revealed to the honourable member proposing this motion that the State Government and, in particular, the Minister of Housing and Construction, receive regular reports on the availability of housing from the Housing Advisory Council.

This council draws its membership from a broad cross-section of representatives of the housing industry, Government and community groups. It has access to the best possible sources of housing data, in both the private and public sectors. In addition, other organisations such as the South Australian Housing Trust, the Emergency Housing Office, the Real Estate Institute, the home lending institutions and the Housing Industry Association, regularly publish independent information on the availability of housing and furthermore comment as to the problems of rental and purchase, relating to level of disposal income.

All of this information is available to the public, to anyone who cares to ask for it. It is all a key factor in the housing policies and decision-making of the State Government. The motion therefore seeks a duplication, at taxpayers' expense, of a monitoring and reporting function in the housing sector already performed efficiently by industry, Government and community interests.

Secondly, Mr Acting President, the motion relates particularly to a series of social groups. The first is 'young people, especially those under the age of 18 whose only income is derived from the Department of Social Security'. Maybe the honourable member proposing the motion has been interstate or confined to bed for a prolonged period, but did he not know that the Government is currently conducting a youth housing inquiry. This inquiry is the only one of its kind in Australia. Its range of investigations and research have been extensive; indeed, so complex has the nature of its work become that it has required an extension of time to carry out its work. Its report to the Minister of Housing and Construction is imminent, and the Minister recently said in the Lower House that he will release it 'warts and all'. So, again the motion seeks to duplicate an existing efficient process, one that will deliver the most comprehensive information on youth housing in the country.

Notwithstanding this inquiry currently under way, however, the Government in this State has acted for four years now to try to address the growing issue of housing for young people. I would draw the Council's attention to the fact that the Government has increased the emphasis placed on youth housing in both the public and private sectors.

In the case of public housing it has established Housing Trust allocation targets for young single people to ensure that they are housed on an equitable basis with other needs groups. A direct lease scheme has been instituted which provides medium-term public housing for young people under the age of 25. I say medium-term because one of the problems with housing youth is the transient or temporary nature of their residency. Seldom do young people put down roots; they are on the move in most cases, which makes for difficult management. I should also point out that the trust has appointed youth tenancy officers in each of its regions, and developed special house designs for the needs of small households. For young people renting privately, or seeking to rent privately, the Government has provided a great level of assistance. This has been done through the gradual expansion of the services offered through the Emergency Housing Office, including financial assistance with bond money and high rents.

It is instructive to consider some statistics relating to youth housing in the light of these State Government initiatives. In 1986-87 more than 32 000 households received assistance in one form or another from the Emergency Housing Office, and the latest estimate is that more than half of those assisted were under 25 years of age. This has involved about 30 000 young people receiving assistance under the Government's progressive expansion of the Emergency Housing Office. Another noteworthy statistic is the percentage of Housing trust dwellings being allocated to young people: over the past three financial years this figure has been increased and maintained at about one-quarter of all allocations. These are impressive figures indeed and not to be glossed over. They certainly underline the commitment of this Government to meet the need for affordable accommodation for young people in this State.

The second group singled out in the motion as being an area of concern is low-income households with dependent children who are dependent on the Department of Social Security. This group, although rather ambiguously described in the motion, has been one of the focal points of the Government's housing policies since it took office. I am amazed that anyone in this Council could remain ignorant of the achievements of the Government in securing permanent, affordable housing for this group. In all three types of tenure—private rental, public housing, and home purchase—the Government has made gigantic efforts to help this particular group. Again, the statistics abound to confirm the impressive effort in this regard. For instance, in 1986-87, the financial year just ended, the Housing Trust was able to offer lower-rental housing to 2 142 supporting parents and 1 739 couples with children; that is, 46 per cent of all trust allocations went to families with children. The trust recognises, of course, that single parents in particular experience difficulty in renting in the private sector while they wait for public housing and often require early housing assistance. During 1986-87, 276 supporting parent families were given priority. It should also be noted here that 66 per cent of all new trust tenants in 1986-87 had incomes so low that they were granted rent reductions.

