LEGISLATIVE COUNCIL

Wednesday 4 November 1987

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

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

OMBUDSMAN'S REPORT

The PRESIDENT laid on the table the report of the Ombudsman for 1986-87.

MINISTERIAL STATEMENT: CHILDREN IN CARE

The Hon. J.R. CORNWALL (Minister of Health): I seek leave to make a brief statement.

Leave granted.

The Hon. J.R. CORNWALL: Yesterday in the Legislative Council Ms Laidlaw made certain allegations about abuse of children in care. During her explanation—and again later in a personal explanation—Ms Laidlaw insisted that she had information that the Department for Community Welfare had set up an internal inquiry following allegations of abuse. As I suspected, the exercise was staged by Ms Laidlaw to engineer a headline. The *Advertiser* duly reported her remarks under the headline 'Libs throw spotlight on foster child abuse'. I note that the headline referred to abuse and not alleged abuse.

Not for the first time Ms Laidlaw got it entirely wrong. The department has not instituted an inquiry, internal or otherwise, to investigate matters relating to the abuse of children in foster care. I am advised that the incidence of such abuse in South Australia is rare. Furthermore, there is no evidence of any increase.

The allegations made by Ms Laidlaw have been dealt with in a memorandum that I received this morning from the Deputy Chief Executive Officer of the Department for Community Welfare. Rather than waste any more of the Council's time on Ms Laidlaw's exercise in fiction, I seek leave to table the memorandum.

Leave granted.

The Hon. J.R. CORNWALL: For the further information of members I also seek leave to table a lengthy policy discussion paper entitled 'Intervention on behalf of families and children: substitute care and planning for permanence' which was prepared by the department's program planning unit and distributed to staff in all the relevant non-government agencies last month.

Leave granted.

The Hon. J.R. CORNWALL: I suggest Ms Laidlaw stop wasting the department's time and resources. If she has any information or evidence, as distinct from vague scuttlebutt, I invite her to present it for investigation.

QUESTIONS

CHEMICAL CASTRATION

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question about chemical castration.

Leave granted.

The Hon. K.T. GRIFFIN: Yesterday, the Minister of Health entered the public arena on questions of penalties for rape by indicating that the Government was considering chemical castration of sex offenders who cannot control their sex drive. It is not clear whether this is to be an alternative to imprisonment so that those who are convicted are to be released when so treated or that it is to be enforced in addition to imprisonment. Also it is not clear whether this proposal signals a change of direction towards punishment, such as corporal punishment or even hanging.

I gather the question arose out of remarks made by a judge about the inadequacy of facilities to treat these sorts of offenders. I have previously raised the problem of inadequate facilities for intellectually handicapped and mentally ill offenders who are convicted of criminal acts, problems which have also been the subject of criticism by the courts over the past 10 years. It is surprising that the Minister of Health is getting involved in the area of penalties when that has traditionally been the responsibility of the Attorney-General. My questions to the Attorney-General, as Leader of the Government and as the principal law officer in South Australia, are as follows:

1. Does the Attorney-General support chemical castration as an option available for the courts to use as punishment?

2. Does the interest in chemical castration signal a change in attitude of the Government towards corporal and capital punishment?

The Hon. C.J. SUMNER: The answer to the second question is 'No'. The answer to the first question is that I understand this matter was canvassed by the Minister of Health yesterday. He indicated that he was seeking information about the means whereby the uncontrollable sexual drive of some people can be reduced. You can call that chemical castration or whatever you like.

I understand that that was what he asked his officers to obtain information about. My understanding is that the matter has not proceeded any further at this point in time. I am also advised that it is an attempt to determine methods whereby there can be a reduction in sexual drive as part of a treatment program for that category of offenders who are found to have no control over their sexual instinct. That can result in a number of things, that is, if the court finds that it can result in a person being incarcerated, under section 77 of the Criminal Law Consolidation Act, because he cannot control his sexual drive, and that has happened on occasions.

But the problem with that is at what point in time one decides that that individual is fit to be released back into the community. There are some other problems with that sort of sentence in that it is indeterminate; it provides that individuals who are found to have this characteristic are to be incarcerated until further order from the Governor. The alternative is that if people are found by a court to have uncontrollable sexual desires and they are released into the community and reoffend, the community, of course, is concerned, and properly so, about that reoffending. So, it is in that context that the matter was raised, with the Minister seeking information to determine what means are available for treatment to reduce the sexual drive of those persons found by the courts to be unable to control their sexual instincts—people who, therefore, have the capacity (and there is possibly the likelihood of this occurring) to commit further sexual offences if released into the community.

The Government has, in fact, established a mechanism for attempting to deal in a more satisfactory way with people who commit crimes and who may have impaired intellectual capacity which may lead to sexual offences of some kind, as one would describe the recent case that a judge dealt with. A former judge of the Supreme Court,

Dame Roma Mitchell, now chairs a management assessment panel which was set up following an inquiry that she conducted into the best way of treating people in that category. People who come before the courts and who fit the criterion of having some intellectual impairment, with therefore some capacity for future offending, are referred to the management assessment panel, and the results of that panel's findings are made known to the court so that the court can take it into account when sentencing. Of course, a number of options are available to the management assessment panel in terms of what course of action it can recommend to a court in a particular case.

The Hon. K.T. Griffin: There are still limited opportunities for the court, aren't there.

The Hon. C.J. SUMNER: There are not limited opportunities for the court. There may be limited opportunities in terms of the institutions that are available for people of this kind, although there is no doubt that a lot of outpatient mental institutions and the like are available in South Australia. But the problem with this category of offenders is very great because, technically, they are not suffering from mental illness, but they do have an intellectual impairment which in circumstances when they are out in the community seems to lead to reoffending and violent or sexual behaviour.

The question is: what does one do with people like that? They are intellectually impaired and, as a result of appearing before the court, they can be placed in prison, as indeed must happen in any event in some circumstances, or they can be released on certain bond conditions, as happens on other occasions. However, the point I make on this issue is that by the establishment of the management assessment panels, this is the first time any Government in Australia has acted to try to cater for that particular group of individuals in our community. As I said, the panel is chaired by Dame Roma Mitchell and at least now provides the courts with some better information about how to handle people who find themselves in that very difficult situation. I refer to handling them not only in terms of balancing the community interests in their own safety but also as against what you do with particular offenders with these difficulties.

The Hon. K.T. GRIFFIN: As a supplementary question, does part of the Attorney-General's answer mean that the inquiry by the Minister of Health is not an initiative of the Government as a whole?

The Hon. C.J. SUMNER: No, as I understand it, the Minister asked his officers to obtain information about this topic. I do not know whether or not one can call that an inquiry.

The Hon. R.I. Lucas interjecting:

The Hon. C.J. SUMNER: That's all right; there's nothing wrong with that. Why shouldn't you tell the media about that? It is a matter of public interest.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: A case appeared before the courts yesterday in which a judge referred to a particular problem which we have and which everyone recognises exists with certain categories of people. It is an incredibly vexed question as to what one does with these people.

The Hon. R.J. Ritson: He was severely brain damaged.

The Hon. C.J. SUMNER: That's right—I said 'intellectually impaired'; you are quite right. That is the category of person to which I am referring. As is the case when judges are faced with those circumstances, the judge had difficulties. The Cabinet has difficulties with those sorts of cases where people are incarcerated under section 77a of the Criminal Law Consolidation Act, and then it has to recommend to the Governor in Executive Council that the person be released. They are incredibly difficult cases. I am not sure whether members opposite suggest that the only alternative is for them to be locked up and left in gaol for ever at the Governor's pleasure.

The Minister has said that apparently there is some experience in this area of reduction by treatment, albeit with some form of drugs, which can be part of a treatment process. That is the extent of the situation as I understand it. I see no problem with the Minister having indicated to the press that that is what he is doing. It does not represent a concluded Government view on the matter but, if there is information on this topic that is available somewhere in the world, I do not see why the Minister ought not be able to obtain it.

SCHOOL DENTAL SERVICE

The Hon. M.B. CAMERON: I seek leave to make a short statement before asking the Minister of Health a question about the school dental service.

Leave granted.

The Hon. M.B. CAMERON: Members may be aware of the compliments that the Minister of Health received from a colleague in relation to South Australia's excellent school dental service, particularly in country areas, during the Estimates Committees in September. The Minister reported that the dental service was fast reaching the stage where it would be available to every child in the State up to and including the year in which they turned 16 years of age. So it was a little disturbing to learn this week that the school dental service has now decided to close a number of its clinics. One of these, at Penola Primary School, will cease at the end of the present term. The school's Principal has been offered three reasons for the decision to close the clinic, some of which seem to be quite unusual.

I think I should read the letter which has been sent to the Principal of Penola Primary School by the Director of the school dental service. It states:

Dear Mr Fischer, It is with some regret that I must inform you of the decision to close the school dental clinic in Penola at the end of term 4, 1987. The school dental service has recently reviewed the operations of all of its clinics to ensure that the quality of care is being maintained whilst the people of South Australia are receiving maximum value for each public dollar spent. This review has recommended the closure of a number of school dental clinics in order to consolidate the resources of the school dental service.

Penola has been identified for closure for the following reasons:

1. Underutilisation of the clinic—it has been necessary to only open the clinic on two days each week in order to care for the 789 patients of the clinic.

2. Stress on staff—the clinic staff undertake extensive travel every day that the clinic is open. This travelling is stressful and does not enable the best use to be made of clinical staff. In addition, the travelling costs associated with staff transport add significantly to the overall high cost of providing the current service.

3. The age of the clinic building—the clinic of SAMCON construction is now 12 years old and it is anticipated that maintenance costs will be quite substantial over the next few years.

There are a number of ways in which the school community and the school dental service could cooperate to ensure that the children are inconvenienced minimally and staff still have access to dental care. The nearest school dental clinics will now be those in Mount Gambier and these will be open full time in 1988, although some families may prefer to attend the clinic in Naracoorte.

The letter goes on to indicate that the staff of the school dental service at Mount Gambier will do their best to facilitate continuation of dental care for the children of Penola Primary School.

Penola, as the Minister would be aware (having been a resident of the South-East), is about 48 kilometres from Mount Gambier on a straight road, so I would not have thought that the travel involved would have been stressful. In fact, I would have thought that it was less stressful than travelling down South Road to the city each day, which many people do. It seems that the staff of the clinic are unable to do this twice a week without suffering stress and, as a result, 789 patients will have to go to Mount Gambier if they require service from the school dental clinic at some time during the year (and I understand that not all of them would go every year). My questions are as follows:

1. Can the Minister indicate to the Council the total number of school dental clinics around the State which are to close, and where are they?

2. Does the Minister or his staff believe that the stress on dental staff of driving twice weekly between Mount Gambier and Penola is a sufficient contributory reason to close the Penola dental clinic?

3. Can the Minister indicate the reasons for the decisions to close other dental clinics besides that at Penola?

4. Is the decision to close the clinics an indication of the Minister's pulling back of support for the school dental service?

The Hon. J.R. CORNWALL: It should be made clear that only 30 per cent of schools in South Australia actually have dental clinics on the school site. The decision to close these five dental clinics on school sites has been taken, quite obviously, on the ground of good management. It is not just a question of whether a school dentist and dental staff can or cannot drive up and down the road to Penola or otherwise. If you have the facilities there, obviously there is wear and tear and deterioration of capital equipment, so this decision has been taken because it will save money in terms of both capital cost and recurrent cost.

We must remember that by next year every child in this State up to and including the year in which they turn 16 will have access to dental treatment under the country's finest school dental service. Because of their very good state of dental health, the children are required to attend a dental clinic only once a year. That means a trip in a bus from Penola to Mount Gambier once a year. If there is any—

The Hon. C.J. Sumner: That is a bit rough! How far is it?

The Hon. J.R. CORNWALL: It was exactly 32 miles in the old language when I was living in the South-East. They travel 48 kilometres once a year.

The Hon. C.J. Sumner: And you haven't got a permanent dentist full time in Penola!

The Hon. J.R. CORNWALL: No. Disgraceful, isn't it? Not only do we provide a service to pensioners through the community dental program using school dental clinics but let me also say that in Mount Gambier, the Riverland and a number of country centres we provide it on a modified fee for service basis through participating private dentists. So we are developing not only the most comprehensive school dental service in the country but by far the best community public dental service using a mix of publicly employed SADS dentists and private dental practitioners.

Thirty per cent of schools have clinics. We decided on the grounds of good management to close five of them: one at Penola; one (from memory) at Tintinara; and lest Mr Cameron thinks those decisions have been made on political rather than practical grounds, one at Whyalla; one in Campbelltown; and I must confess that I cannot remember the fifth. I have to confess that it escapes me for the moment. But it is about good management. No-one will be disadvantaged. It will mean that some children will have to travel distances of up to 48 kilometres by bus once a year, and if there are any return visits transport will be arranged. It is purely about good management, or even better management, of what is one of the most outstanding school dentist services in the world—one which the Tonkin Government attempted to dismantle, I might hasten to add.

MINISTERIAL STATEMENT: NGANAMPA HEALTH COUNCIL

The Hon. J.R. CORNWALL (Minister of Health): I seek leave to make a statement.

The Hon. L.H. Davis: A brief one?

The Hon. J.R. CORNWALL: No, a quite lengthy one about the Nganampa Health Council.

Leave granted.

The Hon. J.R. CORNWALL: Mr Olsen and his challenger, Mr Cameron, seem to have suddenly discovered major problems in Aboriginal health. They have discovered major problems with their new President, too, I might say, but among other things they have suddenly discovered major problems in Aboriginal health. This is consistent—

The Hon. L.H. Davis: That is not part of the ministerial statement.

The PRESIDENT: Nor are interjections.

The Hon. J.R. CORNWALL: This is consistent not with genuine concern for Aboriginal people but with their deliberate strategy of demonstrating concern—and I make a distinction between genuine concern on the one hand and demonstrating concern in order to project themselves as caring Liberals. On the basis of their flying visits to the Far North West, they hold themselves up as experts. They then project themselves into media headlines with simplistic statements. For example:

> Mr Olsen says he is not calling for an open cheque book, just a reassessment of the NHC budget to give health workers basic resources.

This ignores the problems associated with the NHC which I have been at pains to point out recently. What is required is more than a 'reassessment of the NHC budget'. If we are going to find out why Aboriginal people in the Far North West can justifiably complain about the raw deal they have been getting, we have to ask fundamental questions about the performance of Mr Schrader and the NHC.

We have to examine the way in which $2.7 million a year in Commonwealth and State funding is being used. We must find out why the communities are provided with top-heavy European-style health services and why Aboriginal health workers are in many instances bypassed and disempowered. There appear to be massive management problems. There is mounting evidence that the accounting system is in a shambles. The Commonwealth Department of Aboriginal Affairs has attempted to negotiate with Nganampa to upgrade its financial management and to make Mr Schrader more accountable. But Mr Schrader formally rejected the department's conditions for funding, conditions which the South Australian Health Commission supports as being reasonable.

On 24 August Mr Schrader, who himself presides over a health service which has failed to get to grips with the fundamental health needs of Aboriginal people, wrote to me about the NHC funding position. In the characteristically abrasive manner which he adopts, he accused the department of trying to destroy the NHC. In a memorandum sent to me the following day the Acting Executive Director of Statewide Health Services identified the conditions which Mr Schrader so violently disputed. These were: first, performance indicators to be submitted; secondly, NHC

to submit to the department monthly statements of income and expenditure, comparing them with the approved budget in accordance with the specific cost centres; thirdly, that no senior positions be advertised without the prior approval of the Director of the DAA in South Australia.

In the speech I made at the Aboriginal Health Organisation on 17 September I gave the lie to Mr Schrader's ongoing attempts to dupe the people of South Australia about the budget position of NHC. Mr Schrader continues to blame the deficiencies of the health service which he manipulates on so-called 'cutbacks' by the Department of Aboriginal Affairs. His distortion of the true position is either wilful misrepresentation or a reflection of his incapacity to differentiate between recurrent and capital spending. What I said at Norwood remains true, and I quote directly from that speech:

Nganampa and its coordinator can expect to be judged on their record of performance, not on the amount of hysteria they can generate. The simple fact is that Nganampa has been adequately, even generously funded. And there is no truth in the claim that funding has been cut. If we look at recurrent funding, we can see that Nganampa in 1983-84 received $777 000 from the Commonwealth for seven months, representing a full-year total of $1.3 million. Over the next three years recurrent funding increased to $1.7 million, $1.8 million and $2.1 million. In 1987-88 the Department for Aboriginal Affairs is providing $2.2 million to Nganampa in recurrent funding. These figures come directly from the Commonwealth. The Department of Aboriginal Affairs reports that since 1983-84 there has been a 30.6 per cent increase in recurrent funding after taking into account the effect of inflation.

The allegation that State Government funding has been cut is equally spurious. In 1983-84, South Australian Health Commission funding for Nganampa was $175 000. This has increased to $396 000 in 1984-85, the first full year of operation, to $418 000 in 1985-86 and to $430 000 in 1986-87. The figure for 1987-88 is $455 000.

In any event, the problems confronting Aboriginal communities in South Australia, both within the metropolitan area and in country areas, cannot be explained away on the basis of a shortage of money or resources. There is no doubt that considerable resources are devoted to these problems. The big question is how can we organise services for maximum beneficial impact and reduce the drain upon community resources caused by the myriad of bureaucracies and outside agencies with which each community must contend. The Proctor review has estimated total Commonwealth expenditure on Aboriginal services in South Australia somewhere above $50 million. In addition to mainstream service expenditure, the State Government expends more than $30 million on services to Aborigines.

If we look at total services provided for the estimated 2 000 Aboriginal people in the North West, we see that the Commonwealth Department of Aboriginal Affairs currently contributes some $15 million. The total expenditure throughout South Australia is in excess of $33 million.

Clearly, the resources being channelled into services for Aboriginal people are considerable. We have to look at more fundamental reasons for the justifiable complaints of Aboriginal communities about their health status. Simplistic or ill-conceived outbursts by manipulators who wish to blame others for their own deficiencies of performance will not resolve the major issues which have to be confronted.

According to the *Advertiser*, Mr Schrader has now turned his guns on the South Australian Health Commission. It says he 'has had some tough words to say about Government funding levels and says the budget for this financial year from the South Australian Health Commission has not been approved, leaving the council in the dark'. These are quotes attributed to him within the past few days. Such a statement is typical of the spurious statements by Mr Schrader, who appears to be convinced that wild or untruthful claims about the Commonwealth or State Governments will deflect criticism from where it belongs—squarely on his plate.

At the time Mr Schrader made his false claim to the *Advertiser* he knew perfectly well that he was fabricating the complaint. The fact is that the Executive Director of the Health Commission's Statewide Services Division wrote to Mr Schrader on 24 August 1987 confirming that the South Australian Government's grant, through the South Australian Health Commission, to NHC for 1987-88 would be $455 500. That letter outlined a timetable of funding releases linked to the receipt of the preceding quarter's financial statement and satisfactory resolution of audit queries and accounting standards. Mr Schrader, true to form, neglected to tell the *Advertiser*—and, thereby, the people of South Australia—that the commission was stipulating a requirement for regular financial statements. I can advise the Council further that authority for payment of the first quarterly release was given by the commission on 6 October 1987. Contrary to Mr Schrader's statement, cheque No. 313115 was deposited to account No. 69/0870, Nganampa Health Council, Westpac, Alice Springs, on 7 October 1987.

The Commonwealth Department of Aboriginal Affairs has had similar problems in trying to pin down Mr Schrader and get him to tell the truth about the true financial position of Nganampa, the allocation of funding and proper accounting records. Mr Schrader can drum up all the Opposition or media support for phony accounts of life at Nganampa he wants but he cannot escape his responsibility to account for taxpayer funding. The position became so difficult for the Department of Aboriginal Affairs that it was forced to commission an independent external audit of both—

The Hon. M.B. Cameron: You don't like Aborigines, do you?

The Hon. J.R. CORNWALL: Mr Schrader was a white American last time I saw him.

The Hon. M.B. Cameron: He's been here 15 years and is a permanent resident of Australia. Your attacks like that on any person are disgraceful, absolutely disgraceful. I'll have something to say about you.

The Hon. J.R. CORNWALL: After that period of 15 years he is presiding over a disaster, and blaming everyone else for his failure—and telling lies. The position became so difficult for the Department of Aboriginal Affairs that it was forced to commission an independent external audit of both the financial and management systems of Nganampa. This became necessary because of Mr Schrader's refusal or inability to provide the necessary information and audited accounts and because of the increasing deficit situation claimed by Nganampa.

External auditors (in this case Price Waterhouse) should be assisted by any taxpayer-funded organisation being examined. Predictably, that has not been the case. Mr Schrader, I am informed by the commission, has deliberately and provocatively obstructed the work of the external auditors. I believe that is scandalous behaviour by a person who spends so much time sending abusive and inflammatory telexes and letters to Commonwealth and State Government agencies.

Finally, I want to say how disgusted I am that Mr Schrader continually parades the problems of Aborigines in the media. This sort of behaviour does not help those people in the slightest. Rather, it perpetuates a community view that they are hopeless and helpless. That is not a correct viewpoint. I am not dodging the reality. When I announced the setting up of Nganampa (and our high hopes for its success) on 7 October 1983, I spoke of the urgent need to upgrade the general health status of the Aboriginal communities. I said the overall health status of many was 'simply appalling'. Since that time we have had successes and we have had disappointments. We are insisting on changes and improvements where necessary. We have to build on the successes of health services such as Pika Wiya and Ceduna-Koonibba and overcome the deficiencies identified in the Far North West. But I cannot subscribe to the statement in the *Adver-*

tiser on the basis of the cynical and exploitative views of Mr Olsen and Mr Cameron that, although there is light at the end of the tunnel, 'it could take until the beginning of the next century before things improve markedly'. That is a defeatist and counter-productive acceptance of the *status quo*. We can bring about marked improvements, as we have proved with services like Pika Wiya, and we will.

SIGNPOSTING

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Minister of Tourism a question about signposting.

Leave granted.

The Hon. L.H. DAVIS: The Minister would be aware that for the past 3½ to four years I have been campaigning for improved signposting in South Australia. The latest complaint I have received has come from Bungaree station in the mid-north. Bungaree station was established in 1841 in magnificent country to the north of Clare. In 1906 the property was split four ways into Bungaree, Bungaree North, Bungaree East and Anama. Mr George Hawker and Mrs Sally Hawker own Bungaree, and in Easter 1986 they opened this historic property to the public and 2 000 people inspected the property and buildings, which date back to the 1860s. Since then Bungaree has been opened to allow visitors to stay overnight in the shearers' quarters, which accommodate up to 31 people, or inspect the property and take refreshments. The number of visitors to Bungaree is steadily increasing each week.

However, the Hawkers face a major hurdle. Bungaree is often confused with North Bungaree and many intending visitors arrive at North Bungaree. Bungaree is located six kilometres beyond the Spalding/Jamestown road junction on the main road to Port Pirie. In October 1986 the Hawkers wrote to the Clare council asking for a sign to be placed at the Spalding/Jamestown road junction to overcome the confusion and to ensure that the many intending visitors to Bungaree did not become lost. On 17 December 1986, the Clare council, having agreed to the suggestion, wrote to the Highways Department suggesting that the sign should go ahead. The Hawkers heard nothing for five months and on 25 May 1987 they wrote to the Highways Department to find out what was happening. Nearly two months later they received a letter dated 17 July saying that their request had been sent to the Department of Tourism. The letter went on to state:

> I am unable to support your request for signing at the Main North Road and Jamestown/Spalding road junction. This junction is six kilometres from the site and is therefore too remote to conform with departmental policy to only provide tourism signs in the vicinity of a feature.

This letter was signed by the regional manager of Yorke Peninsula and Lower North in the Highways Department, Mr John Steele. On 21 September Mr Steele wrote back to advise:

> Approval has been given for Bungaree Homestead signs to be installed 200 metres in advance of the entrance from the Main North Road as soon as resources permit.

But this did not overcome the problem of visitors not taking the correct road. In the meantime the Hawkers had ascertained that the Department of Tourism had approved the signposting at the road junction, but the lack of signposting for Bungaree is reflected in the following examples: first, late in 1986 the RAA got lost trying to find Bungaree when visiting the station for the purpose of writing an article for *SA Motor*. As the Hawkers mused, if the RAA can get lost then the signposting must be really bad.

Secondly, in September several four-wheel drive vehicles coming back from the Birdsville races got lost trying to find Bungaree. These four-wheel drive vehicles contained top Australian Tourism Commission officers, overseas visitors, overseas travel agents and writers who were writing feature articles on Australia and inspecting Australia's visual attractions. They had to go to Clare to find directions. Thirdly, last week a visitor bus got lost. Fourthly, earlier this week a busload containing staff from a leading South Australian media group got lost. Fifthly, drivers of at least two to three cars a week complain about inadequate signposting. Sixthly, the Clare caravan park when full refers cars on to Bungaree for overnight accommodation, and it appears that in only one in three cases do those cars find their destination.

In summary, for 11 months Bungaree has been trying to no avail to get adequate signposting. Madam President, five months ago the Minister established a committee to investigate signposting at the suggestion of frustrated tourist operators and in the face of persistent questions from the Opposition, but key tourist operators point to the lack of signposting for Bungaree as an example of the need for a dramatic and rapid revision of the approach of the Highways Department to the important question of signposting. My questions are as follows:

1. Will the Minister arrange a breakfast meeting with the Minister of Transport, Mr Keneally, to point out that many visitors and tourist operators believe that signposting in this State is a dog's breakfast?

2. Will the Minister speed up the improvement of signposting in key tourist regions to ensure that at least visitors to South Australia in the bicentennial year will be able to find Bungaree and other tourist attractions?

The Hon. BARBARA WIESE: This is very amusing, is it not? I wonder if Thumper McDonald thinks that this is a good approach to public affairs. One can only agree with him that some new blood and enthusiasm is required in the Liberal Party in this place when a member decides to trivialise the issue of signposting in this State and treat it so flippantly when he knows that signposting is important in tourism and a matter I have taken up on a number of occasions when issues have been drawn to my attention. Instead of getting up and cracking jokes and treating these things flippantly in Parliament, it might be reasonable for the honourable member, if he finds individual cases where it seems inappropriate that signposting has not been granted, to write me a letter and I may then be able to take it up with the appropriate authorities.

I was able to do this recently when it was drawn to my attention that the Highways Department had not allowed a signpost to be placed in the area leading up to the Clare Valley. I took up that issue with the Minister of Transport, and in the past few weeks a sign has been erected simply because the matter was looked at again. Instead of grandstanding and carrying on like an idiot in this place the honourable member should draw such issues to my attention so that I can have them individually reviewed. If the decision that has been taken is not appropriate something can be done about it. As the honourable member should know, the differences in policy between the various agencies that have some responsibility for signposting has been a problem and that is why I initiated the establishment of a committee, which now has representatives on it from all of the organisations that have an interest in the matter.

One of the roles that that committee will undertake, I hope, is to sort out a more reasonable approach to signposting so that the numerous issues that must be taken into account, aside from tourism—for example, road safety—can be treated reasonably and accommodation made for

each of those concerns. That committee includes representation from the Highways Department, the Local Government Association, the Environment and Planning Department—because the National Parks and Wildlife Service clearly has an interest in the matter—and Tourism South Australia.

So, these are the very issues of why they are looking, and I hope that through this work we will be able to take a better approach to signposting. I must say that Tourism South Australia has done a lot of work already in South Australia, working with and encouraging individual councils around the State to undertake reviews of those areas of the State for which they are responsible in relation to the provision of signposting. Thus, we can encourage much better signposting in all regions of South Australia.

So, already a lot of action is taking place. Already, a rationalisation of signposting has been undertaken in many parts of the State. I acknowledge without any problem at all that at the moment the signposting in South Australia is not perfect, but it is certainly a lot better than it used to be because of the efforts of people working in Tourism South Australia. There will be a lot more improvement in signposting as a result of the work of the committee that has been established.

In respect of the case that the honourable member has raised today, first, I can say that I, too, have visited Bungaree, and it is an excellent tourist attraction in South Australia. It is a very impressive operation, and people who go there enjoy seeing the things that the hawkers have to offer. I agree that it is important that signposting should be adequate for people visiting such places in this State. Now that this issue has been drawn to my attention, I shall take it up with the appropriate authorities and see whether something can be done. I appeal to the honourable member not to waste the time of this place with individual cases of signposting and suggest that, when things of this kind are brought to his attention, he write me a letter so that I can do something about it in a sensible way.

COMPUTER SOFTWARE

The Hon. M.J. ELLIOTT: I believe that the Minister of Tourism has an answer to a question that I asked on 10 September about computer software.

The Hon. BARBARA WIESE: The Minister of Education has advised that the multiple copying of a computer program such as a word processing program may, but more probably may not, be allowed in the purchase agreement of the original, in the same way as any other book or non-book material purchased by a school. Negotiations between representatives of the Australian Education Council's working party on copyright law, and copyright owner's representatives, are taking place, with a view to special licensing arrangements being entered into which would assist schools with many aspects of the copyright issue. This issue could under the present law be seen to include computer software.

SHELTERS

The Hon. DIANA LAIDLAW: I seek leave to make an explanation before asking the Minister of Community Welfare a question on the matter of shelters.

Leave granted.

The Hon. DIANA LAIDLAW: The Minister has referred repeatedly in this place in recent months, and especially since the release of the report 'Shelters in the storm', to the 'fine reputation of women's shelters generally in South Australia'. He has endorsed the important role played by shelters in supporting victims of domestic violence and homeless persons. The last occasion was last Wednesday during the Minister's response to a motion put by the Hon. Mr Elliott. The Liberal Party concurs in the Minister's sentiments in each respect. I was therefore rather aghast to receive this morning a study of the Supported Accommodation Assistance Program, undertaken by Ms Kathy Mott at the instigation of the Non-government Welfare Unit of the Department for Community Welfare. The introduction of the report, dated September 1987, states:

> This study will link with the current national review of the Supported Accommodation Assistance Program, the results of which will form the basis of SAAP—Mark II, a refined and redeveloped community-State funded program.

As the study is linked with the current national review of SAAP, it would be beyond belief if the Minister did not know that the report had been commissioned or if he disclaimed any knowledge of its conclusions and recommendations. Those conclusions and recommendations are shattering in their impact on all shelters—women's, men's and youth shelters.

Essentially, the conclusions, if implemented, will lead to the total dismantling of all shelters. The recommendations, which are outlined on pages 6 to 11 of the report, include the following:

> 1. The ousting of all management committees to be replaced by joint administrations.
> 2. Discontinuation of the practice whereby shelter staff are based in or live in or sleep overnight at shelters.
> 3. The relocation of all support staff away from the shelter, preferably at a community based agency or service or some other location.
> 4. Providing project officers of the SAAP unit, in consultation with the local office of DCW, a stronger role in directing existing services to change.

All those recommendations are quoted from pages 6 to 11 of the report.

The Hon. M.J. Elliott interjecting:

The Hon. DIANA LAIDLAW: Yes, in part they have done that, but this goes much further, and includes not only the dismantling of women's shelters as we know them but also men's and youth shelters. Does the Minister endorse these and the other recommendations outlined in the study commissioned by the Non-government Welfare Unit of the Department for Community Welfare as a future delivery model for SAAP-Mark II? If so, why will the Minister not stand by his earlier and repeated endorsements in this Council that the shelters in this State have a 'fine reputation' which he seeks to uphold? If the Minister does not endorse the recommendations, will he provide an immediate and unqualified commitment that he will reject the proposals and ensure that they are not the basis of South Australia's contribution to the current national review of the Supported Accommodation Assistance Program?

The Hon. J.R. CORNWALL: She is at it again. It is obvious that Ms Laidlaw—

The Hon. Diana Laidlaw: Have you read the report?

The Hon. J.R. CORNWALL: Of course I have. It is obvious that the Hon. Ms Laidlaw never expects to be the Minister for Community Welfare. If she had any pretensions to that position at all she would not come in here on a daily basis and ensure that she alienated just about every person in the department. I can tell her that her behaviour in this place or, might I say, her misbehaviour in terms of continually misrepresenting these things, is cause for very grave concern.

The Hon. Diana Laidlaw: Why would I be misrepresenting what I have read in the report?

The Hon. J.R. CORNWALL: I will explain in a moment how the honourable member has misrepresented the situation—if she would stop shrieking at me. Continuous misrepresentation in this place does not do Ms Laidlaw much good. The report referred to was indeed linked with the national review. Its specific task was to look at the provision of sheltered and supported accommodation in rural areas.

The Hon. Diana Laidlaw interjecting:

The Hon. J.R. CORNWALL: Don't misrepresent the position. The report explored some very interesting models but, in essence, it said that in some small country towns and small rural regions, it is not possible, nor appropriate, to establish shelters on an institutional basis, with 12, 15 or 20 beds. It made the point that it was very sensible to have the administration based independently, and that if there was a need on a particular night for 12 or 15 places, whether it be for emergency shelter for youth, men, families, women, or whatever, it would be very sensible to have contractual arrangements or regular arrangements with motels, boarding houses or hotels—with a whole range of places—in a rural area, so that beds could be available on request or on demand as was necessary.

The report made a further point with regard to sheltered accommodation generally, namely, that once sheltered accommodation is fully institutionalised two things happen. First, one can feel a failure in some senses if one does not have the shelter full every night, whereas, of course, in the full spectrum of things ultimately we ought to live in a society where shelters are not necessary. That seemed to me to make a lot of sense. The other point is that one of the models that ought to be investigated administered shelters but did not have live-in staff, so that dependency did not develop. That is looking at the full spectrum of accommodation.

Let us remember that, for example, women's shelters (and the report made this very clear) are an extremely important element in the spectrum of support for victims of domestic violence. However, the report specifically made the point that they should not be seen as the sole means of support and that a whole lot of other support mechanisms need to be developed to support women and children who are victims of domestic violence so that they can be rehabilitated, supported and able to function back in the mainstream of the community as soon as is reasonably possible. So, quite contrary to what Ms Laidlaw tries to suggest, the report in fact presents first—

The Hon. R.I. Lucas: Do you support the report?

The Hon. J.R. CORNWALL: Of course I support the general thrust of the report. Do not try to misrepresent it. As I said, the report (and I will just summarise at this point) refers to an innovative, flexible and pragmatic way in which emergency shelter can be provided in rural South Australia, or indeed rural Australia. I know that Ms Laidlaw belongs to the metropolitan rump of her Party, but she should appreciate that these are in rural constituencies women who are victims of domestic violence, to the same extent as occurs in the metropolitan area, and that it is not possible or practical to have women's shelters in places like Tintinara, Penola or Cowell. She should have a yarn with some of her rural friends on the back bench who would be able to explain that situation to her. In those circumstances the report suggests that an administrator should be centrally located and should have contacts with commercially provided accommodation. Of course, on the night when nobody is in sheltered accommodation in that area, you can really count yourself as being a success in some ways.

The report also makes the point that, in addition to what one might call the traditional shelters which have grown up and which we will continue to support with enthusiasm, other models can and should be developed. It is no more and no less than that. To suggest that it is some sort of blueprint for the dismantling of the current shelter arrangements is to completely distort the facts and shows that either Ms Laidlaw has misunderstood (which is possible), or again is distorting the fact (which is probable).

The Hon. DIANA LAIDLAW: As a supplementary question, in the light of the Minister's statement that the report deals only with rural service delivery models, I ask him whether he noted the recommendation on page 13 which states:

> The conclusions of the study point to the need for changes in existing service delivery approaches. These changes are relevant not only for rural areas and country centres but also for metropolitan services.

I ask the Minister also, in respect of his statements about the institutionalisation of shelter accommodation, whether this is one part of the whole process of amalgamation between the Health Commission and the Department for Community Welfare?

The Hon. J.R. CORNWALL: I went through this matter at great length and I thought that I made it clear, but I appear to have to do it again. The report canvassed, first, a practical way in which supported and sheltered accommodation could be provided in rural areas. It is an innovative and a practical way of doing that. I said at length (and members can check *Hansard* tomorrow) that it also explored other innovative ways in which shelter of a less dependent character could be provided in larger—

The Hon. Diana Laidlaw: In the metropolitan area?

The Hon. J.R. CORNWALL: Yes, certainly in the metropolitan area and in larger provincial cities. It does not say that the current shelters ought to be dismantled. What it does say is that a range—

The Hon. R.I. Lucas: You got caught out.

The Hon. J.R. CORNWALL: I have read the thing.

The Hon. R.I. Lucas: You were caught out.

The Hon. J.R. CORNWALL: I have a reputation for being a voracious reader and, despite my advanced years, I happen also to have an excellent memory. I remember quite clearly reading the recommendations and being impressed by them, because they give us a chance to provide shelter in rural South Australia where previously it has not been provided, and that ought to be a concern for the Hon. Ms Laidlaw. It gives us the opportunity also to explore nationally (and members should recall that the SAAP program is funded jointly by the Commonwealth and the State) other models that have less dependency than the current women's shelters. I give this undertaking: I certainly do not support in any way, shape or form any significant interference with the model of women's shelters as they are currently constituted.

The Hon. R.I. Lucas: New shelters, too?

The Hon. J.R. CORNWALL: That does not—

The Hon. Diana Laidlaw interjecting:

The Hon. J.R. CORNWALL: You are a very rude lot. Your mothers taught you no manners at all. You should never interrupt while somebody else is speaking—it is very bad manners. The suggestion relating to additional models that involve less dependency is innovative. It will certainly be considered at both the State and the national level, and I believe that the various consultative committees and bodies that administer and organise the national SAAP program will be as impressed with those suggestions for innovation as I am. However, the women's shelters—

Members interjecting:

The Hon. J.R. CORNWALL: Do not let us misrepresent the facts. Stop trying to distort—you desperate lot. Get back

to trying to organise your own Party. Organise yourselves as an alternative Government. You are a rabble, so stop coming in here and trying to distort the facts and the truth. Stop acting like a professional second-rate permanent Opposition.

ENFIELD COUNCIL

The Hon. J.C. BURDETT: I seek leave to make a brief explanation before asking the Minister of Local Government a question about the Enfield Council.

Leave granted.

The Hon. J.C. BURDETT: Yesterday I asked the Minister a question on this subject and I alleged that a Councillor Binka had levied charges against a ratepayer who had sought his assistance as a councillor. I went on to say that Councillor Binka subsequently seconded a motion supporting a planning application which was the subject of the request for assistance and took part in deliberations, and I raised the question of conflict of interest. I also referred to the fact that the Minister's letter in response to the Enfield council did not mention the question of conflict of interest. In her reply yesterday the Minister said:

> This issue has come to my attention, and I think it is a little more complicated than the honourable member has suggested, because the ratepayer who was originally involved with the allegations that were made against Councillor Binka concerning conflict of interest has subsequently denied that the alleged events occurred, and has indicated that he does not wish to play any further role whatsoever in this issue. He certainly has no intention of pursuing the matter in any way.
>
> Also, Councillor Binka has denied any allegations that were made against him concerning his alleged involvement with the ratepayer, and denies that the events which were alleged to have occurred in fact did occur.

I have before me a copy of a letter on the printed letterhead of Rudolf Binka, B.Ec., AASA, CPA, registered tax agent, management consultant and investment adviser (it also gives his telephone number and address), who is the councillor concerned. The letter is addressed to the ratepayer involved and states:

> I am writing to you to advise you, again, that the photographs I have taken of your rental premises have been ready for a number of weeks awaiting collection, as arranged. I have spoken this morning to the City Planner, Mr Bruce Ballantyne, and was most disappointed to learn that you have failed to attend your second conference which was scheduled for 10.00 a.m. last Friday (16.1.87). The Commissioner Bulbeck was not exactly amused and neither was our City Planner with the legal representative. The photographs—two off of 10 frames—will cost $10. Can you please collect these as soon as possible and also pay me my outstanding fee for professional service, which I have reduced in your case to a mere $20.

The letter is signed 'Yours faithfully, Rudolf Binka'. Apparently, the councillor is complaining about not having been paid the fee that he did not charge when, of course, he did charge the fee. Incidentally, I am informed that a copy of this letter was sent to the Minister's department. If it has been mislaid, I can provide her with another copy.

When this matter was raised in council I am informed that the councillor admitted having made the charge but said that because it was not in his ward he presumed that it was all right. I have raised the question of conflict of interest. Will the Minister seek a further opinion from the Crown Solicitor on the basis of this copy of the councillor's letter and of the information that the making of the charge was admitted in council by Councillor Binka (and, of course, that could be easily ascertained)? I add that the fact that Councillor Binka seconded the motion and took part in the deliberations is a matter of public record in the council minutes. Will the Minister ensure that these matters are referred to the Crown Solicitor?

The Hon. BARBARA WIESE: Since the first question about this matter was asked only yesterday I have not yet had an opportunity to obtain a report from my department, although I have asked for the information to be provided to me as soon as possible. I hope to have a reply by tomorrow. I certainly do not recall the letter to which the honourable member refers and I would be grateful if he would furnish me with a copy. If any information is contained in the letter and subsequently in the matters addressed by the honourable member here today which were not previously referred to Crown Law and which formed the basis of the opinion which was previously provided to me on the issue, I will be happy to refer that information to the Crown Solicitor and seek a further report.

POLICE HARASSMENT

The Hon. I. GILFILLAN: Does the Attorney-General have a reply to a question I asked on 8 September about police harassment?

The Hon. C.J. SUMNER: The Minister of Emergency Services has now provided me with the following information with regard to the question. The Police Complaints Authority is not in a position to make any assessment of, or comment upon, the allegations made by or on behalf of Mr Grey. Some relate to matters which occurred prior to 1 September 1985, and are not open to scrutiny under the provisions of the Police (Complaints and Disciplinary Proceedings) Act 1985, which came into effect on that day.

Mr Grey has not himself made any complaint under the Act, either to the police or to the authority, in respect of any conduct by police since 1 September 1985. He did go to the authority on a number of occasions in respect of matters that occurred before that day. Some preliminary inquiries were made into the issues which he raised. Most information came from police files, necessarily, as Mr Grey had only furnished the authority with selected excerpts from the documents and tapes he claimed existed in support of his allegations. He implied that other documents and tapes which required inspection were not in his own possession at that time. The information available suggested that the allegations had been raised on several prior occasions and had been investigated by the Internal Investigation Branch of the Police Force. In the absence of further detail from Mr Grey, there was little to suggest there had been any untoward police actions.

The only investigation under the Act was made in respect of a complaint lodged by a Mr Tucker. Mr Tucker witnessed a television program in which a Mr James, who is assisting Mr Grey and was staying in his house at the time, made allegations of police harassment. Neither Mr James nor Mr Grey made any complaint either to the police or to the authority in respect of this incident.

While this incident was under investigation, you asked a question in the Legislative Council (*Hansard*, 7 April 1987) which furnished further details of the alleged harassment of Mr Grey and Mr James. These were incorporated into the investigation then being conducted into Mr Tucker's complaint.

Before the assessment of the investigation was completed by the authority, a further complaint was received from Hawthorn Church of Christ on behalf of Mr and Mrs James. Mrs James was invited to attend the authority to furnish more details of the complaint, and the matter has been registered and referred for investigation by the Internal Investigation Branch pursuant to the Act. Mr James accompanied his wife but indicated that he was not at that stage prepared to make a formal complaint on his own behalf.

Subsequently, however, on 21 July 1987, he submitted a letter and a complaint form to the authority. He stressed that 'all documents are strictly for this office only' and that he would contact the authority again when he 'receives a reply from Parliament', when he would bring in 'many more documents'.

It appears that the matters raised on behalf of Mr Grey, and those which affect both Mr and Mrs James, are closely related. Mr Grey alleges that he has been the victim of police harassment extending over a period of years, and that harassment extends to any person who endeavours to help him; Mr James alleges that the incidents which he claims amount to harassment of both himself and his wife have occurred because he has attempted to assist Mr Grey.

In these circumstances the authority has decided that the assessment of the investigation into Mr Tucker's complaint ought properly await receipt of the further investigation into the matters raised by Mrs James, so that the issues raised can be considered and assessed in their totality, rather than treating them as discrete and unrelated episodes.

Mr James called into the authority again on 17 September 1987. He indicated that the letters referred to herein were the entirety of the documents he intended to furnish and that he had intended that he be registered as a complainant.

When the assessment is complete it will be submitted to the Commissioner of Police in accordance with section 32 of the Act. Should he agree with that assessment, its terms will be notified to the complainants. However it must be remembered that the registered complainants are Mr Tucker and Mrs James.

The PRESIDENT: Call on the business of the day. The Hon. Mr Bruce.

The Hon. DIANA LAIDLAW: Madam President, I seek leave to make a personal explanation.

The PRESIDENT: The Hon. Mr Bruce has the call at the moment.

TAFE PRINCIPALS

The Hon. G.L. BRUCE: I move:

That the regulations under the Technical and Further Education Act 1976 concerning principals, leave and hours (amendment), made on 8 October 1987 and laid on the table of this Council on 14 October 1987 be disallowed.

It is necessary that these regulations be disallowed as they seek to amend regulations made on 6 August 1987 which were consequently disallowed in this Council on 7 October 1987. Therefore, these regulations no longer have any force. In considering them this morning, the Subordinate Legislation Committee believed that they were redundant and there was no gain from leaving them on the statutes. It believed that they should be taken out—that the decks should be cleared.

The Hon. R.I. Lucas: It was all a bit embarrassing, wasn't it?

The Hon. G.L. BRUCE: No, it was jumping the gun, and in due time it would have been dealt with. Rather than leave these amendments, which do nothing, I believe that they should be disallowed.

The Hon. J.C. BURDETT: I support the motion. What the Hon. Gordon Bruce said is quite correct: the regulations sought to amend regulations that had already been disallowed. Therefore, they are quite ineffective and it is bad legislative procedure to leave regulations that do not have any effect on the statutes or the record of regulations. I suppose that if anyone sought from the Government Printer or the Government Publications Office a copy of the TAFE regulations, one would receive a copy of these regulations. They are still printed; they are still there; they have not expired; and they have not been disallowed.

This motion is procedural; it is a procedure to tidy things up and ensure that ineffective regulations do not confuse the public by the fact that they remain. The committee has not expressed any view about the subject matter of the regulations; it simply sought to correct a mistake, as the regulations that these regulations were to amend had already been disallowed. For these reasons I support the motion.

The Hon. R.I. LUCAS: I support the motion. About two weeks ago I directed a question to the Minister of Tourism in this Council who handles the TAFE regulations. I asked why the Minister and the Minister of Further Education, together with the officers of their respective departments, had for about two weeks been unaware that this Council had disallowed the regulations that they were seeking to further amend. I do not want to go over all the old ground, but suffice to say that the response from the Minister of Tourism, indicating her grasp of the topic, was that it was a silly question. She was supported by the Attorney-General (and I would have thought better of him). The Minister of Tourism pooh-poohed the question.

All I would like to say is that I am delighted that one of the Attorney's backbenchers and senior colleagues, the Hon. Gordon Bruce, and the Subordinate Legislation Committee have seen the merit of what I put forward two weeks ago and have endorsed the fact that we should not leave on the statutes regulations such as these that seek to amend regulations that have already been disallowed by the Parliament.

Motion carried.

PERSONAL EXPLANATION: MINISTER'S REMARKS

The Hon. DIANA LAIDLAW: I seek leave to make a personal explanation.

Leave granted.

The Hon. DIANA LAIDLAW: Yesterday when I asked a question about children in care the Minister of Community Welfare accused me of seeking cheap headlines. I rose at the end of Question Time and denied that, saying that such a statement had no substance. However, today he repeated the accusation and, therefore, I am forced to rise again to say that his suggestion has no substance at all. My question was based on that occasion—and I take the same stand today—on the fact that I have a genuine concern to see that something is done about abuse and allegations of abuse of children in foster care, and also in respect to wider issues related to foster care.

Today the Minister also accused me of having got the whole issue completely wrong. I would like to remind the Minister that in addition to a phone call to his department following concern on this matter on which I based my question today, the Minister should also be aware that I was guided to the program description for the Department of Community Welfare. Under 'Substitute family care for children' (and the department might like to recall what it wrote into this document) at page 298, 'Issues/trends', it states:

Substitute care services for children have been under review.

The PRESIDENT: Order! Is this part of the—

The Hon. DIANA LAIDLAW: This is part of the Minister's accusing me of having got it entirely wrong.

The PRESIDENT: A personal explanation should deal with personal matters entirely.

The Hon. DIANA LAIDLAW: I have been accused of getting the whole matter entirely wrong. I would have thought that that was a personal matter, reflecting on my integrity and judgment.

The PRESIDENT: I would agree completely, but it seemed to me that the honourable member intended to quote from a departmental document and ask whether the Minister was aware of something in the document. That is not part of a personal explanation.

The Hon. DIANA LAIDLAW: Thank you for your guidance, Ms President. I indicate that I was aware of references in the program description for the Department of Community Welfare for this current financial year. At page 298 under 'Issues/trends', which talks about not only a review of adoption policy and practice but an internal departmental review of the remaining areas of substitute care, it further goes on to say that the incidence of abuse in care, in particular, is becoming a concern to be addressed in all forms of substitute care. So in addition to phone calls to the department and written statements presented to this Parliament (which I would have thought the Minister would stand by)—

The Hon. J.R. Cornwall interjecting:

The Hon. DIANA LAIDLAW: You are so mixed up! This document talks about the incidence of abuse in care becoming a concern to be addressed in all forms of substitute care. If the department is acknowledging that, I can hardly believe that the Minister could come in here and misrepresent the whole situation by accusing me of being entirely wrong in this matter.

CARRICK HILL

The Hon. CAROLYN PICKLES: I move:

That the report of the Select Committee on the Sale of Land by Carrick Hill Trust be noted.

I do not intend to go over ground that has previously been covered in this place. However, it will be necessary to put this debate in some kind of historical context, and I will do so by way of reference to the select committee report and evidence presented to the committee. The land which the Carrick Hill Trust has recommended be sold comprises 2.7 hectares in the south-eastern corner—in fact, 6.8 per cent of the total Carrick Hill property. The members of the select committee visited the area with the Carrick Hill Trust and I believe that this was vital in order to place the sale of this land in some kind of perspective in relation to the whole property, what the trust intends to do with the whole property in future and to what extent, if any, the existing residence could be exposed to a 'disturbance factor' with any further development.

This piece of land is tucked far away behind the house—not visible from the house—and would involve a subdivision of eight blocks, each being larger than existing developments along Oakdene Road and Hillside Drive. The trust gave evidence that the net yield from the sale of these blocks would be about $1.2 million, based on existing rates of land sale in that area.

When considering the sale of land, the select committee noted two important aspects associated with it: first, that under the 1985 legislation the Carrick Hill Trust has the power to recommend to Parliament the sale of Carrick Hill land—this it has done. The trust also has the power, without reference to Parliament but subject to ministerial approval, to sell personal property such as paintings or furniture—this it has resolved not to do. This latter power was also contained in the wills of the benefactors of Carrick Hill, Sir Edward and Lady Ursula Hayward.

Secondly, why did the trust need to sell the land? Evidence was given by the trust that there had been concern that Carrick Hill needed to provide an ongoing and changing interest for the general public in order to maintain and improve attendance. The trust believed that there was a danger that Carrick Hill would be a once-off place to visit, and there was an urgent need to retain public interest in the property. Evidence was also given that attendance had not reached predicted expectation. It should also be noted here that the trust gave evidence that, contrary to some media reports, there had been absolutely no coercion on the part of the Government to recommend this sale of land.

The trust had recommended the establishment of a sculpture park to provide a national and international interest, but realised that there would be an ongoing problem with funding. I would like to quote here from the Carrick Hill Development Plan of August 1987, which was tabled before the select committee and which reads:

> If the potential of the Carrick Hill sculpture park is to be realised, there is a very real need for additional funds, both for the acquisition of Australian and overseas sculpture as well as for the development of the gardens to provide the appropriate setting for sculpture. As Government funds are unlikely to be forthcoming in the forseeable future, and as funds from private and commercial sponsors are limited, the trust is therefore looking to its own resources in order to expedite the development of the sculpture park, hence the proposal to develop and sell a small parcel of land remote from the central house, garden and sculpture park area.
>
> If this proposal proceeds, it will generate funds in excess of $1 million. The trust proposes that these funds be invested, with part of the income then used in the acquisition of further pieces of sculpture; hence, through the generous bequest by Sir Edward and Lady Hayward, the Carrick Hill Trust has the unique opportunity to establish a sculpture park of both national and international significance.

The Carrick Hill Trust has developed the original concept of Sir Edward of a sculpture park. The trust believes that this added attraction to the property would be the first of its kind in South Australia and would ensure ongoing interest and attract visitors more regularly, rather the same way as one visits the Art Gallery of South Australia, to look at new exhibitions and to visit old favourites. At least, that is the way in which the majority of people visit the art galleries of the world.

On my recent visit to the Soviet Union it was fascinating to see the thousands of people queuing to visit their favourite art galleries and historical homes and palaces. I have no idea what kind of revenue this brings in to the Soviet Union, but I imagine it would be quite considerable. One also sees huge crowds visiting historic homes in Europe and the United Kingdom at all times of the year, and many are open in mid-winter. I do not envisage that there will be crowds of this size to visit Carrick Hill if a sculpture park were to be established, but I do believe—and evidence was given to the select committee—that there will be an ongoing interest in such a concept. As its reputation grows, so too will attendance.

Sir Edward and Lady Hayward had travelled extensively during their lifetime. They obviously had a love of art and history, and wanted to recreate a bit of old England in urban Adelaide, possibly to remind them of the old country and certainly as a backdrop to their considerable art collection. The house itself is built in the Elizabethan manor style and was created to set off the magnificent Tudor staircase.

The evidence before the select committee regarding Sir Edward's desire to establish a sculpture park came from several witnesses who were close to him. Sir Edward had looked at the possibility of subdividing part of the property

at Carrick Hill—in fact, the area under discussion. He wanted to purchase about 11 acres to establish a retirement village in which he could spend his remaining days. We had evidence presented to us that he discussed this matter with the then Premier, Dr David Tonkin, and I would like to read into *Hansard* a letter from Dr Tonkin received by the select committee. I quote this to emphasise that successive Governments of different political persuasions saw the importance of Carrick Hill and the establishment of a sculpture park. The letter states:

Thank you for your letter of 9 June 1987, regarding the possible sale of land by the Carrick Hill Trust and the conversations I had, while Premier, with Sir Edward Hayward. During 1982 I visited Carrick Hill and was shown the property by Sir Edward. It was a most interesting and enlightening experience and I gained a far more accurate impression of the most generous bequest which was being left to South Australia.

The Epsteins formed the basis of a long discussion on the desirability of establishing a sculpture collection in the park, a concept which had long appealed to me since visiting Antwerp in the early seventies and which was very warmly supported by Sir Edward. Among more mundane matters, I exposed considerable concern at the almost complete lack of security and protection for the collection and suggested that it might be possible to finance suitable arrangements even although, at that stage, the property was not the responsibility of Government.

I also offered to see whether assistance could be given towards maintaining the grounds and providing some help with certain trees which were in urgent need of attention. Following on this, Sir Edward mentioned the possibility of moving from the main property to part of what I understand is now the portion of land it is proposed to subdivide and sell. He made the point then, that splitting off the piece of land 'up at the back' would not in any way affect the integrity of Carrick Hill as a complete entity.

He was also pleased that it represented a valuable source of capital which would provide a trust with the basic income to develop Carrick Hill should the Government find it difficult to provide adequate funds. I have no doubt at all of Sir Edward's commitment to the development of the Carrick Hill concept, including the creation of a sculpture park, nor of his clearly expressed attitude towards the selling off of the land in question to raise trust capital to provide income towards its development.

I hope this will be of some assistance to you; the Chairman of the Carrick Hill Trust has written to me in similar terms and I have responded to him in the same vein.

The letter is signed 'David Tonkin'.

I think it is important to note that it was obvious from evidence that Sir Edward wished to sell the land in order to fund a sculpture park. The reason he did not do so at that time, we understand, was due to difficulties with death duties. Also, he was not in a position to alter the wills legally. The wills and deed both provided for an alternative disposition of Carrick Hill in the event that the State did not accept the gift—it would have passed to the National Trust of South Australia. The provision dealing with this beneficiary stated that it could 'sell or subdivide and sell in one or several lots, any portion of the said land (other than the said residence and a garden area surrounding it)'.

So, it is obvious that the benefactors recognised the problems that the National Trust could have in making the property financially viable, but they obviously felt that the Government of the day could manage to finance it. These wills were made in 1970. Lady Ursula died on 6 August 1970, and Sir Edward on 13 August 1983.

On 21 January 1971, the then Premier, Don Dunstan, advised the trustees of the will of Lady Hayward that the State accepted the gift. In 1971 the Carrick Hill Vesting Act was enacted and this Act facilitated the transfer of Carrick Hill to the Crown on the death of Sir Edward Hayward for use as a Governor's residence, the Carrick Hill Vesting Act 1982 widened the permitted use of Carrick Hill, but within the confines of those uses set down in the wills. The Carrick Hill Trust Act 1985 established the Carrick Hill Trust to administer the bequest on behalf of the State. It is important to note that the Carrick Hill Trust Act legally overrides the deed and wills, so there is no legal obligation on the State not to sell the land.

It is obvious that at the time the wills were drawn up there was a very different economic climate than there is today, but even then it was recognised that a large amount of capital was required to maintain Carrick Hill, let alone develop it to make it a commercially viable proposition for the State.

I think it is important to discuss the integrity of the wills and deed, which is a matter of contention for the Select Committee. The Select Committee has recognised the inherent difficulties of bequests for future generations, particularly in relation to bequests to the National Trust, and this recognition is contained in recommendation 3 of the report, which states:

[The committee] agreed to recommend that the question of whether the Supreme Court should be given the power to vary charitable trusts in order to provide ongoing maintenance of any bequest, be further investigated by the Attorney-General.

There is evidence overseas and in this State that organisations have been severely embarrassed with bequests which are impossible to maintain. In the United Kingdom, particularly, where many bequests have been made to the State and the National Trust, to avoid death duties, marvellous historical homes have been left to moulder through want of significant funds for maintenance.

Whilst Sir Edward and Lady Hayward did not leave any specific bequest to maintain Carrick Hill they obviously recognised potential difficulties. We had evidence before the select committee that Sir Edward recognised this problem in relation to the establishment of a sculpture park. Now, I know we cannot predict what these two people would have done had they still been alive today neither can governments predict what economic circumstances will exist some 16 years down the track. Evidence showed that Sir Edward and Lady Hayward gave this home to the State in good faith, wanting to provide something of great artistic and social value to the people of South Australia. Evidence also shows that this generous gift was accepted by the then Government in the same spirit. Neither party could then foresee what events would take place in the latter part of this decade which would place the ongoing maintenance and financial future of Carrick Hill in jeopardy.