For those low-income families renting privately, the Government has instituted the most effective rent relief scheme in Australia. Currently, 8 333 households are receiving rent relief at an average value of $16 a week. In the time that this scheme has been operational more than 37 000 applicants have been assisted. For those low-income households seeking to buy a home, the State Government's Home Ownership Made Easier program has been a boon. Combined with the assistance provided under the Federal Government's First Home Owners Scheme, HOME over the past four years has helped more than 11 300 low-income buyers with low interest finance. For those people in their homes who have run into trouble through loss of income or other unforeseen circumstances, the Government's mortgage relief scheme is available to help them meet their commitments and thus retain their homes. Currently, 522 households receive this form of assistance with their housing costs at an average payment of $29 a week.

It is worthwhile to contrast these statistics with those from interstate to put some perspective on the matter. South Australia's level of rent relief assistance is more impressive than most. In Queensland, for instance, the number of households receiving rent relief in 1985-86 was 2 700, compared with 8 400 in South Australia. In the same year, only one State provided more concessional interest housing loans

than South Australia. Our actual number was 2 932 loans. This was higher than the large States of New South Wales and Victoria which provided 1 664 and 2 588 respectively.

Moving on to the motion's third group marked for particular attention, I find myself somewhat confused. This group is described as single and over 50. Does the motion refer to all people over the age of 50, including retired people, or does it refer to people between the ages of 50 and 65? Either way, older people, including the retired, have access to all of the forms of assistance I have referred to previously, and more. The Housing Trust has undertaken a major program of construction of accommodation for the aged. Since 1982-83 the trust has constructed 2 000 cottage flats for the aged as part of its normal building program. Joint ventures have added more that 1 000 to this total. The trust, under Government policy, has a strong and ongoing commitment to the provision of purpose-built independent housing units for the aged. In fact, the trust is now the largest provider of accommodation for the aged in the State. That did not just happen: it is the planned result of deliberate, thought-out policies set in train four years ago. The strange thing about this part of the motion is that single people are strongly represented through all age groups in the quest for affordable housing, not just those over 50 years of age. As it is, however, singles over 50 years have probably the highest chance of obtaining trust housing of any single group. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

MILK

Adjourned debate on motion of Hon. M.J. Elliott:

That the regulations under the Food Act 1985, concerning unpasteurised milk, made on 21 May 1987, and laid on the table of this Council on 6 August 1987, be disallowed.

(Continued from 12 August. Page 128.)

The Hon. M.J. ELLIOTT: I move:

That this Order of the Day be discharged.

Order of the Day discharged.

SUPPLY BILL (No. 2)

Second reading.

The Hon. J.R. CORNWALL (Minister of Health): 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

The Bill provides $875 million to enable the Public Service to carry out its normal functions until assent is received to the Appropriation Bill. Honourable members will recall that it is usual for the Governemnt to introduce two Supply Bills each year. The earlier Bill (which was passed on 16 April 1987) was for $645 million and was designed to cover expenditure for the first two months of the financial year.

This Bill is for $875 million, which is expected to be sufficient to cover expenditure until early November, by which time debate on the Appropriation Bill is expected to be complete and assent received. Honourable members will notice that the amount of this Bill represents an increase of $225 million on the second Supply Bill for 1986-87.

Approximately $165 million of the increase is to cover the passing of a number of Commonwealth grants through the Consolidated Account for the first time. It is a requirement of the Public Finance and Audit Act, which became operational on 1 July 1987, that all Commonwealth Funds be taken through Consolidated Account. This is a new procedure, which will make comparision on a year to year basis somewhat more difficult unless one makes adjustment for the Commonwealth payments that are being taken in, in this way, for the first time. Honourable members will recall that a similar provision was made in the first Supply Bill this year. The Bill provides no authority to pay wage and salary increases. Standing authority for this purpose is contained in the Public Finance and Audit Act.