The select committee was unanimous in its view that, if Parliament agreed to sell this portion of land under discussion, no further land at Carrick Hill should be sold. While this present Parliament cannot bind future Parliaments the select committee hoped that its view would be considered.

Further opposition to the sale of land came from the Conservation Council of South Australia. The trust had given evidence to the select committee that it would be developing a walking track in the southern hills face part of the property, which would be somewhat reduced by the sale of the land. Whilst the area is substantially native vegetation, some quite significant degeneration has occurred over the years. There was also opposition to the sale from some local residents. This opposition was based on grounds that there would be sight and noise disturbance from any residential development. Evidence was given that the land in question would be subdivided into only eight blocks of substantial size and that the Mitcham council had stated that planning approval for any subdivision development would be conditional on the same restrictions being applied as apply under the encumbrance on the rest of Springfield.

The select committee was of the view that because of the small number of new residences, the increase in volume of traffic flow and any associated noise could be minimal and may not cause any marked deterioration from the existing situation. As far as any visual intrusion was concerned, the

select committee was satisfied that the proposed area for subdivision was far enough away not to unduly distract from or intrude on Carrick Hill itself.

There would be some change to the outlook of present occupiers situated adjacent to the land in question. However, it should be noted that the Carrick Hill Trust planned tree planting to screen this area, and it was evident that some nearby residences had enjoyed private access to an area of land which is now private property.

Whilst the select committee was in agreement on two of the three recommendations, it was evenly divided on a resolution to recommend approval by Parliament of the proposed sale of land. Those of us who recommended approval by Parliament to sell the land, namely, the Chairperson of the select committee, the Hon. Anne Levy, the Hon. Terry Roberts, and myself, did so after carefully weighing all the evidence before us. It was a difficult decision to make, but we did so on the basis that the ongoing cultural viability and development of Carrick Hill will require additional resources which, under the present economic conditions, are not readily available for these sorts of purposes.

With heavy competition for Government finance, and a recognition that the Government has to address itself to a vastly different social and economic climate than that which existed in the 1970s, with increasing unemployment and worldwide economic recession, we realise that these decisions are not easy. We also endorse the sale by the Carrick Hill Trust in order to achieve these additional resources to establish a sculpture park. We believe that maintenance and expansion of the art collection best expresses the intention of Sir Edward and Lady Hayward.

We believe that such development is of greater value to the people of South Australia than the small section of land under consideration, and that the integrity of Carrick Hill would not be impaired by the sale.

The Hon. K.T. GRIFFIN: The Liberal members on the committee oppose the proposed sale of part of the land at Carrick Hill—some 2.7 hectares. They are sensitive to the dilemma of the Carrick Hill Trust with respect to the development of additional attractions at Carrick Hill and support the development of a high standard sculpture park. However, we are of the view that, in summary, persons who make bequests to the State should be confident that any terms which are attached to such bequests and which are accepted by the State will in fact be honoured in the future. It is important to recognise that in respect of the Carrick Hill estate the State Government did accept the bequest on terms which were clear and which did not approve the subsequent sale of land.

As the Hon. Carolyn Pickles indicates, the decision about any proposal to sell part of Carrick Hill land is a difficult decision. I respect the point of view that she has put, although I do not agree with it. I indicate that on balance—and notwithstanding the difficulties which the Carrick Hill Trust predicts it may face if the land is not sold—we conclude that it is not appropriate to vary the terms of the bequest to approve the sale under the 1984 Carrick Hill Trust Act.

One must remember that the very generous bequest of Lady Ursula and Sir Edward Hayward resulted from those two persons entering into a deed, in consequence of which they agreed to make mutual wills. They made those mutual wills because they each had an interest in the property at Carrick Hill. By virtue of the operation of the deed they were obliged, each to the other, to make those identical wills with respect to Carrick Hill. Lady Ursula Hayward died on 6 August 1970; Sir Edward died very much later on 13 August 1983.

In 1971, after the death of Lady Ursula Hayward, the then Premier of South Australia indicated to the trustees of her estate that the State of South Australia was prepared to accept the gift of Carrick Hill, subject to the conditions that were set out in the will. Those conditions were numerous: the property could be used as a home for the Governor of the State, as a museum or a gallery for the display of works of art, as a botanical gardens, or partly for one object and partly for another, or other such objects.

The condition was that within six months of Lady Ursula Hayward's death the State was required to indicate what it was prepared to do in respect of the bequest, and if the State had not accepted the bequest it was to pass to the National Trust and, specifically, it was given power to sell part of the land. The very fact that it was given that power indicates quite clearly in terms of the intention of the testator that a conscious decision was made to give the property to the State if it was prepared to keep it intact but, if not, then it was to be given to the National Trust and some mechanism was to be provided by which it could pay the operating and maintenance expenses associated with the Carrick Hill property. So, obviously, a conscious decision was taken by the testator with respect to the way in which the property should be handled.

The economic circumstances may well have been different then from what they are now, so far as the State's resources are concerned. It is correct that the bequest was probably made to alleviate some of the consequences of death duties—duties which were abolished at the beginning of 1980 by the Tonkin Liberal Government. But the very fact that economic circumstances are now different is, I suggest to the Council, quite irrelevant to a determination of whether or not the Parliament ought to approve the sale of part of the land. The terms of the trust are still capable of performance. It is not as though—

The Hon. C.J. Sumner interjecting:

The Hon. K.T. GRIFFIN: The Government has indicated that it is not going to withdraw those funds.

The Hon. C.J. Sumner: It can't do anything.

The Hon. K.T. GRIFFIN: Well, that was not what was put to the select committee. What was put to the select committee was that the Government would be maintaining its contribution. The Carrick Hill Trust put to the select committee that the land would be sold for the purpose of establishing a fund, not—

The Hon. C.J. Sumner interjecting:

The Hon. K.T. GRIFFIN: But that is not the issue. It was put to the select committee and to the Parliament that the land would be sold and the proceeds invested in a trust for the purpose of developing the property, particularly in the development of a sculpture park. The funds were not to go to maintenance; in fact, any suggestion that the money was to go to maintenance was denied. It was for other purposes. The State was going to continue making its contribution for the purposes of maintenance of Carrick Hill. So, the fact is that the objects and terms of the bequest are still capable of performance.

The Hon. C.J. Sumner: Not fully.

The Hon. K.T. GRIFFIN: They are still capable of performance, and the Attorney knows it.

The Hon. C.J. Sumner: They are not.

The Hon. K.T. GRIFFIN: They are still capable of performance.

The Hon. C.J. Sumner: Yes, provided that the Government provides more money.

The Hon. K.T. GRIFFIN: No, they are still capable of performance, even when the Government maintains—

The Hon. C.J. Sumner: Yes, but done properly.

The Hon. K.T. GRIFFIN: That is a matter of opinion.

The Hon. C.J. Sumner: It isn't; it can be done on a limited basis.

The Hon. K.T. GRIFFIN: That is really a matter of opinion.

The Hon. C.J. Sumner: You are talking out of your hat.

The Hon. K.T. GRIFFIN: Well, the Attorney is not talking out of his, is he! The honourable member ought to give me the courtesy of listening to what I have to say, as we were courteous enough to the Hon. Carolyn Pickles to listen to what she had to say. The Attorney can participate in the debate later if he wants to.

The Hon. C.J. Sumner interjecting:

The Hon. K.T. GRIFFIN: Well, he should not interject.

The PRESIDENT: Order! It is my function to tell members not to interject, not the Hon. Mr Griffin's, I would remind him. Interjections are not out of order; it is repeated interjections which are out of order, and I was about to draw the Attorney-General's attention to this when he ceased interjecting.

The Hon. K.T. GRIFFIN: I know it is your responsibility, Madam President, but the Attorney-General was interjecting on a repeated basis and I was responding to the interjections. All I was saying was that he should give us the same courtesy that we showed to the Hon. Carolyn Pickles—and we did not interject when we could have interjected on a number of issues that she raised.

The Hon. C.J. Sumner: You don't usually do us that courtesy, though.

The Hon. K.T. GRIFFIN: We do.

The Hon. C.J. Sumner: You interject all the time.

The Hon. K.T. GRIFFIN: Oh, rubbish.

The Hon. C.J. Sumner interjecting:

The PRESIDENT: Order! I point out that repeated interjections are out of order. I also point out that there is no obligation on any speaker to take any notice whatsoever of any interjections.

The Hon. K.T. GRIFFIN: Let me say, Madam President, that the terms of the trust are still capable of performance and that there is no suggestion that the trust cannot be performed. There are powers under the Trustee Act to vary the terms of any charitable trust by going to the Supreme Court, in circumstances where the terms of a trust are incapable of performance; but that is not suggested in this instance.

The Hon. C.J. Sumner: We withdraw the Government funding—then they will be incapable of performance. Has the honourable member changed his mind again?

The Hon. K.T. GRIFFIN: I do not change my mind at all. I am telling the Attorney what the facts are at the moment.

The Hon. C.J. Sumner: It is a very spurious argument.

The Hon. K.T. GRIFFIN: It is not a spurious argument. The Attorney really has no respect for the wishes of persons who are so generous as to leave substantial property to—

The Hon. C.J. Sumner: What did Premier Tonkin have to say about it?

The Hon. K.T. GRIFFIN: The Hon. David Tonkin did have some discussions, as I understand it, with Sir Edward Hayward, but it was not within the province of Sir Edward Hayward to seek to amend the bequest. He had entered into a deed with Lady Ursula Hayward, who went to her grave believing that the terms of the deed and the terms of her will would be honoured, and the Attorney really—

The Hon. C.J. Sumner: It is a small patch of land.

The Hon. K.T. GRIFFIN: It is not a small patch of land—it is worth $1.5 million.

The Hon. C.J. Sumner interjecting:

The PRESIDENT: Order!

The Hon. K.T. GRIFFIN: It is quite obvious, Madam President, that the Government's attitude is: 'Too bad what people wish to have done with their estates,' and that, even if a Government does accept the terms and conditions of any bequest, within a not unduly long period of time it can turn its back on its commitments and undertakings. But I suppose that is really a reflection of the Bannon Government's track record: that it can make promises at elections and turn its back on them the next day. Nothing surprises me about this Government in the way in which it turns its back on commitments that it has made in the past. If the Government wants to play it rough in relation to Carrick Hill, we will play it rough, but all I am trying to do is indicate that there is not only a legal question but a moral—

The Hon. C.J. Sumner interjecting:

The PRESIDENT: Order!

The Hon. C.J. Sumner interjecting:

The PRESIDENT: Order! I call the honourable Attorney to order. I insist that interjections will cease.

The Hon. M.B. Cameron: Chuck him out.

The PRESIDENT: And that includes the Hon. Mr Cameron. I have called for order, and I do not want any further interjections. I would ask the Hon. Mr Griffin to address his remarks to the Chair.

The Hon. K.T. GRIFFIN: I am addressing my remarks through the Chair.

The PRESIDENT: And I am paying a great deal of attention.

The Hon. M.B. Cameron interjecting:

The PRESIDENT: I can do both.

The Hon. K.T. GRIFFIN: The point I make is that there was a deed and there were mutual wills. The Government accepted the terms and conditions of the bequest and, 16 years later, it pleads changes in economic circumstances as a ground for changing the terms of the bequest. I just cannot accept that there are both legal—

The Hon. C.J. Sumner: There isn't a change.

The Hon. K.T. GRIFFIN: There is a change to the bequest, because there was no power to sell. Legal and moral questions are involved, and it is very important—for the people of South Australia—

The Hon. C.J. Sumner: You are bloody-minded and you know it.

The Hon. K.T. GRIFFIN: It is very important for the people of South Australia—

The Hon. C.J. Sumner: You are bloody-minded and you know it.

The Hon. K.T. GRIFFIN: It is very important for the people of South Australia—if I might say that for the third time and complete the sentence, Madam President—to see that a Government is seen to act with integrity. I think the problem we have is that, if somebody wishes to make a generous bequest, or even a bequest that may not be regarded as so generous to the people of South Australia then, unless it is incapable of performance, they have a right to expect that a State Government, above anybody else, if it accepts the bequest on terms and conditions that are clear, will honour those terms.

That is the issue in respect of this matter. It is not for Sir Edward Hayward, who has agreed to particular terms and conditions, to make representations for the State to override the terms of any bequest. It is not in anyone's power to do that, except Parliament. Parliament is sovereign and, if it decides to pass an Act of Parliament, it can do

that. However, I believe it is the perception of what the Parliament does in that context that is important if we are to expect generous benefactions to the State in the future, and benefactors are entitled to rely on commitments given by Governments. That is the essence of it.

The Hon. C.J. Sumner: That's about the weakest argument that I have ever heard you put in this Chamber.

The Hon. K.T. GRIFFIN: It is not a weak argument. Legal and moral questions are involved and, if you cannot see that, you are dumber than I thought you were.

The Hon. C.J. Sumner: Are you suggesting that the selling of the small parcel of land that will assist Carrick Hill to develop, to get people in there, to make it more viable to the State and to make it a better place for the State, somehow or other is in breach of the grant? That's just ludicrous.

The Hon. K.T. GRIFFIN: It is in breach of the terms—

The Hon. C.J. Sumner: That will affect the people giving bequests to the State.

The Hon. K.T. GRIFFIN: Of course it will.

The Hon. C.J. Sumner: People will be encouraged to give things to the State because they know that the terms are flexible for raising funds for development of the site.

The Hon. K.T. GRIFFIN: It will have a marked impact on the attitude of people towards bequests to the State.

The Hon. C.J. Sumner: It's ludicrous.

The Hon. K.T. GRIFFIN: It is not ludicrous. The evidence to the select committee was divergent. Some supported the sale and some opposed it, and there were a variety of reasons for each stand. It was quite clear that a substantial body of opinion very much opposed it on the basis that it would be a withdrawing by the Government of the day of an indication of support for the terms and conditions of the bequest made 16 years ago.

As I say, it is legally possible for Parliament to pass legislation to override the terms of any trust. In fact, there is provision in the Trustee Act (and the Attorney-General wrote a letter to this effect) to make application to the Supreme Court in certain circumstances for the terms of any charitable trust to be varied, particularly if it is incapable of performance. However, I come back to the point that, in the terms of the will, it provided specifically that, if the State did not accept it on the terms that were clear, then it would go to the National Trust.

A difficulty was recognised in respect of the National Trust. The very fact that there is power for the National Trust to sell is a clear indication that the parties did know what they were doing, both when they made the deed and the wills and when the Government accepted it on those terms and conditions in 1971. It is interesting to note that, when we talk about the National Trust, a letter was received by the select committee from the National Trust which clearly opposed the sale of the land by the trust and thus the Government. Notwithstanding the object of establishing a sculpture park and developing Carrick Hill, there are compelling reasons why a sale should not be approved.

If I could digress, but still remain within the subject, I saw a bit of nonsense in the *News* of 2 November which put the Hon. Mr Elliott up front as suggesting that the parliamentary inquiry into the sale of land was a waste of time. I do not think that any member of the select committee would acknowledge that it was a waste of time.

The Hon. Carolyn Pickles has acknowledged that it was a difficult decision, and I am sure that she and the Hon. Mr Roberts, as well as the Hon. Anne Levy, appreciated the opportunity to obtain a variety of evidence which reflected all points of view on this subject. It was not a waste of time. It was important to give people in the community an opportunity to make submissions on what was—and still remains— a controversial issue. Here we have the Hon. Mr Elliott saying that the select committee was not the right way to solve a philosophical question. I do not know what the philosophical question is. I think he has got his descriptions all muddled up.

The Hon. T. Crothers: You mean the Democrats have a philosophy?

The Hon. K.T. GRIFFIN: I will leave the Hon. Mr Crothers to discern that. Mr Elliott goes on to say that he was worried that the Liberal MLCs would not back the Democrats. Who is backing whom? Who are the Democrats? They are two people in this Chamber who certainly wield a lot of influence with the Government. However, they were not even prepared to have a select committee to give people in the community a proper avenue to express views on this issue.

The honourable member talks about the Liberals behaving. One only has to sit in this Council over a period of time to recognise the extent to which the Democrats do not behave and the extent to which they prevaricate on issues and change their minds on those issues. One of the classic cases related to workers compensation when they could not make up their minds on that matter. They set themselves up as being the guardians of honesty and integrity among the workers and employers of South Australia. They conned a variety of avenues of support, and I understand that about $60 000 was raised to prepare independent reports on the Government's scheme. What did they do? When the crunch finally came in February this year, the Democrats caved in. Now we have a system of workers compensation that will be a disaster for South Australia. That is an indication of the extent to which the Democrats prevaricate and certainly do not behave when it comes to looking at the interests of all South Australians. I support the motion to note the report and indicate that as acknowledged publicly I am not in a position to support any proposed sale of the land at Carrick Hill.

The Hon. L.H. DAVIS: I rise to speak briefly to the motion. I read with interest page 3 of the *Advertiser* of Friday 30 October and an article by political writer Rex Jory on the subject of what would happen to Carrick Hill if a sculpture park was not developed. I was rather startled to read that the Premier had received a confidential report on the matter from Mr Len Amadio, who is the Director of the Department for the Arts. The confidential report is alleged to have advised the Premier that the historic Carrick Hill mansion could close indefinitely if a shortage of funds halts its development. The Premier (Hon. J.C. Bannon) himself has been quoted on more than one occasion as saying that, if the select committee did not support the proposed sculpture park at Carrick Hill and indeed if that was reflected in the vote in this Chamber, it could threaten the future of Carrick Hill to the extent that it may be closed indefinitely or its hours may be shortened. In fact, I understand that there has been a suggestion that Carrick Hill may not have a new director appointed if a sculpture park does not go ahead.

I do not want to debate the report of the Select Committee on the Sale of Land by the Carrick Hill Trust—that has already been traversed in some detail by previous speakers. I want to address the economic issues raised in the *Advertiser* last week. I will put in some perspective the amounts of revenue flowing to the Carrick Hill Trust from admissions. The select committee received a financial and statistical report from the Carrick Hill Trust which indicated that for the year to 30 June 1987 it expected some 40 000 persons to visit Carrick Hill, which is in sharp contrast to the

original expectation of some 75 000 visitors for each financial year. In fact, the Carrick Hill Trust annual report for 1986-87 was tabled in this Chamber on 6 October—just four weeks ago. On page 7 it is revealed that attendance at Carrick Hill for the year to 30 June 1987 was 38 407, which is an average attendance of 160 persons a day over the 241 days that the trust was open. Therefore, the amount that Carrick Hill received from admissions was quite small. In other words, gate admissions were in the vicinity of between $75 000 and $80 000 for the financial year to 30 June.

Admission charges to Carrick Hill are: $3 for an adult, $1.50 for concession and children, and $7 for a family consisting of two adults and two children. That includes entrance to the house, the grounds and a tour. So for the Government to argue that the failure of a sculpture park development would mean the closure of Carrick Hill ignores the financial facts. First, the admission fees on an annual basis amount to $75 000 for about 40 000 people attending, and those figures are beyond dispute. That total of 38 000 visitors includes special functions, dinners, receptions, garden parties, weddings and lunches in the grounds. Even if a sculpture park is developed—and by agreement on all sides that will take five to 10 years to come to fruition—it will not dramatically increase the revenue flowing to the Government.

We should be quite clear about another aspect of the Carrick Hill debate, and that is that the intended land sale which was to net $1.2 million was to be pooled into a fund for the acquisition of sculpture. In other words, the capital sum of $1.2 million was to be invested—let us say at a rate of 13 per cent per annum—which would net $150 000 per annum which would be available for the acquisition of sculpture, and that may provide for the purchase of perhaps one or two pieces a year. Over a long period—maybe 10 years—the hope would be that Carrick Hill would have an international scale sculpture park with perhaps 20 pieces set in the grounds. So the first point is that it is a long term venture, anyway.

The second point is that that fund of $1.2 million was to be established for the development of a sculpture park only and was not to be used to fund in any way the day to day cost of running Carrick Hill. The third point (and I have already mentioned this) is that, with 40 000 people visiting Carrick Hill on an annual basis, the revenue from admission charges is very small indeed. Whilst it can be argued that a sculpture park will attract more visitors to Carrick Hill—and I will not deny that—it will obviously not double, treble or quadruple the number of visitors to the point where it will make a significant difference to the revenue taken by the Carrick Hill Trust.

It should be properly understood that people visit Carrick Hill for various reasons. The house itself is a marvellous attraction with its artworks and furniture which must be valued (at current prices) in the vicinity of at least $30 million. The Carrick Hill house and contents are a focus for visitors. Increasingly the grounds will also be a focus for attention because the gardens in the immediate vicinity of Carrick Hill, which are traditional in form, will be an attraction for many people. Rose gardens are currently being planted and the rest of that nearby area will be a great visitor attraction. There is also the maze which over a period of years will develop and in itself draw many people both young and old. To the south of Carrick Hill, in the Hills face zone area, there will be walking trails established along with picnic areas which will also be an attraction for many visitors.

So Carrick Hill will be a focal point for people from South Australia, interstate and overseas. Certainly a sculpture park would have been a welcome addition to the other attractions that I have just mentioned. However, I would not like to think that the decision of the Council as foreshadowed (not to approve a sculpture park) should be used by the Government as a reason to close down Carrick Hill for some hours each week or for perhaps a day or two a week or to scale down the administration at Carrick Hill. As I have illustrated from the financial facts, that would be spurious reasoning indeed. Quite frankly, the Carrick Hill select committee was the most difficult select committee that I have served on in my eight years in Parliament involving complex matters which could not be reduced to a simple and easy to reach conclusion.

There were big arguments on both the legal and the moral points involved as well as the need to recognise the bipartisan approach which we have had in this Parliament for many years in relation to the development of the arts in South Australia. I make those observations quite deliberately, because I would not like the Government to continue to divert attention from the financing of Carrick Hill and use any decision of this Council on the issue of the sculpture park as an excuse to either cut back the hours of Carrick Hill or reduce the administrative and financial contribution that the Government makes to that very fine establishment.

The Hon. J.C. IRWIN: I take part in this debate as a member of the select committee. The Hon. Carolyn Pickles and my two colleagues on this side expressed their own points of view. The committee was indeed an interesting exercise. It commenced in April, continued through the long winter break, and concluded with the adoption of the report by the committee on Monday 19 October. Many interesting witnesses appeared and I am satisfied that every aspect for and against the proposition was presented. With some qualifications, I can say that I enjoyed the select committee work very much. It was a genuine pleasure to work with the five other members of the committee under the leadership of the President, and I am certain that every member and every member's conscience and pre-existing position on the fundamental question facing the select committee were poked, prodded and tested somewhat to the limit, and that included me.

I thank, first, Mr Wayne Cuthbert and Mr Trevor Blowes for their help and assistance to the committee. When Mr Cuthbert returned from his honeymoon he would have been quite surprised to see what had happened to the first draft of his report, which he presented to us before he left and which he had the responsibility to draw up. I believe there were seven or eight drafts before the final report. We all learnt from our experiences. For me, the drawing up of the final draft report and its acceptance was an experience involving teamwork and an understanding of all aspects of the subject by everyone on the select committee. I am satisfied now that the report before us will give any reader, whether or not experienced in the subject matter, a fair and accurate account of all aspects of the matters addressed by submissions to the select committee.

Recommendation No. 1 indicates that the committee of six members was evenly divided on the primary question. Recommendations Nos 2 and 3 agree to give certain considered advice to the Parliament and to the Attorney-General. The report concludes with two one-paragraph statements which reflect the view of those supporting and opposing the proposition to sell land at Carrick Hill. I am one who rejects the proposal to sell land and, therefore, I support the second explanation in the last paragraph and the matters addressed therein. I do not intend to spend a great deal of time today explaining my position, but I welcome a chance to put a

perspective that is different to those we have already heard. The last paragraph really says it all in a very concise manner. For the benefit of those who might read *Hansard* but will not have a copy of the report, I will cite the final paragraph which represents the views of those who are against the proposition. It states:

> Those who oppose the proposed sale are sensitive to the dilemma of the trust and support the development of a high standard sculpture park. However, they are of the view that persons making bequests to the State should have confidence that any terms attaching to such bequests and accepted by the State will be honoured. The State accepted the Carrick Hill bequest on terms which were clear. On balance, and notwithstanding the difficulties facing the Carrick Hill Trust, the terms of the bequest should not now be varied.

As I said previously, I support that contention.

The Hon. Carolyn Pickles: If you want a sculpture park, how are you going to pay for it?

The Hon. J.C. IRWIN: If the honourable member listens, I will cover it quite clearly. The select committee was not set up to suggest how Carrick Hill should raise money, with or without a sculpture park. We have said quite clearly that we support that concept but we do not wish to comment subjectively on what sort of sculpture should go into it and whether anything that will go into that sculpture park will be attractive to the people of South Australia. That was not our brief. It is common knowledge to members of this Council and to some people outside it that, when I was speaking in the debate on the Bill that sought concurrence of this Council for the sale of land at Carrick Hill, I said quite clearly that I was negative to the proposal. I stated:

> I stand by my interpretation of the principles and do not support the trust being able to sell any of its real property unless the select committee can convince me otherwise.

I also stated:

> I am happy to let my principles and what I believe is the basic principle in this matter be tested by participation in a select committee.

Further, I stated:

> I am not inclined to break my basic principle, nor importantly the spirit of the wills made by the benefactors.

It is not my general form to have a closed mind on all subjects; there are always two points of view to be put forward as well as additional information. The comments I have cited certainly indicate that I held a principle that I thought I should uphold. There was additional information, as far as I am concerned, that made me think further. At all times during the work of the select committee I tried to judge the evidence being presented against my own strongly held beliefs. Really, I would have thought that that was what being a member of this Council or a member of Parliament was basically all about.

Both the Carrick Hill Vesting Act 1971 and the 1982 Act were carried by the Parliament under two different Governments without the extension of any powers beyond those purposes allowable under the terms of both wills—the wills of Sir Edward Hayward and Lady Ursula Hayward. As we know, they were identical wills. However, the Carrick Hill Trust Act 1985 which set up the Carrick Hill Trust to administer the bequest on behalf of the State did give the trust the power to sell its real property with the consent of both Houses of Parliament. As is obvious (and we say it in the report on the advice of the Attorney-General) the 1985 Act overrides the terms of the wills and deed of the Haywards.

I must say that I cannot understand why there was not more public debate on the power to sell real property, albeit with the necessity for both Houses to concur. There may be two explanations for that. First, public debate and concern does not usually take off until some action is proposed. In the case of Carrick Hill, the trigger for concern was the proposal to sell land and not the ability to sell land, provision for which was inserted into the 1985 Act. Secondly, the trustees of both wills (not the trustees of Carrick Hill) and others closest to the Hayward family trusted the Government and the Government's written acceptance of the terms of the wills and did not think that the wills would be or would need to be compromised in any way.

I refer now to the Democrats, because they have been making statements about this matter; they were quite vocal both before and after the select committee report regarding their strongly held view that there should be no sale. I have respect for that; I held somewhat the same view myself at the beginning. Having read through the debates on the Carrick Hill Trust Act 1985, which provided the power to sell with concurrence of both Houses, I can find not one squeak from the then Democrats, the Hon. Lance Milne and the Hon. Mr Gilfillan, against the provision to sell land. No speeches deploring the action of the House of Assembly for inserting the provision to sell land or the amendment accepted in the House of Assembly requiring both Houses to agree can be found—no speeches, no arguments, and no strong feeling expressed by the call for a division.

Some evidence was given to the committee that the trust has the power to purchase land, and that therefore the power to sell land given in the 1985 Act applies to this purchased land and not the original Carrick Hill land. However, I cannot find any specific evidence in the debates on the 1985 Bill to support this proposition. It does raise a problem for the trust. If the trust ever does buy new land, I guess it will have to be subject to the concurrence of both Houses if and when the trust wants to dispose of any new land. I do not think that that was intended by the Parliament in 1985. I do not see any reference to that in any of the debates. Buying new land, of course, is far from a possibility today, although it may be a reality some time in the future. The *Advertiser* article of yesterday was wrong in two aspects when it said:

> The need for the resolution was a condition of the original bequest from the late Sir Edward Hayward, who gave the Springfield property to the State. The Liberals and Democrats have protested that the sale of the land goes against the bequest.

First, the sale of real property was not an option when the Government accepted the gift of Carrick Hill. This option needing the concurrence of both Houses was put into the Act in 1985, as we have often said. Secondly, Sir Edward Hayward alone did not give the property to the State; it was given by Sir Edward and Lady Ursula Hayward under identical wills and a deed. The sale of land certainly goes against the bequest, and I hope that the *Advertiser* article of yesterday does not mislead too many people as to some points of fact.

My personal dilemma on the fundamental issue of the sale of land was that I wanted to agree to the sale but did not know in conscience how to justify doing so. So, at the stage of my thinking in relation to the passing of the 1985 Act giving power to sell land with qualifications, thus overriding the wills, it was very tempting for me to accept the proposition. As a member entering the Parliament after the passing of the 1985 Act and in the absence of any public opposition to the provision to sell real property, I had to have serious regard—as I believe others would—to the will of the Parliament expressed in 1985. However, I kept returning to two well established facts. First, by letter dated 21 January 1971, the then Premier advised the trustees of the will of Lady Ursula Hayward of the State's acceptance of the gift 'subject to the conditions set out in the will'.

The second point I kept coming back to was that the alternative available to the then Government in 1971 was to not accept the gift of Carrick Hill, thus letting the gift go to the National Trust. The National Trust option carried a very clear power to sell land in order to finance maintenance and development at Carrick Hill. Only the said residence and garden surrounding it were protected in the terms of the wills, so it was very clear that the identical wills of Sir Edward and Lady Ursula Hayward gave no power to sell real property in the option which was accepted by the Government in writing.

I give primary importance to this point and not to the point of power to sell real property given to the trust by the Parliament in the 1985 Act. It is this principle that I seek to defend. As a member of this Parliament—and, by implication, a trustee of the gift of the Haywards—I do not support the bequest being varied. It is not very often that a member of the Opposition can make a Government keep its promise—a promise in writing, moreover—so I will certainly do all I can to make sure that this promise is kept.

The wording of the select committee's second recommendation serves to point up how seriously the select committee viewed the whole question of selling real property assets. The select committee 'agreed to recommend that if Parliament approves the present proposal, and the proposed sale of land, no further land at Carrick Hill should be sold.' That is indeed presumptuous, as no Parliament can tie the hands of any future Parliament, but it does underline how seriously the select committee viewed any sale of land. No matter how strongly we put the second recommendation or how much we should like to tie it up for future Parliaments, I was never convinced that this would be the only call for section 15 (3), I think it is, of the Carrick Hill Trust Act (that part dealing with the concurrence of both Houses) to be used or tested.

If this Parliament were to concur with the Premier's cry of harsh economic times now being the reason for selling land, that call will be heard over and over again. Evidence was given to the select committee of the number of areas of the Carrick Hill property which were quite ideal for being subdivided. If this Parliament gives in once to expediency, it will have the excuse to do it over and over again. I acknowledge that there was and is a power in the bequest as accepted by the Government to sell the property other than real property with ministerial approval, and I am talking of other assets. The report indicates that the select committee raised with the trustees this possibility of selling personal property such as paintings and furniture in order to raise the necessary capital to fund the sculpture park. However, we were advised by the Carrick Hill trustees that it was not their wish nor their intent to raise money by such means.

Action by the trust flowing from the consequence of the select committee decision, and the likely fate of any Bills which would be introduced to test this decision, may now include trading in personal property in order to fund the sculpture park. This is something which the select committee was not asked to address. Nevertheless, it was considered—and certainly considered by me. I hope that the Government does not now push the trust in that direction. I have a very high regard for each and every individual member of that trust as well as for the collective body. I know that the power given to them by the Act in accordance with the bequest gives them the power, with ministerial approval, to sell personal property, and they would use that power very responsibly. I also acknowledge that there will be people—and there were on the select committee—who would view this as serious a proposition as I view the sale of land.

I say in conclusion that the State was the Haywards' preferred beneficiary because of their belief that the State, even in times of economic stringency, would have the ability and, over and above that, the integrity to maintain the land and residence in their entirety for the benefit of the people of South Australia and beyond—but particularly South Australians. I will resist the temptation to spend much time on the Premier's argument regarding the present economic stringencies facing this State. I think I said quite enough during the debate a couple of weeks ago on the Appropriation Bill to leave no doubt about my position regarding this Government's ability to make sound economic decisions based on proper financial planning of projects. I am now even more shattered by the interjections we have heard this afternoon from the leading law officer of this State in his attitude to legal matters involving a principle.

I simply cannot understand this Government's management in the light of the Prime Minister's and Premier's call to tighten the belt. Government spending in South Australia is budgeted this year to go up 1 per cent in real terms.

An honourable member: What's that got to do with it?

The Hon. J.C. IRWIN: It is hardly tightening the belt. The Government taxes to fund this increase have increased by an average of 9 per cent in each of the four years to 1987. Tightening the belt does not mean continuing to tax and spend in every other direction. Tightening the belt for Carrick Hill should mean that it cannot at this stage do all that it wants to do. Tightening the belt does not mean that the trust and the Government rush around and find some other way around this problem so that it can go on doing what it always wanted to do and to hell with the future. It is time that the Government stopped doing that. It should certainly not sell assets, of open land bequested to the State. This is a delicate matter with many members of the Government both here and federally. Here we have the privatisation of 2.7 hectares of public land being supported by three Government members and, I guess, by the whole of the Government team.

The Hon. Carolyn Pickles interjecting:

The Hon. J.C. IRWIN: You may be a very good team; you are in Government. But I am prepared to criticise you every day. What I implore the Government to listen to is that Carrick Hill is not singled out as the only institution in South Australia that has to tighten its belt. There are plenty of other bits of land that the Government can sell off without ruining the integrity of a gift to the State—to raise the money needed for that trust account which, as the Hon. Mr Griffin pointed out despite the interjections from the Attorney-General, was there—as I and the Select Committee believe—for a sculpture park and not for anything to do with the maintenance or capital work involved on Carrick Hill house.

There are many other areas of the debate—and I know, Mr Acting President, that you will not let me go into them—on which I could make the points that I feel I should, but I will not in order to be as brief as possible. However, if this matter comes up again I will have no hesitation in bringing up those other matters for debate. I support the motion.

The Hon. T.G. ROBERTS secured the adjournment of the debate.

PERSONAL EXPLANATION: SCHOOL DENTAL CLINICS

The Hon. J.R. CORNWALL (Minister of Health): I seek leave to make a personal explanation regarding school dental clinics.

Leave granted.

The Hon. J.R. CORNWALL: Earlier today during Question Time I relied on my memory, which was once infallible, to name five clinics.

The Hon. M.B. Cameron interjecting:

The Hon. J.R. CORNWALL: It just goes to show that the ravages of time can cause deterioration even in a mind like mine. There are actually six clinics. My remarks as to whether they are in marginal or safe electorates or otherwise still pertain. The six clinics are as follows: Athelstone; Hinks Avenue, Whyalla; Ridley Grove; Flinders Park; Keith; and Penola.

ABORIGINAL HEALTH SERVICES

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

That this Council is concerned by the current policy of the Health Minister to defund independent Aboriginal health bodies and to then absorb their activities into the Health Commission.

(Continued from 21 October. Page 1378).

The Hon. M.B. CAMERON (Leader of the Opposition): I move to amend the motion as follows:

Leave out all words after 'concerned' and insert—

1. By the current policy of the Health Minister to defund independent Aboriginal health bodies and to then absorb their activities into the Health Commission.

2. With the role of the Department of Aboriginal Affairs in the funding of Aboriginal health programs and Aboriginal communities in the north-west of the State.

3. That a select committee be appointed to inquire into and report upon the Aboriginal Health Organisation and the allegations of mismanagement made in respect thereof, viz.:

(a) minimal involvement in service delivery;

(b) inability to promote unity and a co-ordinated approach to problem solving;

(c) victimisation, favouritism, threats of physical violence, lack of communication and inefficient utilisation of resources;

(d) inefficient management and an ineffective board of management; and

(e) any other related matters.

4. 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 389 be so far suspended as to enable the Chairperson of the committee to have a deliberative vote only.

5. 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.

This is an extremely serious matter, and the Minister did not make it any better by the ministerial statement that he made today in which he reflected on my intention and that of other members of the Opposition in travelling last week to the Nganampa health area, in other words, the Pitjantjatjara lands. I take strong exception to the Minister coming into this Chamber and indicating that I have only recently discovered the major problems in Aboriginal health in this area.

I object to the way in which he has approached this subject in his ministerial statement. I have had respect for the Minister in the past and I trust that he was not the author of this ministerial statement because, if he was, my opinion of him has sunk to an all-time low. To use the forms of this Chamber in two ministerial statements, one day after the other, about people who have no way of answering for themselves inside this place is nothing short of disgraceful. As I said, I trust that he was not the author.

I believe that the Minister needs to seriously reflect on his behaviour in that way. He gave some information about the Nganampa Health Council's finances. I, too, am interested in this area because clearly if allegations are made in that regard one has to look very carefully at them. I believe it will assist the Council if I table a document which was given to me last week by people in the Pitjantjatjara lands—and not by Mr Glendle Schrader but by Aborigines—which details the financial arrangements of the Nganampa health council over the last year or two. I seek leave to table that document and the Minister can have a copy at 20 cents a page.

Leave granted.

The Hon. M.B. CAMERON: That document may assist if members take the trouble to understand a little of the financial arrangements in relation to the Nganampa health council. My amendment to the motion of the Hon. Mike Elliott is proposed to give people an opportunity to answer serious allegations that have been made yesterday to the Council in a most extraordinary ministerial statement by the Minister of Health. It will give them an opportunity to put their points of view and to answer the allegations that were made. In what he said, the Minister clearly laid out some very serious points. They are matters that I believe the Council and the people concerned will be able to answer.

Those allegations are outlined in the motion. As I have said, the Minister's approach displays one of the worst abuses of the forms of this place by a Minister that I have seen since I have been a member of the Council. This is the Minister who once accused me and another Opposition member of having a go at some people at a hospital to the north of Adelaide. Yet, the Minister then has the audacity to come in here and abuse the Council. These allegations have not been proved—and I will have more to say about that later.

The Hon. J.R. CORNWALL: On a point of order, Mr Acting President, the vast difference is that when the Hon. Mr Cameron was proven beyond doubt to be absolutely wrong he refused to apologise to those officers, here or anywhere else.

The ACTING PRESIDENT (Hon. G.L. Bruce): There is no point of order.

The Hon. J.R. Cornwall: No, I know, but I wanted it on the record.

The Hon. M.B. CAMERON: Through you, Mr Acting President, I would like to ask the Minister to sit down and take his medicine; he is very good at giving it out but he is not too good at receiving it. For the Minister to disclose that he has held a meeting with a group of people from the Aboriginal Health Organisation and to detail allegations in a form that gives them credibility can only be described as a kangaroo court attitude. If the Minister wants to deny that, let him read his ministerial statement again. Was everybody who was a part of the Aboriginal Health Organisation invited to that meeting? The answer is 'No'. Were all senior management informed of the meeting? Again, the answer is 'No'. Had the Attorney-General done this—and I have spoken to the Attorney about this matter—I would have risen in this place today asking for the Law Society to take action against him and to remove from him his status as a lawyer.

Ministers have a very serious obligation to ensure fair play and, frankly, I am appalled by the Minister's lack of fair play. It has become more and more obvious to me that the Minister and some members of the Health Commission are following a determined line of abolition of independent

Aboriginal health organisations (that is the basis of the motion put by the Hon. Mike Elliott) or, at least, the independent status of them, and the destruction of individuals who dare to oppose the Minister and some of his officers. In the process, it appears that some members of the Health Commission and, in particular, some Aboriginal employees of the Health Commission, are taking the opportunity to get back at people with whom they have had some disagreement. The Minister is certainly affording them that opportunity.

The vindictive behaviour of the Minister and some of his staff has caused an enormous drop in morale and has effectively destroyed the careers of some senior Aborigines who have made an enormous and a worthwhile contribution to the welfare of Aboriginal people. If the Minister sits there and smiles and believes that that has not happened, I suggest that he get off his backside and go up to the Aboriginal areas in the North of this State, speak to the people there—the Aborigines there who have to survive in that area—and listen to what they have got to say about him and some of his staff.

The behaviour of the Minister and his staff smacks of the worst kind of bully-boy attitude, and I truly believe that the Minister is anti-Aboriginal. I believe that. I do not believe that the Minister can deny it, and some of the people around him either share that view or are happy to run along behind him licking his heels. I am extremely angry that the Minister has raised this whole issue in such a way that there can no longer be any vestige of a bipartisan approach to the subject of Aboriginal health.

During my short time as shadow Minister, I have attempted to become involved in this area because I believe that it has caused an enormous problem for Aboriginal communities. I do not believe that any fair-minded person in Australia would deny that. I know that a lot of people say that we should not be concerned about what our forefathers have done, but I do not believe that we can duck this issue—and I have some thoughts about that from my youth. In the past, some horrific things have been done to Aborigines, including the forcible removal of young people from their families. I am sure that the Minister knows some of the stories told by people who have worked in the Aboriginal health area. For example, I refer to the gathering together of Aboriginal people into communities and then not making certain that the necessary services are provided to overcome the problems created, whether in relation to disease or other things.

The Hon. T.G. Roberts interjecting:

The Hon. M.B. CAMERON: I do not deny that. No-one can deny that enormous problems were created not only by missionaries but also by pastoralists and all sorts of people. These problems have occurred and no-one can get away from that fact; it is a fact of life. It is something for which I was not personally responsible, but nevertheless I believe that the community has a collective conscience that it must look back on. In fact, I recall reading of one of this State's explorers, J.W. Lewis, who, as some members might know, visited the Cooper Basin area in 1875 and found a mission station with 1 000 Aborigines gathered around it. That same area was visited in 1905, and only five Aborigines of that tribe were left—this was the Dieri tribe. Only five were left, and I understand that that tribe has been virtually wiped out. That huge death rate was caused by the diseases of white man and a lack of proper hygiene associated with gathering so many people in one area.

In recent years, attempts have been made to rectify some of the damage. However, on too many occasions we have attempted to apply our methodology of change without properly involving Aborigines. Some credit—in fact, quite a deal of credit in days gone by—must go to the Minister of Health, when he made a very clear statement of intention of allowing Aborigines to control their own destiny in the health area. In fact, he set up the independent Aboriginal health services, and some credit must have been given to him for that.

For some reason the Minister has now totally changed his mind and has accepted advice from people who clearly have a departmental mentality and do not believe that Aborigines have any ability to decide their own destiny. I recall a visit that I made to Port Augusta to talk to the Womma people—and the Minister made much of that, I recall, accusing me of all sorts of misdeeds while visiting Port Augusta. During that time I was asked to meet with a senior person in the Pika Wiya Health Organisation. I am not sure that he wanted to meet me, but I was certainly asked to meet with him.

During the course of the conversation, the following statements were made to me and a number of other people who were present. I will not give the whole conversation. The first statement was that the independent Aboriginal health organisations are a form of apartheid and, secondly, that it was very difficult to find Aborigines with sufficient experience in management to form a board for Pika Wiya and that that was the justification for taking away community involvement in elections. I found that to be an amazing attitude for a senior person in an Aboriginal health organisation.

The Hon. J.R. Cornwall interjecting:

The Hon. M.B. CAMERON: I will tell the Minister afterwards, if he likes. I will not name him in the Chamber. For the Minister's information, I believe that that person is now one of his main advisers in this matter, and he could well be responsible for the Minister's new-found attitude, which revolves around that sort of 'great white father knows best for you' attitude. As an example of what happens if one has this attitude, I state that the Hon. Mr Elliott raised the Birthday Creek fiasco—and what a fiasco it was. I understand that the Minister, in fact, threatened to sack some people in Aboriginal health who were not falling into line with Birthday Creek.

The Hon. J.R. Cornwall: Don't talk rubbish.

The Hon. M.B. CAMERON: I am not talking rubbish. I will give the date, the time and place if the Minister likes.

The Hon. J.R. Cornwall: You're a lunatic.

The Hon. M.B. CAMERON: No, I think if anyone is a lunatic in this area it has to fall on the Minister. I do not want to say that about the Minister but, now that he has said that to me, I indicate that I think his behaviour very closely smacks of that. I have been informed that at that meeting at Amata Aborigines were told—and the Aborigines who were present at the meeting told me this—that they had to make up their minds about Birthday Creek that day or the Minister would make it up for them. Is anyone going to deny that?

The Hon. R.I. Lucas: The Minister won't deny that.

The Hon. M.B. CAMERON: No, and neither will the people who were there with the Minister. All matters dealing with Aborigines are extremely sensitive. Getting back to the matter of Aboriginal health organisations, the Minister is reported as saying that a review had been done of the Aboriginal health organisations by the Department of Personnel and Industrial Relations.

My understanding of that review is that the person concerned originally reported (and I do not know what has happened since) that the review was unnecessary and that in fact no review had been done. If the Minister has some

other information, perhaps he should provide that to the Council. However, that matter can be looked at by a select committee. A select committee can look at the Proctor report and talk to the people who were responsible for it. It can look at the role of the South Australian Health Commission and the liaison that has occurred between the South Australian Health Commission and the Aboriginal Health Organisation, together with the people involved. I want to bring them all before the select committee and to cross-examine them.

The Hon. J.R. Cornwall: You're most welcome.

The Hon. M.B. CAMERON: Yes, good. It can look at allegations that I have received that an Aboriginal member of the South Australian Health Commission is using his position to get back at people against whom he has had a grudge for the past couple of years. I want to know about that and to find out about that. It can look at the Minister's allegations that a number of senior Aborigines are urban terrorists or urban guerillas. That was the most stupid statement that I have ever heard. These people are very decent people.

The Hon. R.I. Lucas: It was headline grabbing.

The Hon. M.B. CAMERON: It is headline grabbing. When the Minister makes that statement, perhaps he thinks that we are living in Northern Ireland. The select committee can look at the combined Aboriginal Services Council, which is unique in Australia and which I understand has worked very well. It is an interesting fact that the only Aboriginal health service that has not attended meetings of the combined Aboriginal Services Council is the Pika Wiya organisation, and I want to know why it has not attended. We can look at statements which it is claimed the Minister has made that there are no votes any more in Aborigines.

The Hon. R.I. Lucas: This is the Minister?

The Hon. M.B. CAMERON: According to my information, this is the Minister. Aborigines are only 1 per cent of the population, so they deserve only 1 per cent of his time. As the Minister has used the forms of this Council to abuse people, I want this Council to examine this. The Minister has called people white Americans and white agitators, and he has alleged that people have been brainwashed by white agitators. The Minister should go up there and listen to what some of the people in the northern area say about that. I can assure the Council that those people are not brainwashed and that they are not guided by white agitators. I have met the white American that the Minister talks about, and he seems a fairly reasonable person. He has been in this country for 15 years. As I understand it, he is a permanent resident of this country.

I cannot understand how one can abuse somebody and call him a white American agitator on that basis. Does that mean that anybody who has arrived in this country and who has not taken out citizenship is likely to be abused by the Minister in a racist way, because that is exactly what it is? I want the select committee to look at allegations that there have been threats of physical violence, victimisation, favouritism, etc. I think that those matters should be investigated by the Council.

I turn now to a visit that I, as an elected member made recently, to part of my electorate. I hope that the Minister listens carefully, because I can assure him that I do not go up there for pleasure. If he thinks that it is for pleasure, then obviously he has not been there. It is not an easy area of the State to visit. When one leaves places up there, one is castigated for not spending long enough there, and that is inevitable. As anybody who has been up there would know, they do not like people who fly in and fly out again. They expect you to stay a week and to talk to them, and I understand that. They are quite pleasant about it, but they make the point each time. It is very difficult to put their case in a short time, and they do not communicate easily. It is not easy to get them to talk about their problems. Basically, they are a shy people. Unless one has first hand experience on the ground, it is not possible to understand the problems of these communities.

In the first area that we visited, which was Kalka and Pipalyatjara, there are two main problems: illegal grog running and the effects of the withdrawal of funding for health staff positions by various Government agencies. The community is beset with a range of other problems that collectively threaten its future. The problems range from insecure water and electricity supplies to grossly inadequate facilities in which medical staff are expected to provide health treatment. Petrol sniffing still is a problem among community members, but so, too, is boredom, which is brought on by the inability to earn an income, which often leads Aborigines into that form of self-abuse. Boredom amongst young people was the main problem.

Following my short trips into these areas (as the Minister has said) I do not pretend to be an expert. I would certainly never claim that, because anybody who did so would be a fool. In other areas this community is faced with sky-high prices for basic food commodities and housing (which to date has been totally inappropriate for their needs). I have shown some members a photograph of one of the houses up there, and perhaps people ought to have a look at that. Another problem is the sheer isolation of the place. They are 13 hours from the nearest main road, the nearest help, and the nearest police, apart from the police who are on the lands, namely, the police aides with their supervising officers who at present are stationed there.

Recently, the Minister said in this Council that Nganampa Health was perhaps in some ways the most luxuriously funded Aboriginal health service in the country. The Minister is reported in *Hansard* of 22 October as saying:

> For example, at one stage there was a doctor, a clinic sister and two Aboriginal health workers for Kalka-Pipalyatjara, with a population of 90 people.

I do not quite know who gave the Minister the figure of 90 people, but I would like to know. In fact, I am informed by the people in the community that 350 people are serviced by the health authorities at Kalka-Pipalyatjara; that covers a very large area indeed, and that is the old Pitjantjatjara Homelands Health Service. Many of these people do not live in Kalka-Pipalyatjara unless they have a breakdown in their water supplies, because they prefer to live in their homelands.

The Pipalyatjara-Kalka health service provides a travelling health service, when it is possible, and I understand that it does that at least once a week. This health service just referred to formerly operated under the Pitjantjatjara Homelands Health Service and it was funded by the Commonwealth as a separate service. I seek leave to table a document relating to recurrent income comparisons for the Kalka Health Service.

Leave granted.

The Hon. M.B. CAMERON: Since control was handed over to the Nganampa Health Council, no funds have been available this year to cover its increased workload. The South Australian Health Commission has added a medical officer, patient travel and accommodation for Kalka evacuations and accommodations. Previously the total cost of this health service was $374 500. This year the Nganampa Health Service has received no additional funds for the extra services that are provided.

The major item of need by Aborigines in the area of environmental health is water. The Aborigines have a con-

siderable number of windmill-driven bores in their homelands but, for some reason—probably the idea of some bright spark in the DAA—the position of bore mechanic has been defunded, so they are sitting out there in their homelands with bores that are 4½ to five years old. Anybody who has been in station country would know that that is just the time that they give trouble, but at that stage the bore mechanic who has to have expertise in this area then has to leave. This means that the assistant community adviser now has to carry out emergency maintenance on bores which break down, and some of those bores are broken down permanently. How stupid can the DAA be? How can people improve their health when one of the basic requirements—the ready availability of water supplies—is in jeopardy? Water is the very basis of all problems because, if these people cannot wash, they cannot start to get on top of their health problems.

The need for guaranteed water supplies is reflected in the move by teachers at Pipalyatjara (who obviously have an ongoing relationship with the children) to insist that the children have a shower every day at school. I am informed that, as a result of that basic move in personal hygiene, in the past year the incidence of trachoma amongst children at school has dropped from 40 per cent to 10 per cent. That is a dramatic drop, yet the DAA has removed the position of bore mechanic, which is so essential in providing this basic requirement. Like water, electricity supply also is crucial, but the community's power system shuts off between midnight and 8 a.m.

They do have 32 volt lighting for ordinary requirements. However, one does not need a vivid imagination to guess what happens to vaccines and drugs—which must be strictly maintained within a temperature range of 4 to 8 degrees—when the power is turned off for eight hours, particularly when the summer heat soars to more than 40 degrees celsius. The problem is that they cannot run a power unit after hours because it is too big. It has always been too big, and, although they have continually asked for a smaller unit, it has never been provided.

The community has to pay for the fuel. Last year they had an adviser who treated them badly and left the community under a cloud with a huge debt which they are paying off under their community development fund. Of course, they have had to cut down on the amount of power that they use during the evenings. That is causing enormous problems and trauma for the health workers, because they are not certain that the vaccines and drugs that they are giving these people are viable. They have no way of checking that. They cannot get in fresh supplies; otherwise they would be doing that every day. They are therefore left in an unstable position in relation to what they are doing.

The morale of the health workers is one of the most important issues to be addressed. Their morale is now at an all time low because of the attitude of the Minister of Health towards Nganampa. I found that they were very much aware of what was happening. They are fully aware of what is being said down here and there will be severe problems indeed in retaining a dedicated staff in the Pitjantjatjara lands. There have been enough problems in retaining staff so far. The last thing that is needed at Kalka or at any other community for that matter is for the Health Commission to become the body of authority, which is what the Minister indicated during the Estimates Committee. It would inevitably mean that most of the on-the-spot decisions would come from Marla Bore or, as is more likely, Adelaide.

The Hon. J.R. Cornwall interjecting:

The Hon. M.B. CAMERON: Well, that may be. I have been to Ernabella. I was there, and I will tell the Minister something about that in a moment. The UPK report—a strategy for well-being—has been completed and results of its survey are about to be released. In this area, as in others, the recurrent problem as explained to me by nursing sisters is that they operate on a 'revolving door' medical unit—they have no choice. The re-infection rate is certainly equal to the curing rate. It is one heck of a problem for them. However, there is an urgent need for capital works at Kalka-Pipalyatjara to provide, for a start, even a reasonable health facility in which to treat patients.

The Hon. J.R. Cornwall interjecting:

The Hon. M.B. CAMERON: If the Minister had listened, he would have heard me say that one of the great problems is that the DAA has defunded the position of bore mechanic to provide water which, as they say—and they know—is the very basis of any decent health provision.

The Hon. J.R. Cornwall interjecting:

The Hon. M.B. CAMERON: Yes they did—they had it before, but it was taken away. Right now that treatment of patients is done in a shipping export container, and there is no separation of the inside area for male and female patients who, along with health staff, must put up with unbearable interior heat. The community has a small mail plane twice a week, but it must pay for that service. That is one of the penalties for living in a remote area. It is difficult to highlight how expensive it can be to live in this community but, by way of a small example, a normal sized rockmelon at Kalka costs $6.50. By comparison, an Adelaide housewife now pays between $2 and $2.40. Even a shopper in an Alice Springs supermarket would consider that they were being ripped off if they had to pay more than $2.75. To meet these costs, each adult member at Kalka receives $55 a week, which is paid for out of the Community Development and Employment Program. They can also receive a child benefit, but on those sorts of wages, and with the price of goods being so expensive, theirs is definitely just subsistence living.

At this stage I will read out some letters that have been sent to the DAA from members of the Kalka-Pipalyatjara council. The first, dated 26 July 1987, is addressed to Mr Mark Armstrong, DAA Office, North West Area office Marla Bore. From Mr Ivan Baker, Community Adviser and Chairman of the Nganampa Health Committee, the letter states:

Dear Mark,

This letter is about budget cuts to Pitjantjatjara Homelands Council. These cuts are bad for us at Kanypi for Murputja Homelands Council and for Nyapari. These cuts will mean that it is very hard for us to sit down at our homelands, because it will mean that we have no help when our water runs out and our cars break down. At the moment the homelands council at Kalka is trying to provide services to us, but they haven't had any money to spend for a long time [because of the adviser problem mentioned earlier] and now they have these cuts.

These cuts include [on top of their problems mentioned earlier] no money for mechanic, no money for bore, windmill and tank repairs and maintenance, very little money for looking after the roads, very little money for looking after and repairing the grader and other equipment—they are all set out in the letter sent to you by Kunmanara Bake.

Paddy Spence promised in November 1986 that once the homelands council's debt was paid off that funding, including money for a homeland adviser, would not be cut. DAA has broken that promise.

Paddy Spence and Dawn Allen also promised more support for homelands many times. These budget cuts are not supporting homelands—they are not helping us at all.

As Chairman of Nganampa Health Council, I am very concerned about the lack of support for Nganampa Health at Kalka, which also looks after Murputja and Nyapari.

Before, when Kalka was the base for the Pitjantjatjara Homelands Health Service, there was always money for director and

administrator and doctor, then, after it became part of Nganampa Health, DAA did a review and recommended no money for director, or administrator and maybe doctor as well. This was without listening properly to Anangus out here. In 1986-7, there was no money for director or administrator, but they stayed on working because health service can't run properly without them. Now we have heard there is still no money this year for administrator, and maybe no money for small clinic extensions at Pipalyatjara and out our way.

Kalka Health Service always comes out to us once a week [to the homelands] and they're doing good work. We need this if we are to stay out there and be healthy. Now we've got lots of trachoma and infected scabies. We really need those visits every week. We want to talk about all these things when you come out to see the homelands council.

The second letter was sent to the same person by Ron Watson, Chairman of the Pipalyatjara community. It states:

We need a mechanic to repair and maintain community and homelands council vehicles, vehicles from Murputja and Nyapari, health service vehicles and private cars, as well as to teach mechanics, because the roads are so bad and we don't have enough money to repair and maintain them or the grader, and the distances are so much greater than anywhere else on the lands. The cars need more regular maintenance and break down quicker. It is essential to have reliable transport, and the nearest available mechanic often cannot come for weeks. Therefore, we need a full-time mechanic at Kalka to look after these things. There is someone available now who is very well qualified, experienced and willing to teach if this position was funded.

The last position is for Kalka and Pipalyatjara—someone who is qualified to look after the water at Kalka and Pipalyatjara and the generators and community electrical systems; and, of course, to train interested Anangu. It is extremely dangerous to have unqualified or at best partly knowledgeable people fiddling with electrical systems, let alone the complete lack of training going on in this area. It is amazing that no-one has been killed so far and nor has there been a major breakdown.

They are not my words—they come from Aborigines in letters addressed to the DAA as they explain some of their problems. The roads were obviously shocking and I asked them how often they were able to maintain them. The clear indication given to me was that they have no money for fuel whatsoever—that the grader was there but that there would be no maintenance of roads. Some of these people live in their own country and a long way away, making it extremely difficult.

As I said, these people live on $55 a week and receive a child benefit, but, on these sorts of wages and with the price of goods being so expensive, frankly their life is just subsistence living. One new home at least has just been completed at Kalka at a cost of $90 000. It is obvious that no-one has asked the community about its housing needs. The type of home being put up is totally unsuitable—and that is said by the Aborigines themselves. The Aborigines accept that they have problems, but the greatest problem is the sheer lack of resources—physical and otherwise.

I am not saying and I have not said that an open cheque book should be thrown at them. But, when you start reducing services, you are really causing enormous problems. These people live in an area of the State that you and I, Mr Acting President, would not live in. In fact, I do not think we could survive in it. As I have outlined, even a decision to cut funding for bore mechanics has a drastic effect on children's health. The community has enough problems with the DAA hierarchy, which appears from their viewpoint determined to close down Kalka-Pipalyatjara. I am not sure whether that is its intention but, according to the Aborigines, that appears to be the case.