Clause 1 is formal.

Clause 2 provides for the issue and application of up to $875 million.

The Hon. L.H. DAVIS secured the adjournment of the debate.

MARKETING OF EGGS ACT AMENDMENT BILL

Second reading.

The Hon. J.R. CORNWALL (Minister of Health): 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

The Marketing of Eggs Act which was proclaimed as a wartime measure in 1941 provides for the establishment of the South Australian Egg Board and all eggs from commercial farms in South Australia are vested in the board. The board has powers to control egg marketing, set egg prices, administer egg weight and quality regulations and carry out promotional activities. The board generally does not handle eggs other than to manufacture egg pulp; the majority of shell eggs are graded, packed and distributed by packers and producers registered with the Board. The Board operates the only egg pulping facility in South Australia and all eggs surplus to local shell requirements are pulped and either sold on the local market or exported.

At the present time the Marketing of Eggs Act applies to all egg producers with more than 20 laying hens and there are about 380 such producers in South Australia. The South Australian Egg Board currently consists of seven members, four appointed by the Minister and three elected by 120 licensed egg producers who keep more than 500 laying hens. The board currently has a full-time chairman.

The United Farmers and Stockowners of South Australia developed proposals for changes to the structure and function of the Board which they asked the Minister to consider. These included the proposal that all members of the Board should be appointed by the Minister, including the producer members who are currently elected by producers who keep more than 500 hens. Also that the Board should exercise greater flexibility in its control of the production, grading, packing and distribution of eggs.

The Auditor-General has also expressed concerns about his reporting responsibilities under the current Act. He is concerned that he is required to report on aspects of the board's operations about which he has insufficient information and which also require subjective assessments.

The amendments provide for a reduction in the size of the board from seven to five members. Membership will include two producer members and a part-time chairman. All members will be appointed by the Minister, with the

producer members being appointed from a panel of names put forward by the United Farmers and Stockowners of South Australia Incorporated. It is my intention to appoint non-producer members with skills in financial management and marketing to complement the industry knowledge and expertise of the producer members.

In view of the relatively small numbers of producers who actually elect producer representatives at the present time I feel that it is appropriate that producer members are nominated by the United Farmers and Stockowners who represent the majority of egg producers. This measure will also save the expense of holding elections for Egg Board members every year.

The newly constituted board will continue to play the major role in managing the egg industry and must have members who will be responsive to the needs of both the egg industry and consumers. The amendments also meet the reporting requirements indicated by the Auditor-General and bring the South Australian Egg Board into line with the reporting procedures required from other statutory bodies and Government agencies. The amended legislation will apply to all egg producers keeping more than 50 laying hens.

The board will continue to exercise overall control of egg production and marketing and will continue to administer egg quality and weight grade regulations and to manufacture egg pulp. It is my intention to appoint members who will encourage producers and packers to develop the necessary flexibility in the production, grading, packing and marketing of eggs to ensure that egg producers and consumers benefit from a more efficient egg industry in South Australia.

Clauses 1 and 2 are formal.

Clause 3 removes some redundant provisions and brings the definition of 'hen' into line with the Egg Industry Stabilisation Act 1973.

Clause 4 removes another redundant provision.

Clause 5 removes section 3, the substance of which is now provided by section 22a of the Acts Interpretation Act 1915.

Clause 6 replaces sections 4 to 18 of the principal Act with standard provisions.

Clause 7 removes reference to the penalty in section 21a of the principal Act. Section 32, which is a general penalty provision, will apply to the provision.

Clauses 8 to 10 remove redundant provisions from the Act.

The Hon. J.C. IRWIN secured the adjournment of the debate.

EGG INDUSTRY STABILISATION ACT AMENDMENT BILL

Second reading.