For example, the community has a grader, as I said, but no fuel, and they cannot maintain their roads, which can only be described as absolutely shocking. So Aborigines cannot get back to their tribal homelands without destroying their vehicles, and you and I, Mr Acting President, have no doubt been on roads of a similar nature but not on a continuous basis.

One of the Aborigines' biggest problems is their genuine shyness and lack of desire for publicity. They are very shy people and do not react well to publicity, but they are becoming aware that unless their plight is known to the public their problems could simply become a case of 'out of sight out of mind'. At that stage the Aborigines were saying to us: 'How do we bring our problems before the people of South Australia?' I indicated to them that they have to be more open to the people of South Australia; they have to discuss the problems publicly. For the Minister to say that there is some sort of fault because their representatives come down here to present a point of view is just denying the fact that problems exist.

One cannot ignore these problems and one cannot blame those people for bringing that message down. Are they supposed to come down and present themselves to the public? It is extremely expensive and frankly they do not have the resources. Some women told me that they came down here to talk to the DAA. They travelled in a car on their own from out there. They travelled for 20 hours to Adelaide by car. When they met with the person in charge of DAA in Adelaide, she said that she could not be sure that they were representative of their community's views. This was later denied. However, these women, who are very genuine women, assured me that this occurred.

I am afraid that in the past their plight has been a case of simply 'out of sight, out of mind'. The Kalka community has no way of earning an income and boredom has become a very major problem with young people. Until 30 June community welfare funds were available for groups of young people to be taken out to the homelands by a member of the community and his wife. Since the withdrawal of this funding I have been told that five of the youths who were out on that program have been put in Port Augusta Gaol.

I have never seen a community that is so distraught about the future of its young people and the future of its land as that at Kalka—and also at Fregon, at Ernabella and in fact the whole of the Pitjantjatjara council area. By the same token, there is very clearly a genuine desire on the part of members of that community to improve their lot. It appears that there are still some major problems with grog running particularly at Pipal- yatjara and Mimili and it seems that penalties handed out by magistrates are insufficient to create a deterrent.

The Kalka community is 13½ hours by road from Marla Bore—which is the nearest centre of civilisation—and they have no access to police at present, other than those at Marla Bore. So it faces the huge problem of grog running which seems to have its source for Kalka and Pitjantjatjara at Alice Springs. I understand there has been no confiscation of vehicles used in illegal grog running as yet. Until some firmness is shown in this area, measures aimed at stamping out grog running will not work. I wonder whether there is a need for some change in the by-laws to ensure that confiscation of vehicles is made. At present the feeling is that if a vehicle is worth only $200 it is not worth recovering because of the cost of bringing it back to Marla Bore police station. I suggested to the community that there is a need to look at the destruction of vehicles used in illegal grog running, or their handing over to the community for it to do what it wishes with them. There certainly needs to be something done about that.

Magistrates may also have been too lenient in handing out penalties and a rethink is necessary in order that they can better understand the problems of Aboriginal communities. It has been suggested that people in Mintabie have

been responsible for supplying Aborigines with illegal alcohol. If that is so, then that action can only be described as totally irresponsible. It will cause enormous problems for the town in the future unless it is stopped. There has to be an investigation and appropriate action to find out whether this illegal supplying of grog is occurring.

We were also told in one community that police and police aides were turning a blind eye to gambling. Police need some very clear instructions on that matter. Gambling can be a particularly destructive influence on a community. There has been considerable publicity about petrol sniffing. Kalka and Pipalyatjara, as I said, still have serious petrol sniffing problems. One of the problems is that the hard line sniffers have tended to go out to communities away from those places which have police aides. It has already been pointed out that Kalka has no police or police aides to stamp out the practice. Two weeks ago I raised with the Attorney-General the issue of the withdrawal of supervising police officers working with Aboriginal police aides on tribal lands. We received very clear indications that the Aboriginal police aides system was a huge success. This was repeated time and time again by the Anangu Pitjantjatjara Council, each community chairman we spoke to, and every Aboriginal group we talked to—including representatives of the Franks team. Even Christine Franks herself made it absolutely plain to me that the police aides system was absolutely essential to assist with petrol sniffing. They said that it was working well, but it was also essential that the supervising police aides are kept there. It seems that the aides' effectiveness in reducing petrol sniffing has been dramatic.

According to the people there, it is essential that the supervising officers remain with the aides. I have heard that the Government is in fact leaving some supervising officers there. I must say that it is essential at this stage that every police aide does have a supervising officer. We would not throw an ordinary constable in at the deep end with the sort of training these people have. There are very real reasons for that, and I think that the Minister ought to carefully consider that and give some support to the view I have. It is also apparent that extra aides are needed at Pipalyatjara and Mimili—but under supervision. Each aide must have a supervising officer at this stage, and that has been told to us by every Aboriginal including the council. That was the first subject they raised with us when we spoke with them last Wednesday: 'Can you make certain that the supervising officers remain with the police aides?' Police aides also have personal problems to overcome. Some of them are unable to read or write, so it is impossible for them to fill out a charge sheet in the way normally expected by magistrates. Consequently, it requires great patience on the part of the judiciary and, perhaps, a re-think of an expectations in relation to charge sheets and so on. There has to be some very clear thinking and a lot of discussion with the communities about that matter.

The amount of training and supervision these aides get in the initial stages is also limited, as everyone knows. I am not criticising that: I give full credit to the Government for the introduction of this scheme. It has been a tremendous success and is totally supported by the local communities. Instead of arguing with me, the Minister should be accepting that I am giving credit for that. As I said, there is no way we would take these supervising officers away from the constable if we had given him that amount of training. Add to that the fact that the aides are hours or, in times of bad weather, even days away from help and one begins to realise the enormous responsibility being placed on their shoulders if we did not give them support.

I have said something about Birthday Creek and do not particularly want to go through that matter again. It has been raised by the Hon. Mr Elliott. There was considerable discussion and, I must say, some anger about the way it was done from Aborigines in that area. The fact that the curing station for petrol sniffers had a petrol driven electricity generation station is an example of how absurd the whole scheme was. The fact that $19 000 was spent on the telephone system in order to provide communication with the outside world really makes Aborigines very cynical about the claim that there is no money for other schemes.

The Hon. R.I. Lucas: How much?

The Hon. M.B. CAMERON: $19 000, and I think $70 worth of calls were made. It was an absolute farce. At Kalka Pipalyatjara they are still on the radio telephone, and their communication system is next to nothing. One of the problems is that this Minister takes everything so personally and embraces supposed solutions coming from almost anyone around the traps without thinking them through. He really has a 'great white father' attitude towards Aborigines, and I think his time of education in Queensland has perhaps had some effect on him. He may have spent too much time up there.

The Hon. R.I. Lucas: Do you think he is Joe Bjelke-Cornwall?

The Hon. M.B. CAMERON: I think he might be. I think that he got to dislike Aborigines, for some reason.

The Hon. J.R. Cornwall: No—just Liberals.

The Hon. M.B. CAMERON: You must consider all Aborigines Liberals. You are pushing them that way—which is somewhat surprising.

The Hon. J.R. Cornwall interjecting:

The Hon. M.B. CAMERON: Isn't he a lovely little man! Wouldn't you love to have him for a father? He would be wonderful. I have always thought that he is the one person I would love to have for a father. He is such a mild, nice little fellow. How would you like to have him in charge of the Aboriginal health services with the attitude he has? No wonder they are getting a hard time from him. You are a heartless man with no feeling for people at all. Words fail me in describing him, but he has described himself many times on television, so I do not need to do it. In fact, his performances on some television interviews speak for themselves, and I do not need to say anything to the people of South Australia. He helped us win Mount Gambier and now he is helping us win the next election. The Minister has said a lot about Mr Glendle Schrader, the Health Coordinator of the Nganampa Health Council. I assume that when the Minister says that four people were being brainwashed by Mr Schrader he meant Yami Lester. Is that one of the people you were taking about, Minister? You were not prepared to name them the other night, but let us see whether you are prepared to name them now. The four people are Yami Lester—is that right? Robert Stevens is another one? If you can brainwash those people you are a better man than I am, because they are very powerful people.

The Hon. J.R. Cornwall interjecting:

The Hon. M.B. CAMERON: I have no doubt you will bully them. You will get up there and threaten to defund them, tear the money away from them and pull down the very things you set up, because that is the way you do things. You are a bully boy with absolutely no feeling for these people, and you are a disgrace, Minister, coming up to the year 2000.

The Hon. J.R. CORNWALL: On a point of order, the Hon. Mr Cameron is acting in a very abusive way in addressing me directly, and we all know that he must address

his remarks through the Chair. You, Ms President, may have been distracted momentarily.

The Hon. R.I. Lucas interjecting:

The Hon. J.R. CORNWALL: I know who is the joke. I know who's been on the front bench in Government, Sonny Jim, while he's been sitting in Opposition or on the back bench all the days of his parliamentary career.

The PRESIDENT: Order! I would remind the Hon. Mr Cameron to address his remarks through the Chair.

The Hon. M.B. CAMERON: I always like doing that, Madam President.

The PRESIDENT: Sometimes I see far more of the back of your head than the front, and when the front is towards me the eyes are often towards the press galleries rather than me.

The Hon. M.B. CAMERON: I can assure you that they are empty.

The PRESIDENT: They were not empty when you were looking there earlier this afternoon.

The Hon. M.B. CAMERON: It is because I find you irresistible that I have to look away.

The PRESIDENT: I will quite happily run that risk.

The Hon. M.B. CAMERON: You have said that before. The question of Mr Schrader has to be addressed to some extent because I think the Minister has gone somewhat overboard in his statements in this Chamber about that said gentleman. The whole Nganampa health group has had a fair pasting from the Minister, to say the very least. The Minister is a very good manipulator of the press. He sets out to put out his press releases in such a way that he is shifting the blame onto the Nganampa Health Council. He knows that is unfair and that the Nganampa health group is doing a reasonable job. That group knows it has faults. When talking to the members of the group they say, 'Yes, we have faults. It is a very difficult job to start up a new service as we have done.' The Minister abuses them for identifying the problems of the Aborigines. He abuses them for bringing the attention of the community to what has been occurring at Nganampa. Frankly, I find that somewhat amazing. The Minister has been joined by some of his officers. Recently, I received a copy of a media release from Robert Stevens, Vice-Chairman and Aboriginal Coordinator for the Nganampa Health Council—a reasonably strong man. I think this media release should be read into *Hansard* because it answers some of the things that have been said about these people. It says:

At a special meeting of Anangu Pitjantjatjara and Nganampa Health Council at Ernabella on Tuesday 22 September 1987 full support was given to Nganampa Health Council in defending its programs against funding cut-backs and personal attacks by certain politicians and bureaucrats.

'Anangu and all the communities are right behind Nganampa,' said Robert Stevens, the Vice-Chairman of Anangu Pitjantjatjara and the Aboriginal Coordinator of Nganampa Health Council in Alice Springs today. 'Since taking control of health in December 1983 we now know how sick our people have been. Before this SAHC could not tell us. Now that we have told them the truth they are blaming us.'

'For two years we have been trying to work with the SAHC and the DAA telling them of our funding problems, but they take no notice and will not listen to us,' Mr Stevens said. 'In our first 3½ years of work we have accomplished more than the commission had in the previous 10 years and we think they are jealous.' 'We now have good staff working for us and with us. Our health reports now show what illness there is in our communities. We have developed a standard treatment manual, which the commission could not do. We have reviewed the environmental health problems and now know what is causing sickness. We are doing a good job and telling the truth and now we are being blamed for showing these problems,' Mr Stevens said.

With reference to the comments made by Tim Agius of the South Australian Health Commission to the South Australian Parliamentary budget Estimates Committee, as reported in today's *Advertiser*, Mr Stevens said: 'Mr Agius can accuse me and the Aboriginal Executive of the Nganampa Health Council of being black activists if he likes. Yes, we are blacks and we are active: active in trying to bring about a major improvement in the health of the Pitjantjatjara people in the North-West of South Australia. Mr Agius works for the Government and he speaks for the white people. I work for my people and we know what we are talking about.'

Madam President, I believe it is important that people understand that fact.

I also have a speech given by Mr Glendle Schrader to the Public Health Association, South Australian Branch. I believe again that some of this speech ought to be put on the record. These are not my words; and I am not plagiarising Mr Schrader, but I believe it is important for people who have more access to Aborigines to have their words included in the record of the State rather than my own because, as I said, I do not pretend to be an expert. I can only touch on the very fringe of the problems and no doubt in some things I am wrong in what I say. One has to accept that with the sort of visits that I and others make.

The Hon. M.J. Elliott interjecting:

The Hon. M.B. CAMERON: Yes. With the visits that I and others make it is very difficult to make a proper assessment. One has to live in the area and work with these people to understand the problems that they face. Mr Schrader made the speech to which I refer to the Public Health Association, South Australian Branch. He said:

I shall be speaking of specific issues and general issues, and by a combination of both I hope to portray a picture of Aboriginal health which is accurate for today and the likely prognosis for the future. It is sobering to reflect that the year 2000 is just 12 years into our future, and what action or inaction we undertake today shall to a large degree dictate the circumstances of that time. The year 2000 has become an international focus for the development and achievement of social goals and objectives, especially in the areas of primary, preventative and environmental health.

Australia has a global role to play and it can fulfil its role by the achievement of internationally accepted goals and objectives, such as those promulgated by the World Health Organisation. Ten years ago, in 1977, the Thirteenth World Health Assembly decided in resolution WHA30.43 that the main social target of governments and the WHO in the coming decades should be 'the attainment for all citizens of the world by the year 2000 of a level of health that would permit them to lead a socially and economically productive life'. This objective has come to be known broadly as the Declaration of Alma-Ata, and it shall increasingly become the health agenda of all nations.

One might ask, and indeed one must ask, where will Australia stand when the time has come and the international question is asked: is there health for all in Australia? Within Australia today Aboriginal people suffer the highest rates of ill-health of any identifiable section of the community. This is the situation in 1987, and shall probably be the situation in the year 2000, as it has been the situation progressively since the first Act of Australian Colonisation by Europeans in 1788. Ill-health is the effect which is a consequence of the cause. The effect of Aboriginal ill-health is complex but well known throughout Australia and other comparable environments throughout the world. Inordinately high levels of malnutrition, respiratory disease, chronic ear disease, eye disease, skin infections, gastroenteritis, sexually transmitted diseases, tuberculosis, hepatitis B, renal disease and diabetes are well documented throughout Aboriginal Australia.

On the other hand, the causes of such patterns of ill-health are less complex, but more difficult to document and comprehend. The effect can be scientifically quantified as morbidity or mortality data, the cause however is less tangible as it lies in the realm of the Australian social and economic order. Put simply, the cause is dispossession, poverty, racism, cultural genocide and apartheid. The effect is a third world indigenous health status within a first world industrial country. The cause and effect of Aboriginal ill-health is a difficult and painful story for white Australians to come to terms with. But it is a reality which we must realise if we are going to realistically achieve health for all Australians by the year 2000.

The Pitjantjatjara, Yunkanyatjara and Ngaanyatjara peoples are closely affiliated groups whose ancestral lands lie in areas which are now within South Australia, Western Australia and the Northern Territory. In 1981 an area of their land in South Australia was proclaimed as freehold title under the Pitjantjatjara Land

Rights Act, and was handed back, with some restrictions, so that it is now under the people's control through the corporate body of Anangu Pitjantjatjara. Other of their lands are controlled through the Maralinga Tjarutja Land Rights Act, the Northern Territory Land Rights Act and by the Western Australian Government.

The area to which I shall be referring is the Anangu Pitjantjatjara Lands (AP). This area occupies 104 000 square kilometres, or roughly one-tenth of the State of South Australia. The present population is estimated at between 2 000 and 2 500 Anangu and 400 non-Aboriginal people. The mining town of Mintupi, which occupies a small excision within the AP lands, has a fluctuating population of between 800 and 1 500 non-Aboriginal people. The landscape of the AP lands varies from mountainous desert, rolling red sandhills and grass and tree covered plains. Generally one could describe it as an arid environment, with inconsistent food resources and fluctuating rainfalls. A land of vagaries which lends itself to nomadism and movement, but which exacts a certain entropy if one attempts a sedentary existence. It is debatable whether European Australians have ever successfully colonised the arid interior of this country. The relative population of the inland of Australia is small, and the towns and settlements are highly dependant upon resources from urban centres.

On the other hand Anangu have lived in this environment, according to their history, from the beginning of time and creation. That fact of their history is non-negotiable. By comparison, before the second world war it was commonly believed by white Australians that Aboriginal people occupied Australia about 2 000 BC. Then the white history said that Aboriginal people had been here for 10 000 years, and then it went to 20 000 in the early 1970s. Now it is accepted by white Australia that Aboriginal Australians came here 40 000 years ago. But Pitjantjatjara people, who still maintain their links from the time of creation to today, will tell you that they didn't come from anywhere else but here. The story of their history is so different from the commonly accepted Judaio-Christian history of white Australians, that the validity of Aboriginal history is incomprehensible to non-Aboriginal Australia.

[*Sitting suspended from 6.2 to 7.45 p.m.*]

The Hon. M.B. CAMERON: Before the dinner adjournment I was quoting from a speech that Mr Glendle Schrader delivered last week in the city, and I shall continue to quote as follows:

In terms of health, what is at issue is the very survival and existence of indigenous Australians and their right to maintain their culture and be respected for being who they are. Over the past 40 years the Pitjantjatjara people have been required to rapidly assimilate into the European Australian society, in order to maintain their survival. However, this assimilation into missions and settlements has exacted a price, and that price can be seen in terms of high morbidity and social dislocation.

The Pitjantjatjara people have developed and are continuing to develop strategies whereby they can maintain their culture while at the same time ensuring their physical survival through the 1980s. One strategy which they have developed is the homelands movement, or the movement back to traditional lands and family affiliations. Other strategies have been the assumption of control over the delivery and style of services which are provided to their communities and homelands.

The Council

The Nganampa Health Council assumed responsibility for the provision of primary and preventative health care services throughout the eastern Pitjantjatjara communities in December 1983. The Pitjantjatjara Health Service, which had operated services on the far-western portions of the AP lands since 1978, amalgamated with the Nganampa Health Council on 31 January 1986. On 7 October of this year the Nganampa Health Council and the Anangu Pitjantjatjara executives amalgamated, so that the health council now acts as the Department of Health for Anangu Pitjantjatjara.

Some of the objects and purposes of the council as set out within its constitution are:

(a) to establish and operate an independent Aboriginal health service controlled by the communities which it serves;

(b) to provide accessible and effective primary and preventative health care to its members and those assisting them;

(c) to train Anangu as health workers to understand and practise as the main agents of primary health care the aspects of European style health care that are relevant to the needs of the communities;

(d) to support the communities in steps to overcome public and environmental health problems and provide community health education.

The Pitjantjatjara people assumed responsibility for health care upon their lands at a time when the South Australian Government's health care system was completely failing. The level of ill health at the time was only just beginning to be known. The nursing sisters, who were the backbone of the Government's limited primary health care system, had been on strike and were threatening further industrial action. In short, the South Australian Health Commission's system of health care had failed and there were no easy solutions in sight, except to hand responsibility over to the communities themselves and let them sort the problems out.

At the time communities were extremely enthusiastic over the concept of controlling their own health services. However, there was concern at the time as to whether the Government would provide communities with sufficient resources in order to fulfil the obligations which they would assume. In order to ensure that Governments did provide sufficient and adequate resources, the council entered into an agreement with all Government and non-government agencies relevant to the health care system throughout the AP lands. This agreement has come to be known as the Nganampa Health Council 1983 Agreement with Government. History has shown that the people's concerns were indeed correct, as some Government agencies have reneged upon the provisions as written into the agreement, and some have said that the written agreement is not valid.

The council is an Aboriginal community controlled organisation which is incorporated under the South Australian Incorporations Act. The council is managed through an executive which is made up of members from each major community throughout the area of its operations. Each of the six health services which the council operates are to a large degree autonomous, in that the day-to-day management of their health service occurs within the community.

Within the Aboriginal context, community control has two major functions. First, community control allows Aboriginal people a degree of influence over the services which directly affect their destiny. This is particularly important, given the Australian experience of racism and oppression which has been exhibited through Government services in the past.

Secondly, as with all communities throughout Australia and the world, community control allows a greater degree of client participation than would otherwise be possible. Through the philosophy of community control, it is intended that the clients of a community service provide the necessary checks and balances at a day-to-day level which is appropriate to the management and operation of a community service. This must at all times be balanced, however, with the necessary efficiency and effectiveness of service operations.

The Nganampa Health Council operates eight community health centres and potentially services more than 50 homelands throughout an area that covers one-tenth of the State of South Australia. The council has some 75 staff, the majority of whom are Aboriginal and the majority of those being Aboriginal health workers. By European standards the communities are isolated, dilapidated and in a state of chaos. The council's turnover in non Aboriginal staff was 22 during the past year, with 22 locum and relief staff being required to maintain the health system. This staff turnover may sound high, but is consistent with all Central Australian Aboriginal communities, and much lower than one South Australian Aboriginal community which required 24 nursing sisters in a 12-month period to maintain their primary health care services.

One of the major distinguishing features of the Nganampa Health Council model has been its attempt to provide a comprehensive range of professional services, which although common to health care systems in an urban Australian environment, they are unusual in rural Aboriginal Central Australia. The council has attempted to operate as a team, utilising a variety of professional experiences which are available within our staff, in order to undertake activities which would otherwise not be possible.

Immediately upon the commencement of operations in 1983, the council recruited four medical officers and placed them in each of the four major eastern communities. At that time we were advised by some Government officials that it would be impossible for us to actually recruit qualified and competent medical staff who would wish to work in the bush. However, our experience has been that we have recruited some of the most highly qualified, competent and dedicated medical staff available anywhere within Australia.

I have met some of these people and I can fully justify that comment made by Mr Schrader. These people operate in very difficult circumstances and very difficult environ-

ments. They are absolutely dedicated to the cause which they serve. Mr Schrader continues:

The effect of this, which is not just a credit to our medical officers but a credit to the entire Nganampa team, is the development and maintenance of quality, professional health care services throughout the Anangu lands. I do not want to underemphasise the fact, and this is my personal opinion, that the provision of health care prior to the Nganampa Health Council was one of professional negligence.

This is not a statement to reflect upon the professionalism of the nursing sisters who managed the previous health care system, but it is a statement that reflects upon the system which would place ill-equipped and ill-trained personnel to cope with the most difficult community health problems throughout Australia. In the past 3½ years of operations the Nganampa Health Council has achieved the following:

1. the introduction of professional, acceptable, and accessible primary health care services.
2. the development of a standard medical treatments manual.
3. development of a new patient record filing system.
4. development of a standardised drug imprest list.
5. publication of two health reports containing extensive demographic and morbidity data.
6. day-to-day education and training of Aboriginal health workers.
7. the undertaking of the most extensive environmental and public health review ever conducted throughout the AP lands.
8. ongoing evaluation of programs and health care services.
9. improved community health education and promotion.
10. development of an air transport system for the rapid carriage of patients and staff.
11. development of a dental service which operates throughout the AP lands.
12. development of X-ray services through the Pakatja community health centre.
13. development of a new community health nursing award for Nganampa staff.
14. development of interpreting services for patients within the Alice Springs hospital system.
15. in 1986-87 the reduction of hospital transfers by 23 per cent.
16. in 1986-87 the achievement of 19 births upon the AP lands which is an increase of 14 over the previous year.
17. the development of a specific health worker curriculum.
18. and services to some 40 000 patient contracts per year.

In summary, we feel that in 3½ short years we have achieved order from chaos and are now laying the foundations for the health care revolution that is going to be required for this group of people to survive.

Uwankara Palyanku Kanyinjaku

During early 1986 the council approached the South Australian Minister of Health and proposed that the council and the commission undertake a joint review of public health and environmental issues throughout the Anangu Pitjantjatjara lands. This proposal was agreed to by the Minister of Health, and following this we have developed a very close working relationship with the environmental and public health section of the commission.

The review was essentially conducted by the Nganampa Health Council and was called 'Uwankara Palyanku Kanyinjaku'. A strategy for well-being? The terms of reference for the review were broad ranging, and the specific aspects to be reviewed included health status, water, housing, sewerage, rubbish, toilets and ablution facilities, personal income, food supply and stores, maintenance, homelands resources, and the general physical and social environment. The report from this review shall be published in coming weeks, and we see this document as the foundation stone upon which future health improvements shall be built.

The conduct of this review has been one of the most productive activities our health council has ever undertaken, and, relatively, one of the least expensive activities we have ever undertaken. There have been two key elements within this review which are worth noting; first, the methodology of the review was through the process of client control and participation, rather than the imposition of intrusive researchers into the intimate lives of people. Without the cooperation of individuals and communities, the findings, and recommendations would be invalid. Secondly, the review was entered into in a relationship of cooperation between an Aboriginal community controlled organisation and the State health authority. We are hopeful that it is this relationship which will assist the meaningful implementation of the recommendations coming from the review process.

What has come from Uwankara Palyanku Kanyinjaku has surprised even those of us who have worked and lived in this environment for some time, and we are excited about the possibilities which might now come from this research. We have now established two basic categories which are so simple as to sound trite, but it is from this simplicity that we hope to promote the achievement of good health.

The first category is 'Healthy Living Practices', which involve those personal hygienic activities necessary to good health in a sedentary community environment. This particularly is a category of activities which involve behavioural change and social adaptation on the part of clients.

The second category is 'Health Hardware', which involves the introduction of capital works and the good management of public health facilities.

Furthermore, we have prioritised those aspects of healthy living practices which will have the most significant and immediate effect towards the betterment of health, and most importantly which are achievable. Too often in the past we and others have taken a shot gun approach to health, which is to identify a wide range of ill health and obvious public health inadequacies, and then with a degree of satisfaction say to ourselves, 'We must change all this.'

What we are now doing is a more sophisticated approach, whereby we identify the specific areas of change and try and quantify the results which that particular action will achieve.

The nine priorities which we shall be presenting to our clients and to Government as being the targets for health, are:

1. Washing facilities for children under five years, and washing for adults.
2. Washing of clothes and bedding.
3. Waste removal.
4. Nutrition.
5. Reduce crowding.
6. Separation of dogs and children.
7. Dust control.
8. Temperature control.
9. Reduce trauma.

By prioritising the areas which combine to make personal good health, we are not saying that all of these aspects are not interrelated or necessary. What we are saying is that it is realistically impossible to implement changes to effect all of these things at once. The simple introduction of hot water and washing facilities for the community is going to have more of an effect upon the achievement of good health than would, say, the reduction of factors which contribute to trauma.

As another example, if through the introduction of washing facilities we can prevent gastroenteritis and the consequent diarrhoea and loss of nutriments, this will have a greater effect than the introduction of highly nutritional foods, which might not be absorbed due to the weakened state of a child suffering from gastroenteritis. It is more effective to stop the cycle of illness where it starts, rather than perpetrate a health care system of bandages and evacuations.

In terms of health hardware, we have pointed out in the review that under the present structure the introduction, use and management of health hardware throughout the area is almost impossible. Under the present structure of management throughout the AP lands, most of the responsibility and burden for the development and management of all community activities occurs through each individual community council. This may sound fine in terms of the philosophy of community control, but in practice it is an impossible task to ask a group of 200 to 300 people to make professional decisions upon areas for which they are not trained, are not provided sufficient advice nor are they given sufficient information upon.

We have noted that each community or its agents would have to deal with over 70 different Government and non-government agencies in order to obtain the goods and services necessary for their existence. As an example, in one community the community adviser noted that he had attended 162 meetings in 90 days. That same community recently put an embargo on all meetings for a fortnight, in order that they could recover their equilibrium and regain their senses.

The achievement of the standard of health which the general Australian community presently takes for granted was largely made through the introduction of public health policies and adequate public health resources. Any improvement in Aboriginal health will follow similar formulas, as the requirements for good health are the same for all peoples in all societies.

One final example of the lack of public health facilities which presently exists throughout the AP lands. We have noted within the review that there are eight people who occupy every house upon the AP lands, but that only half the people have access to housing; thus some 16 people would use the health hardware within each house. Furthermore, each house upon the lands, on average, is half the size of a suburban house, say, in Adelaide;

which draws the comparison that if you in Adelaide had 30 people using the health hardware in your house you can imagine the pressures that are being placed upon the houses of the Pitjantjatjara people.

Within the review we are not saying that housing is the answer; rather, we are saying that access to the health hardware which is presently contained in houses is the answer. In fact, we will be advising through the review that the desire for a house is most probably a false aspiration, given that the present funding levels and maintenance systems are seeing a more rapid deterioration of housing stock than can be replaced. We have subtitled our housing chapter, 'The Impossible Dream'.

I would remind you that we must avoid blaming the victims of misfortune, but at the same time convey the reality of the situation. The Pitjantjatjara, Yunkatyatjara and Ngaanyatjara people did not ask to end their nomadic traditional lifestyle, but were forced by the social, economic and military imperatives of the white Australian community. Missions and settlements were not established as the prerogative of the Pitjantjatjara people, but rather they were established for the administrative convenience of the colonisers. When missions and settlements were established there was never a plan of management or the development of sufficient resources to maintain the people's health and well-being. One looks back to 20 and 30 years ago and thinks what did the Government of the day really think was going on? Why was so little regard given to the health and well-being of these people? And today the questions are still to be answered.