The Hon. J.R. CORNWALL (Minister of Health): 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

The Egg Industry Stabilisation Act was proclaimed in 1973 to control egg production by means of hen quotas. Hen quota legislation currently applies to flocks with more than 20 hens and is administered by the Poultry Farmer Licensing Committee which is a sub-committee of the South Australian Egg Board made up of the Government appointed members. The costs associated with the Poultry Farmers Licensing Committee are currently met by the board and personnel employed by the board carry out duties associated with controlling hen quotas.

The United Farmers and Stockowners of South Australia developed proposals for changes to the structure and functions of the South Australian Egg Board and suggested that hen quotas should be managed directly by the board and that the Poultry Farmers Licensing Committee should be abolished.

The amendments will abolish the Poultry Farmers Licensing Committee and hen quotas will be managed directly by the board. This will simplify the administration of hen quotas and will result in some cost savings. The proposed amendments will exempt laying flocks with 50 hens and less from hen quota legislation. This provision will enable primary producers in remote and sparsely populated areas to produce eggs to meet local demand and will also cater for those who wish to keep poultry for show purposes rather than commercial production.

The amendments will also provide for more flexible management of hen quotas to enable the board to effectively control egg supplies and to reduce the costs associated with the storage and processing of eggs surplus to local requirements for shell eggs and egg pulp.

The provisions in the Act which restrict the maximum number of hen quotas which can be held by one producer to 50 000 hens have been strengthened. At the present time there is one producer with about 93 000 quotas, and while it is not envisaged that the producer's quota holding will be reduced the board will have the power to ensure that, in future, no other producer will be allowed to acquire hen quotas in excess of 50 000. However, the amendments will still allow groups of producers to form appropriate cooperative ventures if they consider that such action will increase the efficiency of the production or marketing of eggs.

The amendments will ensure all producers are entitled to vote in any future poll held on the question of whether the Egg Industry Stabilisation Act should continue. Under the existing legislation only the 120 or so producers with more than 500 laying hens can vote. This excludes about two thirds of licensed egg producers in the State.

The amendments also remove sections of the legislation relating to categories of poultry farmers, the original determination of hen quotas, quota transfers between zones and a poll on the commencement of the Act. These sections are redundant.

Clause 1 and 2 are formal.

Clause 3 makes consequential amendments.

Clause 4 removes definitions from the Act that are redundant.

Clause 5 brings up-to-date certain provisions of section 5 of the Act dealing with exemptions. The scope of the power to exempt is extended beyond the Crown and its instrumentalities and educational institutions. Paragraph *(a)* rewrites subsection (1) and in the process removes reference to 'commercial purposes'. The extended exemptions provisions will be available to exempt those who wish to keep more than 50 hens for non-commercial purposes.

Clause 6 repeals Part II of the Act.

Clause 7 makes a consequential amendment.

Clause 8 repeals Division I of Part IV.

Clause 9 replaces sections 14 and 15 of the principal Act with simplified provisions.

Clause 10 enacts new section 16 which sets out the conditions to which a licence will be subject.

Clauses 11 and 12 make consequential amendments.

Clause 13 repeals Division III of Part IV.

Clause 14 replaces Division IV of Part IV. After this amendment the Board will be able to vary the State hen quota and because the State hen quota is the aggregate of the quotas of individual licences, their quotas will vary accordingly. Subsections (8), (9) and (10) of new section 22 place a limit of 50 000 on the hen quota, or the aggregate of the hen quotas in which one person or company can be interested.

Clauses 15 and 16 remove redundant provisions.

Clause 17 makes consequential amendments and reduces penalties set out in subsection (6).

Clauses 18 to 22 make consequential changes.

Clause 23 repeals sections 41 and 42 of the Act.

Clause 24 makes consequential changes.

Clause 25 removes a redundant provision.

Clause 26 inserts an exemption provision designed to allow poultry farmers to take advantage of temporary markets for the sale of eggs.

Clause 27 makes a consequential change.