Government

It is the experience of our council that both Federal and State Governments within Australia lack both the capacity and commitment to deal with the Aboriginal health crisis. Although the 1967 referendum clearly gave the Federal Government the power and responsibility to address Aboriginal issues, history has demonstrated that this has yet to occur. Between 1973 and 1975, the Federal Labor Government introduced initiatives into Aboriginal affairs which set the agenda for the following 10 years. Their initiatives included increased resources, introduction of community control, the development of land rights legislation and the support of what is today some 1 400 independent Aboriginal organisations and communities throughout Australia.

However, the Fraser Federal Government progressively downgraded the role of the Federal Government and gradually reversed the emphasis towards State Governments assuming a greater responsibility for the management and funding of Aboriginal services. These moves towards State responsibility for Aboriginal affairs have increased under the present Federal Labor Government, with the stated intention by the Federal Government that each State has a responsibility to provide a range of public services for all of its citizenry, be they Aboriginal or non-Aboriginal.

The effect of this lack of clear Government responsibility is what we refer to as the 'ping pong game'. This is the bureaucratic game whereby Aboriginal organisations and initiatives are put to one Government agency, who refer you to another Government agency, who then refer you back to the original agency, who then refer you elsewhere. And once the bureaucracy has become tired of the game, they simply stop answering their mail. It is this structural lack of coordination within Government agencies which inhibits health and community development throughout Aboriginal Australia.

By comparison, the American Indian experience is very similar. When the Bureau of Indian Affairs, which would compare with the present Australian Department of Aboriginal Affairs, had responsibility for Indian health in America, the standard of Indian health was well below that of the general American community. In 1955 the Federal Government, which in America had a clearly defined responsibility for all of Indian affairs, altered their Government structure and developed the Indian Health Service under the Department of Health. Interestingly, at the same time they introduced a Corps of Engineers to develop public and environmental health facilities, which operates within the Indian Health Service, in order to ensure the intersectoral cooperation necessary to achieve rapid improvement in public health. Since 1955 the Indian Health Service has made some significant inroads into the poor morbidity status of Indian Americans.

Within our council's 1985-86 annual health report, we state that there is a lack of adequate policy, planning, financial and professional support from the Department of Aboriginal Affairs, the South Australian Health Commission and the Commonwealth Department of Health. We continue to maintain that this is true, that Australian Governments have not got their act together, and that this is directly inhibiting the major improvements necessary to achieve good health within the Aboriginal communities.

Since the council began operations, we have produced and published two health reports which provide detailed data and analysis of the ill-health which our patients experience. We have circulated this document to all interested parties and all the major Government departments with whom we deal. We have recently been criticised, one might say vehemently, by certain sectors of Australian Government.

What we are being criticised for is having identified a problem and pointed this out to Government and the general public, as well as to our clients. Rather than being received in a professional and appropriate manner, some Government representatives have chosen the option of 'shooting the messenger because they didn't like the news'. This is not an appropriately professional response and it is not going to further the cause of Aboriginal health, or more importantly see any improvement in the situation which we have documented.

We have been criticised for having drawn the attention of the Australian public to a factual situation which should be of concern to all Australians. For this we have been accused of having created the problem, and now some sectors of Government wish to see our Health Council disbanded. It is morally and professionally incumbent upon those who are employed and who represent any health care system to convey the facts of that community's health status. If this means that we are to receive reactionary criticisms and manipulations of the truth in order to maintain the *status quo*, then so be it, because the *status quo* within Australia is that the Aboriginal population experiences Third World morbidity patterns, and a degree of general poverty which is unknown to the majority of Australians.

Australia has a history of equalitarianism and the pursuit of social justice which now needs to be demonstrated in the area of Aboriginal health, through the achievement of equality of health status, as Professor Nancy Melio pointed out when visiting Australia last year, and not simply equity of service accessibility.

Finance

The single greatest area of conflict between the Nganampa Health Council and Government has been in the area of finance and resource allocation, and this is probably the case with all Aboriginal Health Services. The basis of this conflict from our point of view is the unwillingness of Government to allocate sufficient resources in the area of Aboriginal health. We consider that a total analysis of our operations demonstrates the efficiency and cost effectiveness of appropriate, on-the-ground primary health care programs. Unfortunately, governments have been unwilling to look at the total cost environment, but have preferred to concentrate upon the simple analysis of recurrent primary health care costs in isolation.

The council has publicised within its 1985-86 health report that the average health care cost for all Australians is $1 288 per person per year. An analysis of Nganampa Health Council's health care cost, including emergency evacuation and hospitalisation costs, is $1 323 per person per year, when an isolation factor of 18.4 per cent is taken into account. What we have found is that, basically, Australian governments are spending the same amount upon the health care of the Pitjantjatjara people as they are for all Australians, in spite of the markedly increased morbidity which is being suffered by the Pitjantjatjara people, and in spite of the health crisis which the council is taking responsibility for overcoming.

We can demonstrate significant levels of funding cuts over the past two years of our operations. Since the 1984-85 financial year, our council has suffered funding cuts of $718 015, or 34.6 per cent.

I seek to have inserted in *Hansard* a table, which is purely statistical, outlining the details of that 34.6 per cent cut.

Leave granted.

TABLE 1

NGANAMPA HEALTH COUNCIL INCORPORATED

Analysis of Recurrent Funding from DAA and SAHC—Compared to inflation adjusted figures, for 1984-85 to 1986-87 (not including income received by Pitjantjatjara Homelands Health Service from 1984-85 to 1985-86)

General Operations Only

*1984-85 income figures have been used as a base for calculating inflation adjusted figures.

	DAA		SAHC		Total DAA & SAHC				
	Actuals	Inflation Adj.*	Actuals	Inflation Adj.*	Actuals	Inflation Adj.*	Additional Operations/ Positions	Grand Total Resources Required	Real Cuts
	A	B	C	D	E	F	G	H	I
Funding received 1984-85 (excl. PHHS)	1 747 000	1 747 000	321 000	321 000	2 068 000	2 068 000			
1985-86 details									
Actual funding 'increase' 84-85 to 85-86	+129 696		+19 170		+148 866				
Inflation increment from June '85 to June '86 at 8.4% C.P.I.		+146 748		+26 964		+173 712			
Funding required for 1985-86 in order to maintain operations at 1984-85 levels		1 893 748		347 964		2 241 712			
Funding required for 1985-86 in order to increase operations to level approved by DAA & SAHC							135 378 see note 1		
Actually Received 1985-86 (exc. PHHS)	1 876 696		340 170		2 216 866				
Total Required to Maintain Approved Levels:								2 377 090	($160 224) (7.7%)
1986-87 details									
Actual funding 'increase' 1985-86 to 1986-87	+274 004		+9 830		+283 834				
Inflation increment from June 1986 to June 1987 at 9.3% C.P.I.		+176 118		+32 361		+208 479			
Funding required for 1986-87 in order to maintain operations at 1984-85 levels		2 069 866		380 325		2 450 191			
Funding required for 1986-87 in order to increase operations to level approved by DAA & SAHC and unapproved Kalka staff cuts							633 146 see note 2		
Actually Received 1986-87	2 150 700		350 000		2 500 700				
Total Required to Maintain Approved Levels:								3 083 370	($557 791) (26.9%)
					Total over 2 years		$768 524		($718 015) (34.6%)

The Hon. M.B. CAMERON: Mr Schrader continues:

During the past year our council has had a 20.44 per cent decrease in recurrent funding, which has created an over expenditure of 10.68 per cent in recurrent expenditure. We advised the Australian Government beginning two years ago that the council could not maintain its level of operations and suffer this degree of funding cuts. We have repeatedly and continuously since that time advised the Government of our requirements. We have been received with contempt, derision and threats. However, we think that the facts stand for themselves and that the funding cuts demonstrate the infrastructural racism which exists within the Australian Government and its bureaucracy.

Our council has been accused of inefficiency and of having created a medical dependency. What we have created is the most effective health care system that has ever been provided in the North-West of South Australia or, possibly, throughout rural Central Australia. What we have done is identify the extent of the health problem throughout the area and publicised the fact. What we have done is decrease hospital transfers by 23 per cent in one year, with a consequent potential saving to the Alice Springs and Adelaide health care systems of over $250 000. What we have done is treat Aboriginal people as human beings who have a right to the same level of professional service as any other Australians. What we have done is undertake comprehensive research to detail the environmental and public health factors which are creating the massive morbidity throughout our areas of operations, and for this we are being criticised.

Health Costs

So, one might ask, what are the social and economic costs of Aboriginal ill-health? The childhood illnesses of gastroenteritis, respiratory infection, chronic ear disease, skin infections, and trachoma/eye infection shall continue to occupy up to two-thirds of primary health care time. These diseases are the acute illnesses which continually present at the clinic, and will continue to do so in the foreseeable future until some alteration of the physical environment occurs. It is estimated that in Central Australia some 40 per cent of children have been hospitalised during their first year of life. By the first three years of life some 60 per cent of Aboriginal children have been hospitalised. The effect of this is family disruption and dislocation from their community, with cultural and social costs which are difficult to quantify, but very real for those who must adjust their whole lifestyle around a constant cycle of illness.

The adult illnesses, or acquired lifestyle diseases such as diabetes, vascular disease, hyperlopidaemia, cardio-vascular disease, hypertension, renal disease, and alcohol and petrol abuse, do not exact a high degree of primary health care costs at a community level. What these chronic illnesses do exact however is high hospitalisation rates, chronic ill health as a lifestyle with its consequent drain upon the valuable human resource of that community, and then the early death of the individual. I need not remind you that the present average life span of Aboriginal Australians conpares to that of white Australia 100 years ago, and is average 20 years less than non-Aboriginal Australians.

Australia—A Strategy for Well-being

As was stated earlier, what is required to achieve health for all Australians by the year 2000 shall be equality of health status for Aboriginal Australians, and not simply equity of services.

For equality to be accomplished in the coming 12 years it will be a major public health exercise on a national scale. But an ounce of prevention now will be the pound of cure in 12 years time. If not, Aboriginal health care costs will of necessity increase, or else people will die by the wayside. As long as Aboriginal society suffers the degree of poverty, ill health and prejudice to which they are now subjected, Australia as a nation cannot claim to be equal, just or even civilised. From what I have seen of the Australian spirit I do not think this is the future which we want for the coming generations, but it is up to us to do something about it. If we choose inaction, as past generations of Australians have, then we shall be condemning the next generation of blacks and whites to the same circumstances we are attempting to correct now.

That is the speech by a man whom the Minister has said in this Chamber is a white American who is not interested in the Aborigines of Australia but who has set out to brainwash people in the Northern Territory and the Pitjantjatjara lands, who are the leaders in Aboriginal community health services. People should go home tonight and read what has been said because that person has put into words exactly what is the situation up there. Is he a person who said in that speech that he is interested only in a preventive service? Of course he has not said that at all and neither does the Nganampa Health Council.

One of the problems is that people who go up to the Aboriginal lands on behalf of the Health Commission and the Department of Aboriginal Affairs have never really talked to Aborigines and do not understand the background to their problems. Aborigines come from a nomadic society. Many were brought into missions and introduced to that lifestyle. The Government stepped in and, through departmental officers, introduced them to a new society. Now they are trying to go back to their traditional way of life, following their elders. They cannot do that in a hurry. It will not be simple to reverse the damage that we have done to Aboriginal society by introducing them into communities and expecting them to cope with the problems that were introduced into their society. We destroyed their system of elders and now we have to teach those elders to cope with a new set of rules in a new society, to discipline their people according to those new rules and help them understand the health problems that we gave them.

It is time that all of us, including the Minister, sat back and had a good think about what we are doing and what is being said. Money is not the answer and of course some has been wasted. The Nganampa Health Council would not deny that. All of the people are struggling with new health problems in a new way of life. What I really take exception to is that every time somebody stands up and says something on behalf of Aborigines or the Aboriginal Health Service, the Minister takes personal exception to it.

The Hon. J.R. Cornwall interjecting:

The Hon. M.B. CAMERON: You do. You immediately take exception to it and you accuse people who show any interest at all in going up there of doing so for political purposes. Let me tell you, Minister, that that is not the case. There are people in this Parliament and people on this side of the Council who have a genuine feeling about this matter and I do not believe that you have. I believe that you, Minister, are anti-Aboriginal. I have said it before and I say it again and I think it is time that you went back and had a good look at the people who are advising you. You need to go up into those lands again.

The Hon. J.R. CORNWALL: The honourable member is being personally abusive across the Chamber. He knows very well that he has to address his remarks to the Chair and I ask that you, Mr Acting President, pull him into gear. I ask that he behave like a gentleman.

The ACTING PRESIDENT: As I do not consider the honourable member transgressed greatly I do not think it is a point of order.

The Hon. M.B. CAMERON: I was addressing you, Mr Acting President, at all stages so you must have been fully aware that I was speaking to you. The Minister needs to very carefully consider the advice that he is getting from the people in his department. I believe there are people in there—through you, Mr Acting President—who are determined for some reason to put down individuals who have dedicated their lives to Aboriginal health and to Aborigines. It really makes those people angry and it demoralises them to have the Minister and his lackeys attacking them in this area. If you went up to that area—through you, Mr Acting President—Mr Minister, you would find out just what they think of you and of some of the lackeys that you have surrounded yourself with. You would find that they are very angry people. If you went into that area—through you, Mr Acting President—and asked the communities what they thought of what is occurring then maybe you would find out just exactly what they think. You indicated earlier, Mr Minister—through you, Mr Acting President—that you were prepared to have the Nganampa Health Council as part of the terms of reference of this select committee. I accept that if that is what you want. I am perfectly happy with that because I believe it is necessary in order to curb your activities in that area and to make people stop and think. I do not know what you are up to, but at the moment what you have done is to create a political problem out of something that we ought to all be at one with. That really makes me angry because it is totally unnecessary. There are people in your department as well as people in the Department of Aboriginal Affairs, who have a lot to answer for. Let me read from the report of Mr John Evans, the Acting Director of the Aboriginal Health Organisation, whom I have not met and who has not provided me with this information. The report says:

Notice to all staff—for information on the Aboriginal Health Organisation.

At a meeting on 29 October at the AHO Norwood, the organisation and staff present were advised of the following:

AHO's board of management's term of office expired on 24 October 1987.

The South Australian Health Commission intends to canvass nominations for a new BOM for Aboriginal Health and Related Organisations State-wide and present them to the Minister of Health and Welfare for his consideration and appointment.

The SAHC seeks to have the new board of management operational by the end of November 1987.

The current process of dismantling the organisation is now in abeyance.

The South Australian Health Commmission and the Department of Aboriginal Affairs are in the process of organising a review into the AHO as to its future and functions.

It is anticipated that this review will be completed within six months.

In the meantime AHO will operate as normal in regards to day-to-day activities, training and projects, etc.

Once the terms of reference and details of this review are known staff will be advised accordingly.

If staff seek further information please contact their section head.

I understand that the Minister has now said that is wrong: that is not what is occurring. The organisation is being dismantled and there is not going to be a review.

The Hon. J.R. Cornwall: Whose signature was that?

The Hon. M.B. CAMERON: John Evans, Acting Director.

The Hon. J.R. Cornwall: He has no status at all; he is an Acting Director.

The Hon. M.B. CAMERON: Goodness gracious me. One person was on leave of absence for some reason—does the Minister want me to go through that? One person was on leave of absence.

The Hon. Diana Laidlaw: Perhaps you could explain it.

The Hon. M.B. CAMERON: It was Margaret Hampton. She had suffered the death of her husband just prior to this, and that is why John Evans was the Acting Director. This woman was on stress leave. Does the Minister want me to go through details of the situation? I am fully aware of some of the background involved, not through that person but through other people, and the Minister's behaviour towards that person was disgraceful.

The Hon. J.R. CORNWALL: On a point of order, I am being abused by that thing again. The Hon. Mr Cameron is behaving in a disgraceful fashion, and I do not believe that I have to tolerate it.

The ACTING PRESIDENT (Hon. M.S. Feleppa): Order! I ask that the Hon. Mr Cameron address the Chair and not look to the gallery, as has been pointed out previously. Will he avoid personal remarks so that we can get on with the job?

The Hon. M.B. CAMERON: I am getting on with the job. I will not withdraw any personal remarks, as people in this place this afternoon have been placed in a very difficult position by this Minister. I would like to see the Minister go out to the outside world and say the things that he said in this Chamber this afternoon. I challenge him to go outside and deliver the ministerial statement that he gave in this Chamber to the outside world.

The Hon. Diana Laidlaw: No, he's a gutless wonder.

The Hon. M.B. CAMERON: Will he do that? He has not got the gumption to do so, as he would end up in a court of law very quickly.

The Hon. J.R. CORNWALL: On a point of order, the Hon. Ms Laidlaw audibly called me a gutless wonder. I ask that she withdraw and apologise.

Members interjecting:

The ACTING PRESIDENT: Order! While I am delegated to the Chair I will run the business of the Council. I heard the remark by the Hon. Diana Laidlaw. I kindly ask her to withdraw the remark.

The Hon. DIANA LAIDLAW: I withdraw and apologise. The Minister has set new standards and I shall in future ask for more public withdrawal of comments directed to me by the Minister.

The ACING PRESIDENT: Order! No statements are permitted when withdrawing a remark.

The Hon. M.B. CAMERON: I do not believe that the Minister has the stomach to go out and say the things that he said in this place. He knows that he would be placed immediately in a very difficult position. He knows exactly what the position would be because he came in here and deliberately set about destroying people's reputations in a ministerial statement. That really makes me extremely angry.

Members interjecting:

The ACTING PRESIDENT: Order! Before the Hon. Mr Cameron proceeds, I ask honourable members to give me an easy time while I am in the Chair.

The Hon. M.B. CAMERON: I am happy to be easy on you, Mr Acting President, because you are doing an excellent job of conducting the Chair in the absence of the President. Along with many of my colleagues, I have very strong feelings about the situation in relation to Aboriginal health, not only in the North West of the State but generally. The issue should have been the subject of some communication between the Parties in this Parliament. Unfortunately, the Minister has decided, for reasons best known to himself, to attack dedicated people within the system. Despite the area being difficult to work in and despite these people having to spend long periods of time in very difficult areas of the State, I know of one person who spent at least three months without pay in one area, and it is wrong for the Minister to set about destroying their morale and their feeling of doing the right thing not only by the people but also by the Government.

That has made me extremely angry, and I was not at all surprised to find that it made people in those areas extremely angry, as well. As a result of an interjection from the Minister of Health, I will move to add to the terms of reference that there also be an investigation into the Nganampa Health Council and any related matters. I think that is an excellent idea, and perhaps we should go further because there are many areas, as the Hon. Mr Elliott would know, in relation to WOMA, Pika Wiya and the activities of people in those places that need clear and careful investigation—not the least of which is the decision to remove the right of the people of WOMA, Pika Wiya and Port Augusta to make their own appointments to the Pika Wiya board.

The Hon. M.J. Elliott: They are democratically appointed.

The Hon. M.B. CAMERON: They are democratically appointed. I would be interested to know the background to that. I hope that all Government files will be made available to the select committee, and I hope that the whole area is opened up so that it can look at exactly what has happened in the area of Aboriginal health. I want to know how people were appointed to various positions within the South Australian Health Commission, and there will be many other areas that we will need to look at. The Minister need not have had this happen.

The Hon. J.R. Cornwall: I welcome it.

The Hon. M.B. CAMERON: Good on you. I am pleased about that because we will look into the background and cost of Birthday Creek, the people involved, the travelling expenses, and everything else associated with it, and we will go much further than perhaps the Minister would want. It is time that we had a good look at the activities in that area and considered the needs of the people involved. That is the most important thing—that we get back to the people in these communities. In fact, I strongly recommend to the Minister that he does not allow some of the people with whom he has surrounded himself to visit these communities, because they are not the most popular people in the world amongst those people. I support the Hon. Mr Elliott's motion and commend my amendment to the Council.

The Hon. PETER DUNN: I will make a short contribution to the debate supporting the motion and the establishment of a select committee. I was amazed at the Minister's contribution today when we were berating him about the Lyell McEwin Hospital. The Minister accused us of knocking his staff and he gave us as much as he could. However, the Minister stood in this Chamber and did what he has accused us of doing.

The Hon. J.R. CORNWALL: I rise on a point of order, Mr Acting President. The fact is that with regard to the Lyell McEwin Hospital the Opposition was proved absolutely wrong by the Auditor-General, but members opposite refused to withdraw and apologise—it was a quite disgraceful performance.

Members interjecting:

The Hon. J.R. CORNWALL: No, I just want the facts on the record. The Auditor-General's Report amounted to an exoneration yet, disgracefully, members opposite refused to apologise to my senior officers—disgraceful!

The Hon. R.I. Lucas: You're frothing at the mouth; you're like a rabid dog.

The Hon. J.R. CORNWALL: I rise on a further point of order, Mr Acting President. The Hon. Mr Lucas just described me as a rabid dog, and I ask that he withdraw and apologise.

The Hon. R.I. LUCAS: Mr Acting President, let me help you by saying that I am happy to withdraw the description of the Minister as a rabid dog—it would be an insult to dogs.

The Hon. J.R. CORNWALL: That is not acceptable, Mr Acting President. It is clearly unparliamentary, I ask that it be withdrawn, and I ask for an unqualified apology.

The ACTING PRESIDENT: I ask the Hon. Mr Lucas for an unqualified apology.

The Hon. R.I. LUCAS: With deference to you, Mr Acting President, I am happy to do that. My comment is on the record.

The ACTING PRESIDENT: I ask the Hon. Mr Dunn to direct his comments to the motion.

The Hon. PETER DUNN: Certainly, Mr Acting President, I would be only too pleased to do that. However, I think the demonstration that we have just had indicates to me that the Minister has a great capacity to give it but absolutely no capacity to take it. If he cannot take it, he should not give it.

Members interjecting:

The Hon. J.R. CORNWALL: On a point of order, Mr Acting President. The Hon. Mr Davis just described me as a 'gutless wonder', and I ask that he withdraw and apologise—I want them all on the record tonight. In fact, I demand that he withdraw and apologise.

The ACTING PRESIDENT: I remind honourable members that the less interruption to debate the better it will be for this evening's procedures. I ask the Hon. Mr Davis to withdraw the remark.

The Hon. L.H. DAVIS: I withdraw and apologise.

The Hon. PETER DUNN: The Minister keeps interrupting the debate, because, as I have said, he can hand it out but he is appallingly weak when it comes to receiving a bit. However, I point out that the Nganampa Health Service has received a raw deal from the Minister. That has occurred not once or twice but time and time again. We have had a good exposé in relation to this matter this evening from the Hon. Martin Cameron. I now refer briefly to what is happening at Port Lincoln and perhaps Whyalla. In Port Lincoln we have the unusual circumstance of a number of Aborigines having come to that location from outside the area. Most of them have come from Yalata and Koonibba, and a number have come from Western Australia. Also, a few have come from Whyalla and Port Augusta. In fact, since the turn of this decade the number has increased about 2½ times, and at the moment the Aboriginal population in Port Lincoln is 650. Recently in that town we have had—

Members interjecting:

The Hon. PETER DUNN: I seek your protection, Mr Acting President. The Minister's rudeness in interrupting again demonstrates his ability to hand it out but his inability to take it.

The Hon. J.R. Cornwall: You are almost entirely irrelevant to this place or anything else—

The Hon. PETER DUNN: Whether or not I am irrelevant, I have the call.

The Hon. J.R. Cornwall interjecting:

The Hon. PETER DUNN: If I was around the Minister I would certainly have to, to keep up with him. The Minister is certainly a lightweight Minister of Health: he is demonstrating at the moment, as he has done in the past, his inability to handle a situation that happens to be a little different and a little delicate.

The ACTING PRESIDENT: Might I advise the Hon. Mr Dunn that he will cause less interaction from the Minister if he addresses the Chair.

The Hon. PETER DUNN: Certainly, Mr Acting President, I will do that. Through you, Sir, let me say that the Port Lincoln situation is rather unique because, as I have said, a number of people have come to Port Lincoln from outside the area. Recently there have been some problems associated with the hospital and the clinic at Port Lincoln. I do not want to say too much about this because these matters are the subject of a coronial inquiry. However, I might say that it is only the tip of the iceberg compared to what has been happening recently in the area. There are community health workers there for the Aborigines. Last week when I attended a meeting in Port Lincoln of the Port Lincoln Aboriginal Organisation (PLAO), I was rather surprised at some of the comments that were made and about the information that came out of that meeting.

For instance, there have been problems with all Aborigines attending the hospital and the clinic in that area in that, if they arrive at the hospital or clinic in an inebriated state, both those organisations will call the police to handle the intoxicated persons. A doctor from the clinic and an executive officer from the hospital explained that they do not have the personnel to handle inebriated people, whether they be black, white or brindle. The fact is that there is a problem that should be resolved before the Aborigines get there. They turn up to the clinic and they may be genuinely ill, but they are turned away and sent off to the police station. That is just one of the things that happens and I suppose that it happens in a number of other communities. That is fairly sad, but it says that more effort must be put into the alcohol problem in Aboriginal communities.

The Hon. J.R. Cornwall interjecting:

The Hon. PETER DUNN: I am aware of that. The Minister interrupts and says that AHO money has gone into it.

The Hon. J.R. Cornwall: No, that they have asked that I redirect it to them.

The Hon. PETER DUNN: Yes, they have, but you have withdrawn that money totally for the time being.

The Hon. J.R. Cornwall: No, they have asked that I redirect existing funding.

The Hon. PETER DUNN: You are quite correct in what you say but I wish it would happen at a more rapid rate.

The Hon. J.R. Cornwall: As soon as we dismantle the AHO—

The Hon. PETER DUNN: You will dismantle something that will cause a tremendous disruption in the short term to that community and to other nearby communities. You should have put into place some of these other actions before you withdrew the money, but typical of someone who cannot control money you withdrew it and then expected them to run along on a weekly or monthly basis. You have withdrawn the money from PLAO; you have withdrawn the money for the surveys in Port Lincoln; and you have withdrawn the money for WOMA in Port Augusta to which they used to send their people with alcohol problems to dry out. The result is that these people cannot be sent anywhere, so they have had to set up their own organisation in Port Lincoln.

Alcoholism is a real health factor in Port Lincoln. If no money is spent on rectifying the alcohol problem in Port Lincoln, there will be more deaths like that of Eddie Betts, whose family turned up at that meeting and explained their situation. In my opinion, that would be very sad. Some very dedicated Aborigines have tried to correct the problem, so much so that they have set up what they call the Red Shed, which is a little shed that sits alongside a hotel. When they find inebriated people, they take them there and endeavour to counsel them. Also, they take them to a farm at Little Swamp where they bought about 370 acres and where they have established a garden. Those people who are concerned about their brothers and sisters and the people who are within the Aboriginal community take them out there and endeavour to dry them out. When the people who had the drinking problem were more than the locals could handle, they were sent to Port Augusta so that they could receive some professional help. WOMA has been set up with the sole responsibility of assisting with alcohol and health problems in the Port Augusta area.

About three years ago a report was presented by the Committee of Review into Aboriginal Health in South Australia. It describes the problem that has occurred in this State and I suppose that a select committee would come up with more relevant and up-to-date material. In relation to WOMA in Port Augusta, the report states:

> The day centre has three full-time staff, a part-time worker and a cook. It is open daily from 8.30 a.m. to 10.30 p.m. The centre acts as a counselling and assessment unit and, in addition, serves midday meals to those who present themselves.
>
> To date no Government department has agreed to fund these meals, although the centre has over 7 000 contact incidents per year and the number is increasing.

Remember, this is in May 1984. Baroota is an offshoot, a small farming community established south of Port Augusta. The report continues:

> Baroota caters for 12 clients at a time who stay on an average for a six week program. Approximately 100 men and women use this service annually. The title to the land at Baroota is held by the Aboriginal Development Commission who have resisted the transfer of the title to the WOMA organisation. Alcohol and related problems are a major health problem in the Port Augusta area and the situation is deteriorating. WOMA is incapable of meeting this crisis due to the lack of funds and resources.

That is in May 1984, yet three years later the Minister has even further tightened its funds. Further, I believe that the people assisted came not just from Port Augusta: they were also from Whyalla and Port Lincoln. It is sad that Port Lincoln people have had their funding restricted.

Further, I do not believe that the Minister understands or knows what is going on in his own organisation. Let me demonstrate that clearly. At the meeting the other day it was said that a Ceilia Brown was going to survey the houses in the town to determine what the health problems were there. This was necessary because of the large increase in the number of Aborigines in Port Lincoln. Let me read this letter and demonstrate to the Council what the Minister and his officers do not know about what is going on. The letter, addressed to the Coordinator of Port Lincoln Aboriginal Organisation (PLAO), states:

> re Port Lincoln Aboriginal Health Services
>
> Since our last meeting on 21 August 1987 at Port Lincoln AHO has sent out letters to all Aboriginal householders in Port Lincoln advising them about the survey to be carried out.

That is fairly important in the Port Lincoln area, so the Aborigines thought. The letter continues:

> In view of Dr Cornwall's recent decision regarding the future of AHO, we have been advised for the time being not to proceed with any projects until further clarification from the South Australian Health Commission.

So the Minister withdrew funds and that organisation has to stop the survey. The letter continues:

> The Chairman of the SAHC is expected to address AHO staff in the week commencing 13 October 1987 about their plans for organisation, at which time we would seek to clarify the completion of the current project.

That letter, which was signed by Ceilia Brown, was read out at that meeting—

The Hon. J.R. Cornwall interjecting:

The Hon. PETER DUNN: She gave this report and she has been a survey officer for your department. The Minister does not know who she is; otherwise he would not ask the question. The Minister just asked me who Ceilia Brown was. Well, she is a significant person— in his own organisation, yet the Minister does not know who she is.