Clause 28 removes Division I of Part IX which is now redundant.

Clause 29 reconstitutes parts of section 50 in modern form and opens the poll under this section to all licensees.

Clause 30 removes the schedules to the Act.

The Hon. J.C. IRWIN secured the adjournment of the debate.

LONG SERVICE LEAVE BILL

Second reading.

The Hon. J.R. CORNWALL (Minister of Health): I move:

That this Bill be now read a second time.

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

Explanation of Bill

This Bill seeks to replace the current Long Service Leave Act with a new Act which picks up most of the substantive provisions of the old Act but provides for changes which are designed to facilitate the administration of the Act and for a more equitable calculation of benefits. The Bill does not change the quantum of entitlements nor the years of service required to accrue these entitlements but instead seeks to clarify and define the conditions under which long service leave may be granted. As a result the Bill will not place further financial burdens on business in this State.

Many submissions have been received in the past from both employers and employees seeking the provision of a fairer method of assessing entitlements to Long Service Leave. This Bill addresses these problems and the changes proposed on this point provides the major point of variation from the existing Act.

The Government, in consultation with the Industrial Relations Advisory Council, has developed a prescription contained in this Bill which will more equitably cover the calculation of long service leave entitlements.

Specifically, this Bill addresses the calculation of payments for long service leave on a basis that takes into account any variation in an employee's employment contract in terms of the average hours worked, over the period of their service with an employer. The purpose is to avoid either party, whether employer or employee, from being financially disadvantaged if, during the accrual period, the average time worked by a worker changes from full-time to part-time or vice versa. The formula is defined in the Bill to provide an averaging formula to be applied in cases where the contract of hire changes between part-time and full-time during the three years preceding the taking of leave.

Under the existing Act, some inequities occur in the payment for leave, due to the Act's rigid prescription that payment is based on the contract of hire existing at the time of taking leave. Thus a person who has worked part-time for most of the accrual period but is on a full-time contract at the time of taking leave receives all payment at the full-time rate. The reverse also applies and both of those anomalies are amended by the Bill.

The Bill also clarifies certain of the old Act's provisions relating to breaks in continuity of service. Thus this Bill makes clear with greater definition that no worker will be disadvantaged by a break in service where they take parental leave, or where they are temporarily stood down for economic or for other proper reasons.

The Bill more clearly defines the question of territorial application. Thus the Bill makes it clear that, should a worker have a claim both under this Act and a corresponding law elsewhere, the worker must elect to choose the benefits of one Act but not both.

To assist in the administration of the proposed new Act, the Bill provides that the administrative records kept by employers must be kept in a more detailed form than has previously been required. The Bill also provides for workers to have free access to such records to verify that a correct record is being kept of their service.

To facilitate the administration of this proposed new system, the Bill provides for changes in inspectoral powers, with inspectors having greater authority to inspect records. In cases where an employer has unreasonably refused the taking of leave by an employee, inspectors are empowered under this Bill to order that leave be granted where, in the inspector's opinion, undue delays exist. Where the employer fails to keep proper records, there are provisions in the Bill for the onus to be placed on the employer to disprove a worker's claim for long service leave entitlements. This should have the effect of ensuring that greater attention is given by employers to keeping accurate records in line with the proposed new legislation.

The Long Service Leave Act has not been amended since 1972 and as a result the penalties are grossly inadequate by today's standards. Prescribed penalties are accordingly increased under this Bill, in direct relation to the seriousness of the offence and more attuned to the penalties set under other industrial legislation.

The Bill sets out detailed transitional provisions to accommodate the changes proposed in this Bill. The schedule to the Bill spells out the various qualifying periods that mark the changes in entitlement which have occurred over the years. In summary this Bill seeks to substantially reproduce the Long Service Leave Act without altering the basic thrust or provisions of that legislation. The Bill provides for changes that will enable a more equitable system of long service leave entitlement to be calculated.

I am confident that the administrative changes proposed in this Bill will assist those who administer this area of legislation and the more detailed recording required will remove current areas of misunderstanding and lessen the potential for disputation.

This Bill has received the approval of IRAC and I accordingly commend the Bill to the House.

Clause 1 is formal.

Clause 2 provides for the commencement of the measure.

Clause 3 sets out the various definitions to be used in the Bill. A worker is to be defined as a person who is employed under a contract of service. The concept of ordinary weekly rate of pay is introduced under subclause (2)

(and will be used to calculate the worker's rate of pay when leave is taken). A worker's ordinary weekly rate of pay will not include overtime, shift premiums and penalty rates. If a worker is employed on commission or some other system of payment by result, his or her average weekly earnings over the preceding period of 12 months will be applied. If a worker has been employed on an hourly basis at an hourly rate of pay, or has had a change in hours worked per week with a consequent change in pay, an average will again be calculated (over the preceding period of three years). The value of any accommodation provided to the worker will also be taken into account in assessing a worker's ordinary weekly rate of pay. Subclause (3) provides for the linking of employers to ensure that the continuity of service of a worker who remains with the same business is not affected by a change in his or her employer.

Clause 4 clarifies the territorial application of the Act. The Act will apply to service in the State, service outside the State where the worker is employed predominantly in the State, and service outside the State where the proper law of the contract of employment is South Australian law.

Clause 5 sets out the entitlements of workers to long service leave. The entitlements are consistent with those under the Long Service Leave Act 1967.

Clause 6 provides for the preservation of a worker's continuity of service in certain cases.

Clause 7 relates to the taking of leave. It is intended that, as a general rule, leave should be taken as soon as practicable after the worker becomes entitled to the leave, and should be taken as one continuous period. However, an employer and worker may agree on the deferral of long service leave, on leave being taken in separate periods (of at least two weeks) and on leave being taken at short notice. Leave may, by agreement between the employer and the worker, be taken in advance.

Clause 8 provides that a worker who is on long service leave is entitled to be paid at his or her ordinary rate of pay.

Clause 9 allows the Industrial Commission to determine that long service leave will be granted by reference to a particular award, agreement or scheme, and not under this Act. A determination cannot be made if it would disadvantage any class of worker. A determination may be revoked if the Industrial Commission is satisfied that the employer has not acted in accordance with the award, agreement or scheme, or that it is, for some other reason, inappropriate that an exemption under this provision continue.

Clause 10 relates to the keeping of records by employers. Records will be required to be kept for at least three years (which is related to the operation of clause 3(2) and is consistent with the Industrial Conciliation and Arbitration Act). Records will be required to be transmitted from one related employer to another.

Clause 11 contains various powers of an inspector under the new Act.

Clause 12 allows an inspector to direct an employer to grant long service leave to a worker in cases where the employer has improperly refused to grant the leave.

Clause 13 allows the Industrial Court to order employers (or former employers) to grant leave, or to make payments, under the Act. If an employer has failed to keep proper records under the Act and the period of a worker's service is in issue, an allegation made on behalf of the worker as to his or her service, or hours worked, will be accepted as proved in the absence of proof to the contrary.

Clause 14 prevents a worker engaging in other employment in substitution for his or her usual employment while on leave.

Clause 15 provides that offences against the new Act are summary offences and proceedings may be commenced within three years of an offence being committed.

Clause 16 provides that the Act is not to apply in relation to workers who have long service leave entitlements under another Act or a Commonwealth award.

Clause 17 empowers the Governor to make regulations for the purposes of the measure.

The schedule provides for the repeal of the Long Service Leave Act 1967, and for transitional provisions required on the commencement of this new measure. The anniversary day of a person who accrued leave under a previous Act will be clarified and simply stated and previous entitlements will be preserved. An exemption under the repealed Act will continue.

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

ADJOURNMENT

At 6.16 p.m. the Council adjourned until Thursday 27 August at 2.15 p.m.