The Hon. J.R. CORNWALL: Mr Acting President, I rise on a point of order. Ceilia Brown is not in my organisation: she works for the AHO. I was wondering if the honourable member knew who Ceilia Brown was.

The ACTING PRESIDENT: There is no point of order.

The Hon. PETER DUNN: Thank you for your protection, Mr Acting President. The Minister's office sent a representative from the Health Commission to that meeting. That officer did not know that the letter had been sent out. He stood up and said that all correspondence from the AHO went across his table, yet he did not know that that letter had been sent out. That just demonstrates to me clearly that the Minister does not know what is going on in the departments under his care.

That saddens me, because any Minister who is that slack and cannot understand what is going on in this delicate field of health in the Aboriginal community ought to be admonished. So much for Port Lincoln. Whyalla is in a very similar position: it has few health advisers dealing with Aborigines, yet the Whyalla community is in excess of 450 Aborigines, as I understand it. It is becoming a problem area because of unemployment problems that have existed in Whyalla for many years. I think that it needs greater emphasis. I highlight that so that the Minister can take it on board if he intends—

The Hon. J.R. Cornwall: Port Lincoln and Whyalla are the two priority areas.

The Hon. PETER DUNN: I think that they are both quite significant and unique because they contain Aborigines who are not indigenous to the area. That makes it more difficult for Aborigines who are respected by their community to filter to the top. I say that advisedly, and I hope that they get due recognition. I now turn my attention to police aides and supervisors in the Far North. I ask the Minister, when in Cabinet, to remember to keep these people on side. It is important that they be in those communities. On average I go into the area about once every four or five months.

The Hon. J.R. Cornwall interjecting:

The Hon. PETER DUNN: No, police supervisors and police aides. It is essential to have both. I say that because of the structure of the Aboriginal community. A police aide is a respected Aborigine who is selected to come to town and undergo significant training. If someone brings alcohol onto, or gambles on, Pitjantjatjara lands, a police aide may be the first to find out. However, that person in some cases finds difficulty in administering the necessary advice to these people, as required under their charter, particularly if they are relatives or close friends. He can go to his supervisor and seek advice and, generally, a supervisor can back up an aide. In the past it has been noted that this organisation works well and has been singularly successful in controlling petrol sniffing in the Pitjantjatjara lands.

Other problems will develop in the Pitjantjatjara lands, particularly with mining people selling alcohol in the Mintabie area. There have been cases where, for a quick return,

these people have sold alcohol to Aborigines, and that is a shame. However, with police aides and supervisors we can probably control that problem.

It has also been brought to my attention that gambling has been increasing in that area. By using police aides and supervisors we believe that that problem can be controlled. It is impossible for police at Marla Bore to travel to those areas. To travel from Marla Bore, Pipalatjara or Mount Davies in the corner of the State, involves a 13 hour drive. As the Minister knows, communications in the area are extremely suspect. When I was there last week we could not make telephone contact because the digital repeater concentration system used on some of the Aboriginal reserves was out of commission. We had to use radio telephones, which were not terribly successful. If someone from Mount Davies or Pipalatjara contacts Alice Springs, the Alice Springs police will contact Marla, and it takes a 13 hour car drive to get there (including driving to Mount Davies or Kalka). Then, whatever problem prompted the call has usually cooled down, and there is no problem at all.

So, it is important that there be police aides or supervisors in those areas with the necessary back-up equipment and the necessary police help from Marla Bore. In fact, it might even be wise if the Government looked at providing the Marla Bore community with a light aircraft to traverse and service that area. It might in fact be a very useful tool. I do not know the economics of it and it would need to be looked at in some depth before it was undertaken, but I suggest it might be an efficient way to service those remote areas of Fregon, Ernabella, Kenmore Park, Mimili, Amata, Pipalyatjara, and Kalka. Although Kalka is in the Northern Territory, it would still be serviced by those police. It would be important and, in the future, probably a necessary adjunct to the policing of that area. So, with those few things in mind, I support the proposition.

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

CHRISTIES BEACH WOMEN'S SHELTER

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

That this Council condemns the Minister of Health for his preemptory and destructive action by his defunding of the Christies Beach Women's Shelter.

(Continued from 21 October. Page 1380.)

The Hon. DIANA LAIDLAW: I rise on behalf of the Liberal Party to support this motion. I appreciate that I am restricted in what I can and what I would wish to say with respect to this motion by the fact that charges have been laid against three former members of staff for breaches of the Associations Incorporation Act. I must admit that I find that restriction rather frustrating, because there is much that I would like to say on this issue in addition to matters that I have raised in relation to the report 'Shelters in the Storm' and the Minister's subsequent actions, but I certainly shall respect the earlier ruling by the President on matters that are deemed to be *sub judice.*

It is important in looking at this motion to recount some of the background leading to the report and the Minister's subsequent decision to cut funding to the Christies Beach shelter. There is no doubt in my mind that for some time the women's shelters have been a considerable thorn in the Minister's side. Publicly, he states that they have a fine reputation and that he believes that they have a most important role to play in our community, yet his actions repeatedly would seem to belie that rhetoric. All forms of abuse have been hurled in this place with respect to workers within women's shelters, abuse that has been levelled at them under privilege, and I note that that was particularly the case between August and November of last year. I do not want to go down into the muck-raking to the degree of repeating all of those rather sordid and distasteful remarks that have been made in respect to shelter workers by the Minister in the past.

I did, however, share the alarm of women's shelters between August and November of last year, at a time when they were most concerned about the cut in their share of funding, when there were new or additional Federal funds allocated to the Supported Accommodation Assistance Program in this State—

The Hon. J.R. Cornwall interjecting:

The Hon. DIANA LAIDLAW: Federal and State. Thank you for the clarification. It was their share of Federal and State funding that caused considerable alarm—new moneys, as I noted earlier. They claimed (and the Opposition supported the case at the time) that the very legitimate concerns of shelters for women and children should not be dismissed or denigrated by the Minister in his efforts to find funding for shelters catering for youth and families. At the same time, the Minister launched—and I understand it was again in cooperation with the Federal Government—the plan to insist that all shelters sign agreements as a condition of funding, irrespective of the fact that, as all members would no doubt be aware, accountability of funding has been a condition of all organisations which received funding in the past from the Department for Community Welfare—no matter their size; no matter the program under which they have achieved funding.

We had in this period, August to November last year, the plan that there be not only the standards of accountability that were required in the past, but also quite specific agreements that were to be signed. The Liberal Party, as I stated on many occasions during the latter months of last year (and as remains the case at this time), has always insisted on financial accountability, not only in respect of women's shelters, but indeed in all areas affected by Government funding, no matter how small or how large. Instances of these, as the Minister would possibly recall, have been the ETSA leasing plan, the Timber Corporation and, more recently, the *Island Seaway.* These are examples of where we have insisted on financial accountability, and they are examples—

The Hon. J.R. Cornwall interjecting:

The Hon. DIANA LAIDLAW: Yes, and you have just heard the contributions on that.

The Hon. J.R. Cornwall: I know you insist on accountability for Aboriginal health services and apply the same rules.

The Hon. DIANA LAIDLAW: Yes, and I will be alluding to that when I come to this matter a little later. We did not argue at that time, nor do we argue now, that financial accountability should not be insisted upon in respect of women's shelters, be it the Christies Beach or any other shelter. Since August last year, however, on behalf of the Opposition I have taken extreme exception to the very heavy-handed manner in which the Minister has approached this issue of financial agreements. Not surprisingly, many shelters claimed that they were being forced to sign under duress, and I have no reason to doubt that this was so, because it is in terms of duress that the Minister handles many matters in the non-Government welfare sector.

I see the Hon. Terry Roberts smiling: I am not sure whether it is in agreement but, certainly, it is not a matter that the non-government community welfare sector takes

with a smile on its face, and it is one which is becoming a matter of considerable alarm within the welfare system in this State.

The Hon. M.J. Elliott: Regularly reported from many quarters.

The Hon. DIANA LAIDLAW: It certainly is, and it is not only women's shelters. The shelters would be one of the few groups today bold enough to stand up and be reported as critical of the Minister. Most of the other groups have incurred his wrath from time to time and, as I have reported in this place, at a time of financial restraint in this State those organisations are rather timid about being critical of the Minister because they are not too sure what their financial situation will be in the forthcoming year. One would not find too many groups being publicly critical of the Minister. The Minister might find that some personal consolation, but I can assure him that although some groups are not publicly loud in their comments they are most critical to us on a personal basis.

The Hon. J.R. Cornwall: Most of them love me, Di.

The Hon. DIANA LAIDLAW: They love the Minister when he is out of sight and out of mind. That is when they love him most.

The Hon. J.R. Cornwall interjecting:

The Hon. DIANA LAIDLAW: I know that the Minister likes to be loved but he will have to behave a little differently if that is to come his way.

Members interjecting:

The Hon. DIANA LAIDLAW: Nobody is suggesting that the Minister be Father of the Year this year, either.

The Hon. J.R. Cornwall: I would like to be Grandfather of the Year but I can't get any of my daughters married.

The Hon. DIANA LAIDLAW: They might have a husband like the Minister and that would not be worth it, would it?

The Hon. J.R. Cornwall: That could be part of the problem.

The Hon. DIANA LAIDLAW: I have been distracted from a most important matter, but it is good to see the Minister in good humour. The events of August and November last year prompted the Minister to establish on 26 November 1986 a review of the management and administration of women's shelters in South Australia. The review was chaired by Mrs Judith Roberts and included four other women, all of whom hold most senior positions within their respective field. The Minister has named them before, but I will acknowledge them also: Ms Rosemary Wighton, the Deputy Director-General of the Department for Community Welfare; Colleen Johnson, the Executive Director of Statewide Services in the South Australian Health Commission; Robyn King, the Senior Assistant Director of the Commonwealth Department of Community Services in South Australia; and Judith Blake, the Executive Officer of the YWCA (Whyalla) and Administrator of the Whyalla shelter.

Their report, 'Shelters in the storm', was released with an accompanying ministerial statement in Parliament on 11 August this year. Pages 13 to 25 detail the 44 recommendations that the review committee made. The matters ranged from financial organisation and accountability, to applications for funding, management committees and operation, Department for Community Welfare, tenancy rights and responsibilities, ex-residents on management committees, and management resources and training. Of those 44 recommendations, it is most interesting to note that not one of them includes any recommendation for defunding the Christies Beach shelter.

One must then look far into the body of the report on page 76 to find references to the committee's recommendation that the funding be withdrawn. I find it absolutely extraordinary that such a major recommendation in this report, which the Minister acted on with such enthusiasm, for some reason escaped the collection of recommendations at the front of the report. It has been suggested by those more cynical than I that the recommendation was actually added after the Minister saw the draft of the first report.

The Hon. J.R. Cornwall: That's a nice reflection on Judith Roberts and the committee, isn't it?

The Hon. DIANA LAIDLAW: I said it was made by people more cynical than I. I am aware that the report was presented by the committee in draft form to the Minister and that sections of it were rewritten. I was advised of that fact and because of my knowledge of those facts I wondered about this when it was suggested to me, and I still continue to have in the back of my mind the question: why has this recommendation been added? One has to hunt for it in the body of the report. Unlike the practice adopted with every other recommendation in the report, this recommendation is not incorporated in the front of the report along with the other 44 recommendations.

I also note that it comes as a surprise, looking at the section headed 'Investigating problems', that at the end of that section is found the recommendation that funding should be withdrawn. There are a number of poor reflections on management, other operations and behavioural matters (personal and professional) with respect to the shelter, but the report, throughout those comments, seems to suggest that these matters demand a much tighter review and oversight by the department. Yet, when one comes to the last paragraph one reads:

> In view of the maladministration, both historic and current, of this shelter and in view of uncertainty as to whether services to clients are both fully available and appropriate, the review committee recommends that funding be withdrawn.

As I said, that comes quite out of the blue and does not necessarily follow from the rest of the paragraphs within that section on investigating problems.

I also note that the recommendation on page 76 does not suggest a date for cutting off funding. It seems to me that when the committee first issued its report to the Minister—either in draft form or final form—if he considered that the problems were so grave as to warrant the cutting of funds several months later, I cannot understand why they were not sufficiently grave to cut funding immediately. I am not sure whether the review committee, in leaving that matter open-ended by establishing no date, wanted funding to be cut immediately or if it was prepared to leave this matter simply to the discretion of the Minister. If left to the discretion of the Minister I find it surprising, as I say, that if the matters were so grave as to warrant a cut in funding why those matters were not immediately addressed and funding withdrawn.

The Minister waited until 11 August to release this report to Parliament with an accompanying Ministerial statement, at which time he noted that funding would be withdrawn about three weeks hence—4 September. So, even when he comes into this Council he is unable to say on that day that he will be withdrawing funding because the problems are so grave. If the problems were so alarming he could have acted, in the months between receiving the report and presenting it to Parliament, to get the processes in train to establish a new management structure for the shelter. However, he did not choose any of those actions and instead we had to wait for another three weeks before funding was finally withdrawn.

In the meantime, however, over those preceding months the Minister had found time to refer to the Commissioner of Police and the Commissioner of Corporate Affairs the allegations of professional and personal misbehaviour. The date that the Minister chose to cut off funding was not in any way connected with any date that had been set for receiving the reports from the Commissioner of Corporate Affairs or the Commissioner of Police, nor did the Minister choose to wait until those reports had disposed of the allegations. He did not wait for them to be substantiated or disposed of and did not act on them when they were first brought to his attention, other than to cut off funding at that time. He seems to have plucked a date out of the sky for no apparent rhyme or reason to cut off funding. I believe the manner in which he acted and the action itself pre-empted these inquiries and was premature in that sense.

There were other options in the circumstances and, as I indicated earlier, he could have acted immediately, because the allegations were so grave, or he could have waited until the reports of both Commissioners were finalised. However, he took neither course. Accordingly, the actions he took were not only premature but also destructive, as this motion states. In fact, beyond the options I have already mentioned the Minister could have taken other courses in respect of this matter.

At the time the allegations were made, or even at the time the charges were to be laid, it is my belief that the Minister could have sought to stand aside the officers named. We have many other examples of such a course. With the recent allegations with the police, we saw a standing down of those officers while the cases are heard. The whole unit has not been defunded or cut off at the knees. Yet, that is the course the Minister chose in this instance. It was not necessary to close down the whole of the Christies Beach women's shelter in this instance. An alternative, sensible and wiser course was available in the circumstances.

While on the matter of cutting off funding for shelters, last year I questioned the Minister closely on 27 August in respect of future funding arrangements for the Hope Haven shelter run by the Adelaide City Mission. I refer to this matter because it highlights a very different approach that the department and the Minister were prepared to take in respect of Hope Haven compared to that which has been pursued with respect to Christies Beach. I refer to a letter sent by the Director-General of the Department of Community Welfare to the President of the mission on 8 August last year, stating:

> I would like to reinforce the Minister of Community Welfare's and my own good will towards your committee which I know has worked very hard over many years for victims of domestic violence. It is therefore in the spirit of goodwill that I would ask the Adelaide City Mission to take very seriously our joint wish of the need to make some fundamental changes to the way Hope Haven is presently run. Any further funding from the Commonwealth and State Governments is dependent on a commitment to change.

In that letter to the President the Director-General indicates that she and the Minister have considerable goodwill that they are prepared to extend towards Hope Haven, even though they require certain changes in management, including financial management; and, although not mentioned in the letter, there were certainly many grave concerns about professional management at Hope Haven. The letter indicates that the Minister and the Director-General were prepared to offer considerable goodwill and virtually give Hope Haven the benefit of the doubt, but we saw no such approach in respect of Christies Beach.

The Director-General goes on in her letter to note that there were five areas where she and the Minister required change. Three days later, the President of the Adelaide City Mission replied at length to the Director-General acknowledging that there had been recent internal and external problems with Hope Haven but accepting that, with the cooperation of the department, action would be taken in each of the nine areas outlined in the Director-General's letter. Despite the goodwill offered by the Director-General and the Minister, the President of the mission received another letter a few days later indicating that funds would be cut off from Hope Haven. So, one year before funding to Christies Beach was cut the Minister and the Director-General threatened to do the same with respect to Hope Haven. However, unlike Christies Beach, Hope Haven for some reason was given the benefit of the doubt, a new management committee was set up and, with the benefit of time, I understand that conditions at that shelter have improved quite dramatically.

I highlight the Hope Haven situation because, as I say, the situation there and at Christies Beach is similar in relation to the cutting of funds as a result of management problems; and certainly in both instances there were allegations of professional misconduct. However, in respect of Hope Haven a contract or agreement was made whereby it could work out its difficulties, whereas with respect to Christies Beach that grace was not extended.

Finally, I refer to the department's handling of the Christies Beach shelter. The report 'Shelters in the Storm' was extremely damning in its criticism of the department and respective Ministers in regard to their past handling of complaints and allegations by consumers and the lack of support provided by the department to those who made the allegations, as well as the department's practice of consistently approving funding advances to shelters without obtaining satisfactory explanations for excessive spending patterns. However, the report's reflection on the department is not confined to these areas. The report also notes that the department's indecisiveness in dealing with complaints and allegations in relation to the Christies Beach shelter is highlighted by the contrasting departmental response to complaints made in 1986 by former residents and professionals of the Hope Haven shelter, a matter to which I have just alluded. So, accusations against the department were wide-ranging. I remind members that 'Shelters in the Storm' was compiled by women who hold senior positions in their field, including the Deputy Director-General of the department.

However, in the statement made by the Minister in this place in August this year, the department's role was not referred to; I wonder whether it would ever have been referred to in this place had I not sought to highlight this matter and to question the Minister as to whether he considered that the Christies Beach shelter would have reached the stage where he saw the need to cut funding had the department been more competent in this whole matter. In response to those questions, the Minister, on 12 August this year, for instance, did accept that:

> With regard to the criticism of the Department for Community Welfare, that is in the report, and I do not resile from it. On a number of matters the department could have acted earlier, more effectively and more vigorously.

When questioned on the same matter a month later in the Estimates Committee, the Minister noted (page 419 of the record of the Estimates Committee proceedings of 23 September):

> I do not think for one minute that we could suggest that the department was always entirely competent or that it was blameless.

On that occasion the Minister went on, not accusing the Department for Community Welfare of being at fault in this respect but, again, blaming the 'bully girls': it always

seems that it is someone else's fault—in this instance that of the 'bully girls' that he referred to, rather than the department, even though the Minister did suggest that the department was not always entirely competent or blameless. Yet, in this instance he has not been prepared to report to Parliament what action he would take to check on those officers within the department whom he has suggested are not entirely blameless or not entirely competent in dealing with this matter. I find that most regrettable.

The Hon. J.R. Cornwall interjecting:

The Hon. DIANA LAIDLAW: Well, if they can be so easily intimidated that does not say terribly much for departmental officers in high positions.

The Hon. J.R. Cornwall interjecting:

The Hon. DIANA LAIDLAW: It must have been that. We are talking about senior Government bureaucrats, with security of employment and with the authority of the Minister or the Director-General to act in a manner that is in the public's best interests, and yet the Minister says that they were bullied. That is a very poor reflection on the competence of staff, and I am absolutely shocked that the Minister would so readily admit that they had so little backbone in this matter. If it was not the staff of the Department for Community Welfare in this case it must have been perhaps the present and former Federal and State Ministers. In this respect I do note that the 'Shelters in the storm' report alludes to the fact that Ministers, both Federal and State, had been made aware of the problems at Christies Beach over some five years. So, one questions who it was that did not have the backbone.

The Hon. J.R. Cornwall interjecting:

The Hon. DIANA LAIDLAW: Well, they have said it for five years.

The Hon. J.R. Cornwall interjecting:

The Hon. DIANA LAIDLAW: I have not found that compliment to the Minister, and I presume that it is as well hidden and hard to find in the report as was the recommendation to withdraw funding.

The Hon. J.R. Cornwall: No, it was right up front; I remember it well!

The Hon. DIANA LAIDLAW: Perhaps that is one of the bits that the Minister added himself.

The Hon. J.R. Cornwall: Compulsory reading; they commend me on my swiftness and competent action.

The Hon. DIANA LAIDLAW: I have read the report with great interest, and I do not recall any of that; perhaps it was added by the Minister himself after the draft was first presented to him. In respect of the Minister's ego, I know that the committee would not have got what it wanted unless it had sought to flatter him quite considerably. It is certainly the approach that is well known throughout the community. If you want to get something, you ask the Minister to open something, or you say how terrific he is.

The Hon. R.I. Lucas interjecting:

The Hon. DIANA LAIDLAW: I do not suggest that one would go quite that far. It is a bit of a joke. If you say what the Minister wants to hear, you are well on the way to getting what you want.

Members interjecting:

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: I did not see it, but I have no doubt that the committee was wise enough to flatter the Minister in this matter. Finally, along with my colleagues, I believe that the Minister's actions were preemptory—I think that there is a spelling mistake in the motion—but nevertheless we accept the sentiments. We believe also that the move is destructive in terms not only of the public perception of all shelters but also of the future job prospects of all social workers. Five of the six former employees remain unemployed but only three of them are to be charged. Further, we believe that this action reflects on the integrity of the management committee. Some management committees of other shelters have suggested to me that, having seen the heavy-handed or sledgehammer way in which the Minister has acted, they would not be able to get the quality of commitment, from staff and dedication from people to serve on the management committees in the future.

The Hon. J.R. Cornwall interjecting:

The Hon. DIANA LAIDLAW: Yes.

The Hon. J.R. Cornwall: Isn't it an amazing document?

The Hon. DIANA LAIDLAW: Don't distract me. I will just finish on this matter. Some concern was expressed by some very good and dedicated people from shelters in this State who believe that this action in respect of Christies Beach is destructive, because they will not be able to attract a number of the quality and competent people who are required to run such important organisations as shelters.

As a diversion, I return to a question I asked of the Minister earlier today. Perhaps one reason why the Minister is prepared to accept the recommendations of the report for Rural Service Delivery Models for SAAP is that there will be joint administrations in the future. Perhaps it is all part of some grander plan. The defunding of Christies Beach, will undermine confidence in shelters so that they cannot get management committees and then the Minister can introduce a program for management of shelters in the future which is joint administration with the DCW.

I know that when the Hon. Mr Cameron spoke in respect of the earlier motion relating to another example of the Minister's defunding organisations, Mr Cameron said that he did not know what the Minister was up to. In relation to funding shelters and the non-government welfare sector, I am not certain what the Minister's game is with respect to radical amalgamation, modified amalgamation or accelerated coalescence. We are not quite sure what the Minister is on about, and I do not think that the Minister knows either. It is extremely muddled. It depends on what week we are up to as to what stage this whole thing is at.

The Hon. J.R. Cornwall interjecting:

The Hon. DIANA LAIDLAW: No, you would be interested in the other people who keep me informed on these matters. It is a great trouble, because I do not think that the DCW or the Minister knows what on earth is going on in this whole business.

As I say, it is just like the Hon. Mr Cameron said in respect of Aboriginal health, too. So, I am suspicious that it is part of some grander plan, but I am not sure exactly what the Minister hopes to achieve by it, other than some other self glorification for himself. In the meantime, it is a great pity that so many of these actions have been taken that are destructive of the work undertaken in the non-government welfare field. Along with my Opposition colleagues, I support the motion moved by the Hon. Mr Elliott.

The Hon. M.J. ELLIOTT: Ms President, The Minister has on a couple of occasions recently referred to this Council as a 'Mickey Mouse House'. If that is the case, then he is the head of the Beagle Boys! The contemptible comments that he has made about this Council on past occasions reflects on himself, because he has made a mockery of this place. The Minister has refused consistently to answer questions and he deliberately distorts questions and then uses coward's castle by way of ministerial statements to destroy people without giving them the opportunity to defend themselves.

When I first moved this motion I expressed concern about the lack of justice and the treatment of people at the Christies Beach Women's Shelter. I conceded that there may or may not have been a good reason for defunding. Now that the Minister has responded, we know that he had no valid reason for defunding the shelter. I put forward a very lengthy argument rebutting much of what had been said in the document 'Shelter in the Storm' upon which he based his decision. The Minister did not address any of that rebuttal at all; nor did he bring into this place any new argument.

If there were reasons that were not in 'Shelter from the Storm' document, the Minister should have brought them into this Council. The Minister has denied natural justice to the people who work at the shelter. No evidence has been brought forward to support his action. If there has been, he should have done it. By bringing forward this motion the Minister was given the opportunity to do it again, but he did not do so. That is treating this Council with contempt and it continues to deny natural justice to the people who work at that shelter. It denies the sort of justice that these people, if they had been Government employees, would have been guaranteed: they would have had the right to appear before a tribunal.

No such right exists with these people, who have been kicked out of their jobs and the opportunities for other jobs have probably been harmed considerably. At this stage they have been left completely in the lurch, accused of vague allegations made against them and, as I have already said, many of those allegations can be proven to be demonstrably false. On 14 October the Minister stated that the review committee recommended defunding of Christies Beach Women's Shelter in view of maladministration, both historic and current.

He also said that a number of unsubstantiated series of allegations of professional and personal misbehaviour had been referred to the Commissioner of Police and the Commissioner of Corporate Affairs. I find it frustrating and questionable that the Minister has continued to hold that the unsubstantiated allegations are somehow true.

By virtue of his refusal to address issues, the Minister has indicated support for my motion. The Minister has not presented any new or relevant information to change my views. In his reply, the Minister claimed that the manager of the Non-government Welfare Unit of DCW made at least eight attempts to persuade the committee to change its attitude and cooperate with the department. This is a new claim, but it again lacks any supporting evidence. Former shelter staff members have no knowledge of this claim; nor have they have avenue through which they can dispute it.

I imagine that this is another invention in an ailing attempt to justify the Minister's actions. Let me provide the Council with information about a discussion with this same DCW officer who was addressing the Acting Administrator of the Christies Beach Women's Shelter. He suggested that the terms of reference for the review which he had prepared were to address financial and administrative issues only. Later, he suggested (and I use his words), as follows:

> That the review developed a momentum of its own and DCW was excluded from the process.

We can now make some realistic suggestions about where the motivation came from. In his reply the Minister failed on the following points:

> To address issues relating to allegations made in 1983, as recorded in departmental minutes and correspondence.
>
> To provide former Christies Beach Women's Shelter employees with evidence, apart from a minor technicality, of charges and allegations made by him in this place.
>
> To provide allegations about specific financial mismanagement and about failure to take referrals from Crisis Care, about failure to tell the Acting Adviser that Christies Beach Women's Shelter was to move premises.
>
> To adhere to guidelines in relation to moving premises; about the difficulties that existed between the Administrator and the Acting Adviser about a complaint to refuse to admit clients; and about the fact that these issues were documented as being resolved.
>
> About criticism for frequent change of auditors; about suggestions that the Administrator was working and studying full time; about questionable staff management practices; and about confirmation that the Director-General of DCW had acknowledged that these difficulties were resolved in 1983.
>
> About the fact that audited statements were received within a reasonable time, and certainly before many other shelters.
>
> About my suggestion that the claims made in the review are without substance and are plainly mischievous.
>
> About the amount and rate of accumulation of the deficit; about the lack of funding for capital items; about the extra funding required for salary indexation; about the agreements signed by other shelters which were also amended or prefaced with objections; about the conditions of employment; about the fact that there has been no contact in 1986-87 from the department in relation to any of the allegations made in the review; and about the scurrilous rumour mongering directed at Christies Beach Women's Shelter by DCW, the Minister and the review committee.

The Minister's reply of 14 October was really just a regurgitation of a few allegations. As a reply, this was completely unsatisfactory and, as I have mentioned, just adds weight to my motion. The Minister's silence about the review can only be taken as indication of his uncertainty in relation to its contents. To suggest that he acted in concert with the Commonwealth Minister and the review committee is just an attempt to shift responsibility for his decision based upon information from his department.

I ask members here to ponder the reason why the Minister has given so little information in relation to my questions and comments. Perhaps I should have offered him 20c a question. There is no sense in his response; no satisfactory explanations are given. The Minister's inability or unwillingness to respond to the more serious claims made about his actions reveals an underlying irresponsibility.

Let me note clearly here that there are no indications that there was maladministration of any sort; there was no misconduct, professional or otherwise. I am confident in making these claims because—

The Hon. J.R. CORNWALL: I rise on a point of order, Ms President. I let him go a fair way, but he is obviously now breaching the *sub judice* rule. He is presuming—

The Hon. M.J. Elliott: Nonsense!

The Hon. J.R. CORNWALL: Well, you have just said that there is no evidence of misconduct and a whole range of other things. You know very well that charges have been laid. I am sorry, Ms President, I must address the Chair. He knows very well that charges have been laid. The matter is *sub judice* and he cannot pursue it, Ms President. It is totally improper. Regardless of what his prepared screed might say, he is not allowed to do that.

The PRESIDENT: I remind the honourable member that there can be no reference to any matters that are *sub judice.*

The Hon. M.J. ELLIOTT: I am aware of that ruling. There have been no charges except for one of a technical nature. The Minister has a clear responsibility to withdraw the charges made, reinstate the staff and provide some form of compensation. He should then perhaps consider resignation and allow another to investigate the committee that produced this scurrilous report. Clearly, the Minister is not able to manage his own department. The Minister quoted an opinion of one of the DCW finance officers which suggested irresponsible attitudes to spending.

The Hon. Carolyn Pickles interjecting:

The Hon. M.J. ELLIOTT: That committee, if it went into the records on which it based its report and used that as a basis, did not go into the records far enough to find the refutations of what was alleged. It did a very poor job. The files contained refutations to the very things that it alleged. Letters were written by departmental officers indicating that all those things had been cleared up, yet they turned up again in the report. It was a poor report. I venture to suggest that there is no support—

The Hon. J.R. Cornwall interjecting:

The Hon. M.J. ELLIOTT: The master of denigration! I venture to suggest that there is no support—

The Hon. Carolyn Pickles interjecting:

The Hon. M.J. ELLIOTT: I said it was a poor report, and I think that I had a good basis for saying it. I said that the accusations that were made could be refuted from departmental files from which they got the original allegations. So, quite clearly, it was a poor report. The Minister quoted an opinion of one of the DCW finance officers which suggested irresponsible attitudes to spending. If we had some statement about the corresponding growth in deficits, perhaps this may have received some support. I venture to suggest that there is no support for such an opinion—that is why we have not been given any information. Conversely, it is clear from records that the Christies Beach Women's Shelter had no funding for purchases of capital items such as washing machines, refrigerators, etc.

The Minister talks about his responsibility to the taxpayer. All that has so far been demonstrated is his flagrant disregard to this responsibility. In a similar manner he defends 'the fine reputation of women's shelters generally in South Australia'—

The Hon. Diana Laidlaw interjecting:

The Hon. M.J. ELLIOTT: It is not an opinion that has always been held even by the Minister. One only has to look at an article in the *Advertiser* of 24 October 1986 in which Dr Cornwall describes some of the women as 'bully girls'. The head of another shelter said that Dr Cornwall 'continually tried to distort reality and imply that the women were making up their own facts and figures'. This is not from the Christies Beach Women's Shelter. The article continues:

> 'It's as if he's out to get us,' she said. 'He keeps trying to smear us and make us out to be bad women.'

A woman from another women's shelter stated, 'We'd much rather the review than to hear the insidious remarks from the Minister about how we're not accountable.' In reply to those women, the Minister said, 'Their tactics are disgraceful. They declared war on this issue, not me.' Certainly, the Minister is treating it as a war and he has all the big guns. He has taken some people and shot them down. He stands condemned on two grounds. He has denied natural justice to those people. There is no doubt about that whatsoever. I believe that he has abused this Chamber because he has dared to make actions based upon ministerial statements in this Chamber and, when put to the test through a motion to prove there is some backing to what he is saying, he has been incapable of doing it.

The Council divided on the motion:

Ayes (12)—The Hons J.C. Burdett, M.B. Cameron, L.H. Davis, Peter Dunn, M.J. Elliott (teller), I. Gilfillan, K.T. Griffin, C.M. Hill, J.C. Irwin, Diana Laidlaw, R.I. Lucas, and R.J. Ritson.

Noes (9)—The Hons G.L. Bruce, J.R. Cornwall (teller), T. Crothers, M.S. Feleppa, Carolyn Pickles, T.G. Roberts, C.J. Sumner, G. Weatherill, and Barbara Wiese.

Majority of 3 for the Ayes.

Motion thus carried.

PUBLIC EMPLOYEES HOUSING BILL

Adjourned debate on second reading.

(Continued from 3 November. Page 1565.)

The Hon. J.R. CORNWALL (Minister of Health): I thank honourable members for their contributions, and wish to see this Bill move swiftly into Committee.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Interpretation.'

The Hon. DIANA LAIDLAW: This clause provides a definition of 'public employee'. When the matter was debated in the other place, the Minister of Housing and Construction gave a commitment that he would provide information in this place of the exact number of departments and instrumentalities involved in this arrangement. The number has fluctuated between 17 and 20, but the Minister was unable to confirm which departments were involved. However, he gave an undertaking that he would provide the number of departments and instrumentalities, their names, and the number of houses or units of accommodation involved in the proposed transfer of administration to the Public Employees Housing Authority. I ask the Minister in this place to pursue that undertaking. However, it seems absolutely extraordinary that we are debating a Bill in which the Minister who is responsible for it in the other place and to whom the Act will be committed had no idea at that time of the number of instrumentalities and departments and the number of units of accommodation involved.

The Hon. J.R. CORNWALL: I am sure that the honourable member understands that some Government agencies have perhaps only one or two houses, but I can give a breakdown of the major holdings. About 3 500 houses are involved. The Teacher Housing Authority is responsible for 39.7 per cent; Police Department, 22 per cent; Highways Department, 4.3 per cent; Department for Community Welfare, 4.2 per cent; Department of Environment and Planning, 3.8 per cent; Department of Agriculture, 7.32 per cent; Engineering and Water Supply Department, 7.7 per cent; and all other players together, 11.1 per cent. Some of those in the last group would be responsible for as few as one, two or three houses. Those figures concern the seven major players but the entire list ranges from one unit with Department for the Arts; one with Employment and Training; one with Department of Tourism; none for the Attorney-General, Auditor-General and Corporate Affairs Commission; up to 1 680 with the Education Department.

In the efficient way for which my colleague and little mate, the Minister of Housing and Construction, is noted, I have a full list and I seek the indulgence of the Committee to have it incorporated in *Hansard*. It is of a purely statistical nature.

Leave granted.

ANTICIPATED HOMES TO BE ADMINISTERED BY GOVERNMENT EMPLOYEE HOUSING AS AT 3 AUGUST 1987

Department	Quantity Expected		
	Total	Government owned	Rented
Education	1 680	1 100	580
Police	600		
Engineering and Water Supply	298		
Agriculture	216		
Highways	132		
Woods and Forests (Own Vax vers)	117		
Technical and Further Education	110	88	22
Community Welfare	108		
Environment and Planning	85		
Correctional Services	70		
Lands	46		
Housing and Construction	33		
Childhood Services Office	30	5	25
Marine and Harbors	29		
Fisheries	20		
Court Services	9		
Mines and Energy	8		
Transport	8		
Labour	7		
Public and Consumer Affairs	7		
Services and Supply	4		
Personnel and Industrial Relations	2		
Arts	1		
Employment and Training	1		
Premier and Cabinet	1		
Tourism	1		
Attorney-General	0		
Auditor-General	0		
Corporate Affairs	0		
Local Government	0		
Parks Community	0		
Recreation and Sport	0		
S.A. History Trust	0		
State Development	0		
Treasury	0		
	3 623	2 966	627

Clause passed.

Clause 4—'Provision of housing.'

The Hon. DIANA LAIDLAW: I move:

Page 2, after line 2—Insert subclause as follows:

(1a) The accommodation will be provided by the South Australian Housing Trust as agent for the Minister on terms and conditions agreed between them.

I spoke at some length during the second reading debate on the desirability of providing all Government housing under a single umbrella. In that sense the Liberal Party totally endorses the proposition put forward by the Government. However, it does not accept that there is justification or merit in establishing a Government employee housing office under the direct authority of the Minister of Housing and Construction nor advertising—which the Minister has already presumed to undertake—for a Director of Housing and Construction, who, in part, would have the oversight of this Government employee housing office.

The Opposition strongly believes that all accommodation should be managed, administered and maintained by the South Australian Housing Trust. The trust has a record, which I outlined in this place yesterday, but also Ministers and members over many decades have highlighted in this place and outside that it is above reproach and is certainly envied by all other State Governments. It seems to the Opposition that, when one has a Housing Trust which already looks after 55 000 houses of which 17 000 are in the country, it has demonstrated its competence in the management of housing. It has also demonstrated that it can undertake these responsibilities in country areas as well as metropolitan areas, where the bulk of its housing is located.

The trust deals with many clients in many different circumstances and I cannot for the life of me believe that taking on a Government employee and accommodating that employee or his or her family, would be any great difficulty to the trust. In my experience the trust would have to be one of the most sensitive bodies that one could find to the wellbeing and welfare of people's needs. The Opposition, with our concentration of country members, would strongly endorse the need for quality country housing at modest prices to attract the most able, dedicated and committed staff to country areas.

I can assure the Committee that our members in this place, most of whom come from country areas, would not be supporting an amendment such as this which would undermine their goal or constituents' wish to have the best possible services provided in country areas. All members on this side would argue for high quality services to country areas, particularly at a time when they are suffering so badly economically, as at present. Country members in this place representing the Liberal Party endorse this measure strongly, as Government housing should be under the umbrella of the Housing Trust. They have confidence, as have metropolitan members of the Liberal Party, in the role, ability and commitment of the trust in the provision and maintenance of housing. Country and city members alike all recognise that the trust would do an excellent job in terms of the provision, maintenance and application of accommodation in country areas for Government employees.

The Housing Trust already provides over one-third of Teacher Housing Authority housing accommodation presently, and much of the work undertaken today in allocating and maintaining accommodation for the Teacher Housing Authority and for many other departments using Government housing is already done by the Housing Trust. It is very much doing the work that the Liberal Party is seeking to confirm in this amendment to the Bill.

We believe there should be one authority and one umbrella for reasons of efficiency, resources and the trust's excellence in this area. It is the appropriate authority to administer Government housing. We believe, however, that housing should stay within the province of the Minister but would confirm that the accommodation be provided through the Housing Trust. At the moment the Bill is completely open ended in this respect and states simply that the Minister may provide suitable housing for the benefit of public employees. We simply seek to insist that that accommodation be provided by the Minister through the South Australian Housing Trust as an agent of the Minister on terms and conditions agreed between both the trust and the Minister.

The Hon. J.R. CORNWALL: My colleague the Minister of Housing and Construction instructs me to strongly resist the amendment. It shows, we believe, a basic misunderstanding of the way in which this whole area could be best and most effectively managed. The trust's operations are tailored to the supply and management of public housing, that is, the provision of basic housing to the community. That is what the trust is mostly about.

On the other hand, employee housing involves the provision of housing to employees on behalf of Government departments; that is, Government departments are literally the clients. Employee housing involves much different standards and demands. Incidentally, and most importantly, the Housing Trust would require significant expansion of its resources to maintain the total stock of Government

employee housing. That resource already exists within the Department of Housing and Construction.

The Department of Housing and Construction has undergone an extensive transformation during the past two years, and its capacity to perform through its existing regional structure has, as a result of that transformation and restructuring, been greatly enhanced. The Department of Housing and Construction is also accustomed to providing service to client Government departments because it already services those clients in relation to the provision and maintenance of Government buildings. That is one of its prime and important roles. The department has also maintained houses on behalf of some Government departments over many years, including the Police Force and the Department for Community Welfare. Therefore, it is obviously familiar with the housing operation. In fact, the department currently maintains 45 per cent of Government employee housing stock—almost half.

The Department of Housing and Construction's regional structure is well established and it has resources and expertise to effectively maintain housing stock. The Department of Housing and Construction regions have also established computerised systems which will readily and easily provide information to allow the Office of Government Employee Housing to maintain control of the operation. So all of that infrastructure and management expertise are already there. Following Cabinet's decision to establish a central body to manage its employee housing stock, careful consideration was obviously given to the appropriate form that this organisation should take. Cabinet considered—and this was a considered decision of the entire Cabinet—that establishment of a branch within the Housing Division of the Department of Housing and Construction would afford the most appropriate means of achieving the required result. That was on all the best advice available.

Almost 10 months of effort has been expended integrating this new function into the department's operation, including adaption of administrative, financial and computer systems, establishment of necessary staffing levels, and so on. Re-establishment of this operation in another authority would have an extremely disruptive effect on the office, which is only now becoming fully operational.

The Hon. Diana Laidlaw interjecting:

The Hon. J.R. CORNWALL: It is now in place—that is a simple fact of life. The management infrastructure, personnel, expertise and computers are all there and, furthermore, the experience is there. It has been doing this sort of work—managing housing for clients (which the trust does not do)—for a long time. The Government also believes, and I think that this is another important point, that it should have direct control over the provision of accommodation to its employees and the conditions upon which that accommodation is supplied. In our submission it is logical that these services should be provided from within the mainstream of Government resources and funding rather than from a semi-autonomous authority. There would be difficulties in dealing with the trust because successive Governments, as the Hon. Ms Laidlaw should know having worked for a former distinguished Minister of Housing—

The Hon. Diana Laidlaw: I didn't work for him—I worked with him.

The Hon. J.R. CORNWALL: I see. Well, having worked with him, the Hon. Ms Laidlaw should be even more acutely aware that successive Governments have always been at pains to ensure that the trust remain a semi-autonomous authority. You cannot have it both ways. On the one hand, you cannot have an organisation which you are literally asking to manage something in excess of 3 600 houses on behalf of clients and directly implement Government policy and, on the other hand, say that it will be done by an organisation which is largely autonomous. That is really quite a silly proposition.

The Hon. Diana Laidlaw: You are distorting it.

The Hon. J.R. CORNWALL: No, this is on the best advice available and it really has little to do with political ideology. It is about management, commonsense, and the better way to do it. It is about what would be best for the clients at the end of the day—and by clients I mean all the Government agencies involved in this scheme as well as the people who are going to live in the houses. As to who will be provided with housing, what rents will be paid and what conditions will apply, those matters will be very much for the Government of the day to determine, and not a statutory authority. I would have thought that that was a quite compelling argument, unless one intends in some way to create a precedent by compromising the autonomous nature of the Housing Trust.

Although the Opposition's amendment is supposed to be for the benefit of employee tenants, it is a remarkable feature—and compelling as far as the Government is concerned—that the employee representative groups, in particular, the very large organisations such as the PSA and South Australian Institute of Teachers, do not favour the proposition. I repeat: my colleague the Minister of Housing and Construction will be responsible for the good conduct of this very important area, and the Government—and I mean that literally, the entire Cabinet, because there were serious deliberations on this matter, upon which a firm decision was made—opposes the amendment most strongly, as it is quite unacceptable.

The Hon. M.J. ELLIOTT: I have given a great deal of consideration to this matter, and I have spoken to a number of people who are involved, including representatives of Government employees and other interested persons. As the Bill is currently drafted, I consider that there is every possibility that the Housing Trust would be involved to a very great degree in the provision of housing. I would have thought that it could behave in a manner similar to the case in relation to the Education Department, where it provides one-third of the housing stock. I would have thought that that sort of thing would probably continue. Certainly, as it now stands, the Bill allows for that.

Under the Hon. Diana Laidlaw's amendment, some difficulty arises as to at what point the Housing Trust's responsibility starts and at what point there is some clear division between the provision of housing for Government employees on the one hand and the provision of general public housing on the other—and there are significant differences. It all involves the provision of housing, but I foresee other problems. I lived in Teacher Housing Authority houses for 5½ years, and I am thankful that this arrangement was administered by the THA itself.

It has been suggested to me that, whilst in a city like Whyalla the Housing Trust would probably do a very good job in terms of maintenance, etc., in fact in some of the more remote communities the Public Buildings Department people do a far better job of maintenance and care of housing than the Housing Trust, which tends to use local contractors who in some cases apparently do a fairly botchy job. That was one of the concerns expressed by representatives of Government employees. So, at this stage I am not convinced that the amendment is necessary. I believe that it is within the Government's power to move in the way that I have suggested if that proves to be a better way of administering the system. I do not intend to support the amendment.

The Hon. DIANA LAIDLAW: I am disappointed with the points of view put by the Hon. Mr Elliott, but I will not take issue with them. I am very surprised that he would seek to tolerate having two structures for the administration of housing, one for Government housing and one for housing of welfare tenants, in South Australia which has such a relatively small population. It seems to me extraordinary to deny the expertise that the Housing Trust has for this purpose.

The Minister talked about semiautonomous, and he then later changed it to the autonomous role of the Housing Trust. The Minister, when debating this matter in another place, took considerable licence in distorting the relationship between the Minister and the trust and in talking about charters and changing charters and Acts. He further said that the Liberals were up to all sorts of tricks that could not be accommodated. In response to those comments yesterday I went to some considerable length to indicate (and I do so again) that the trust does not have a set of functions and objectives as under other Acts. It works in close liaison with the Minister of the day and I again highlight, in response to the Minister's comments this evening, section 3a (1) of the South Australian Housing Trust Act which provides:

In the exercise of the powers, functions, authorities and duties conferred upon the trust by or under this or any other Act the trust shall be subject to the direction and control of the Minister.

So, when the Minister keeps on talking about the fact that the Liberal Party's amendment to this Bill would not work because it is a semiautonomous or autonomous authority, that is absolutely without foundation. The Liberal amendment would work and it would work well.

Amendment negatived.

The Hon. DIANA LAIDLAW: I move:

Page 2, after line 5—Leave out 'Notwithstanding' and insert 'Subject to the Residential Tenancies Act 1978, but notwithstanding'.

I understand that the Minister and Mr Elliott have similar amendments on file.

Amendment carried.

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

Page 2, line 8—Leave out 'Rent' and insert 'Subject to subsection (5), rent'.

Page 2, after line 10—Insert new subclause as follows:

(5) The rent deducted must not exceed the amount of rent payable for a period that equals the period for which the salary, wages or allowances are due.

These amendments are consequential. As a tenant, one problem that I struck in teacher housing was that the paperwork was not always up to scratch and the department suddenly found that you owed it five or seven weeks rent and, without any consultation, it had a habit of deducting what was owed in very large lump sums all at once, or within two pay periods, which at times could cause difficulties. The intention of these amendments is that a deduction from a salary should be no more than that which should relate to that time period to which the salary applies and any other moneys which may be owed should be regained by negotiation between the two parties.

I believe that the Government has some form of rent review proceeding at the moment and that it is looking at the problem. What I am suggesting would not be incompatible with anything that the review might suggest. It might come up with a mechanism to gain other moneys. However, the suggestion not to automatically take out more than the rent for that rental period should be satisfactory to all parties.

The Hon. J.R. CORNWALL: The Government will bring in a regulation dealing with the determination of rents and the processes involved in rent deductions and related matters, as the Hon. Mr Elliott said, on completion of a major review of rent setting procedures and related issues that is currently being undertaken by Touche Ross. The Minister of Housing and Construction has given firm undertakings to both SAIT and the PSA that the content of this regulation will be established in close consultation with the advisory committee. It is important to note that the Minister has already established an advisory committee.

As to the amendment moved by the Hon. Mr Elliott, it is not acceptable to the Government for a number of valid reasons. First, it means that arrears cannot be collected by deduction from salary. They cannot be collected at all, as I am instructed. This is unacceptable, as there are often cases where rents are in arrears for many reasons, including delays in notification of occupation, tenancy status changes and responsiveness of agency pay systems.

My colleague the Minister has indicated that he will negotiate a limit upon the amount of arrears that can be deducted in any one pay period and that this will be included in a regulation dealing with rents when the consultancy is finalised in January. That is a firm guarantee; it is a rolled gold guarantee from the Minister; and of course it will be done by regulation. So, if for one reason or another the Hon. Mr Elliott were to find the regulation unacceptable, despite all the consultation and undertakings, he would still have the ability to move for the disallowance of the regulation in this Council.

There are a number of quite valid reasons why the office needs to be able to deduct arrears, and I will have to take up the Committee's time and briefly go through them. First, in relation to late notification of occupancy by the tenant, some tenants, especially those occupying OGEH housing for the first time, are unaware of their obligation to inform the Area Education Office of occupancy date. Therefore, in most cases tenants are late in supplying this information. That just happens to be fact.

Secondly, regarding late notification of occupancy by the employer, due to possible clerical delays in passing on occupancy details to OGEH having received same from the tenant, the need will arise to deduct arrears. Thirdly, I refer to outstanding debts, that is, rent. Where a tenant has fallen behind in rental payments or an adjustment is required, arrears may be required to be taken out. There are a number of causes for that: *(a)* pay section error; *(b)* the employee can be on leave without pay; and *(c)* reconciliation can occur after the tenant vacates and the underpayment is discovered (arrears would be taken if the tenant was still employed by the department), and *(d)* computer error, although I hope that this would not occur frequently.

I refer, fourthly, to change of tenancy status, that is, where a half share tenant takes over full responsibility for rent, and notification is made in accordance with the first two matters, to which I have referred already. Also, the tenant may have wrongly advised the department as to his or her occupancy status, and the department may require that the tenant charge be backdated.

Fifthly, I refer to incorrect notification by the tenant, where the tenant has given incorrect information to the Education Department on the date of occupancy, the house address which would cause house rent to be incorrect, or part-time status. There are a number of other reasons, including the computer system, which I need not outline. I have gone through the five major regions and the variety of subregions which I would have thought would be quite compelling to the average reasonable man or woman. I rest my case.

Let me make clear that the Minister feels very strongly about this matter. I make that clear, not in the sense of its being any sort of threat, to indicate that it is not a point

on which, as far as we are concerned—and certainly on the instructions that I have been given—there is any room for negotiation and compromise at this time.

Amendment negatived; clause as amended passed.

New clause 4a—'Public Employees Housing Advisory Committee.'

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

Page 2, after line 10—Insert new clause as follows:

4a. (1) The Public Employees Housing Advisory Committee is established.

(2) The function of the committee is to advise the Minister in relation to the administration of this Act.

The Teacher Housing Authority Act, which is repealed by this Bill, allowed for a board comprising representatives of employees and employers, and that Board made a number of important decisions about the running of the authority. There is no advisory committee as such as a result of the abolition of the authority, and under the Bill the only thing we can be sure of is that the Minister may provide housing—that is about his only requirement. I believe that the inclusion of clauses which set up an advisory committee take it a step further. It is nonsense for there to be a committee that is not advising on matters that arise. The Government has talked about setting up, under the regulations, an advisory committee. Really, the Government is asking us to sign a blank cheque.

The question is whether or not we believe that there should be some form of advisory committee representing the employees and the various Government departments. If we believe that there should be, do we wait for the regulations that may or may not set it up? The Minister says that this will occur, but the Bill does not guarantee it. I know that previously the Liberal Party has been reluctant to do this. Certainly, the Hon. Mr Griffin on many occasions has strongly emphasised the need for Bills, as far as possible, to spell out matters, rather than leaving it to regulations. The Minister of Housing who is directly responsible for this matter told me yesterday that the unions were happy with the way things are. I spoke with the unions this morning, and that is not true. In fact, the unions told me that they far preferred to have included in the Bill a clause that guaranteed an advisory committee. In fact one union put it even more strongly than that: it wants this included.

I want the Committee first to decide whether or not it wants an advisory committee, and then it can decide whether it wishes to leave regulations to determine the structure of the committee or whether or not it wishes, as I am suggesting, to follow a particular structure which I believe is workable.

The Hon. J.R. CORNWALL: I am impressed by the cooperation which I have had from the Committee to date. I am moved to be what Ms Laidlaw might call uncharacteristically generous in this matter. Mr Elliott has moved that clause 4a (1) and (2) be considered separately. My attitude to that, on behalf of the Government, would be very much dependent on whether Mr Elliott might consider a new (3) and delete the rest. If he were prepared to have a new clause 4a (3) which provided, 'The composition of the Public Employees Housing Advisory Committee will be determined by regulation', then I would seriously consider accepting 4a (1) and (2). It is not acceptable to spell it out in the detail which is contained in the rest of this amendment.

The Hon. M.J. ELLIOTT: Could I point out to the Minister that such a 4a (3) would be unnecessary, because clause 5 provides that the Governor may make such regulations as are contemplated by the Act. Quite clearly, if a committee is set up and the Act itself does not describe the composition of the committee, the regulation would do that. If the Minister is not happy with anything beyond 4a (2), and they are defeated, then he has exactly what he asks for by way of 4a (3).

The Hon. J.R. CORNWALL: Could I have a guarantee from the Hon. Mr Elliott, as a gentleman and a scholar, that if we support 4a (1) and (2) he will withdraw the remainder of his amendment?

The Hon. M.J. Elliott: Not definitely. The Liberal Party is sitting put at the moment.

The Hon. DIANA LAIDLAW: The Liberal Party is not inclined to support these amendments. However, if the Government moves for the establishment of an advisory committee through regulation, and the Minister would be happy to accept 4a (2), under those circumstances I cannot see any objection to that, but we would not support a provision that the committee consist of so many members. We would support only 4a (1) and (2).

The Hon. J.R. CORNWALL: It would appear on the face of it that I have been uncharacteristically generous. However, I do not see any difficulty at this stage. I always try to negotiate in the most amicable sorts of ways with the Democrats, and it is nice to see at this moment that the score is Democrats 1: Cornwall 0. However, because I am an honourable gentleman, having given that undertaking, I graciously accept the undertaking given by the Hon. Mr Elliott.

New clause 4a (1) and (2) inserted.

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

Page 2, after clause 4a (2)—Insert new subclauses as follows:

(3) The Committee consists of 7 members appointed by the Governor of whom—

(a) one will be nominated by the South Australian Institute of Teachers;

(b) one will be nominated by the Police Association;

(c) one will be nominated by the Public Service Association;

(d) one will be nominated by the United Trades and Labour Council to represent the interests of those public employees whose interests are not represented by any other member;

(e) one will be nominated by the Minister of Education; and

(f) one will be nominated by the Minister administering this Act.

(4) A member will be appointed for a term not exceeding 2 years upon such conditions as the Governor determines and at the expiration of that term of office is eligible for re-appointment.

(5) The Governor may appoint a person to be a deputy of a member and the deputy may, in the absence of that member, act as a member of the Committee.

(6) The requirement of nomination made by this section in relation to the appointment of a member extends to the appointment of the member's deputy.

(7) The Governor may remove a member from office for—

(a) a breach of, or non-compliance with, the conditions of the appointment;

(b) mental or physical incapacity to carry out official duties satisfactorily;

(c) neglect of duty;

or

(d) dishonourable conduct.

(8) The office of a member becomes vacant—

(a) on death of the member;

(b) on expiration of the member's term of office;

(c) on resignation of the member by written notice to the Governor;

or

(d) on removal of the member from office by the Governor pursuant to subsection (7).

(9) Upon the office of a member becoming vacant a person will be appointed in accordance with this Act to the vacant office.

(10) A member is entitled to such remuneration, allowances and expenses as are determined by the Governor.

I gave no undertaking but it does appear that the Laborials have stitched up a deal across the floor.

The Hon. Diana Laidlaw: At least these deals are talked about on the open floor of the Parliament, not like yours behind the scenes.

The Hon. M.J. ELLIOTT: I have not spoken with the Minister about this at all. The structure of the committee that I have suggested is a structure the Government has been looking at, anyway. I would like to have seen certain of the conditions here, such as terms of appointment, to have been guaranteed. I was looking at a two-year term, and I think those sorts of things could also have been easily addressed, as well as how a person goes on and off a board. I am not at all happy with boards and committees where people can be put on and off at the whim of the Minister, and I think we all know the sorts of problems that can occur with committees and boards structured in that way.

In fact, I would suggest that the structure I suggested for the committee is sensible. The four groups I have mentioned—the Institute of Teachers, the Police Association, the Public Service Association and the UTLC—cover all Government employees. In fact, if one looks at the sheet tabled today by the Minister, I think they cover them admirably.

The ACTING SPEAKER (Hon. R.J. Ritson): It is not clear to me whether you have moved the remaining subclauses. It is beginning to appear from your speech that you are speaking to the second part of the amendment.

The Hon. M.J. ELLIOTT: I have already moved it. I think that what I suggested here would not have had problems, but I recognise that the numbers are not there and I will not divide on this occasion.

New subclauses (3) to (10) negatived.

Remaining clauses (5 and 6), schedule and title passed.

Bill read a third time and passed.

REPRODUCTIVE TECHNOLOGY BILL

Adjourned debate on second reading.

(Continued from 3 November. Page 1547.)

The Hon. K.T. GRIFFIN: I support the Bill, which has its origins in a select committee which, I recollect, I proposed several years ago when we were considering a Bill to amend the Family Relationships Act which, among other things, sought to deal with the status of children born as a result of *in vitro* fertilisation procedures and artificial insemination by donor procedures. I do not think that anybody envisaged that the scope of the work of the select committee would be so extensive as that which finally transpired. Nevertheless it was an important select committee and it not only gave members of the public with an interest in the development of *in vitro* fertilisation technology an opportunity to present evidence, submissions and details of their experiences—it also gave members of the committee an opportunity to experience at first-hand and consider a variety of issues that are raised by the sort of technology that is now the subject of this Bill.

The select committee did not claim to be able to resolve all questions. Neither did it claim to be able to deal in depth with a lot of issues, as has been done by other committees of inquiry in Australia and overseas. It dealt with a number of the ethical and legal questions that arise from the development and use of reproductive technology. There are a variety of ethical questions, which are very difficult to resolve. As in the community there are diverse points of view on these issues so diverse points of view are reflected among parliamentary representatives.

The technology immediately raises those very difficult questions as to when life begins, the status of an embryo and what should happen to embryos. It raises questions of research, of experimentation, whether material ought to be the subject of donation and a variety of other issues. While in an ideal situation these questions should be resolved by the Parliament, it is nevertheless difficult for that to occur, particularly with the polarisation of Parties, although the select committee was of the view that on ethical questions all members of Parliament should be allowed to express their own views and make their own decisions according to their conscience.

The select committee reached the conclusion that, because of the difficulty of many of these issues, it was more appropriate to establish some representative body that could consider ethical questions and make reports and recommendations to the Parliament that could ultimately be the subject of regulations, which would then bring those issues more closely under the focus of the Parliament. Even that raises a number of questions.

Should a body, which is essentially independent of the elected representatives of Parliament, be given a responsibility to develop a code of practice to examine ethical questions and to reach some conclusions if only on a majority basis? Should the recommendations of that committee form the basis of regulations which are promulgated? Should those regulations be the subject of more direct debate rather than following the procedure of disallowance of regulations?

A view exists that only Parliament should enact a code of practice in this area. I do not subscribe to that point of view, although I sympathise with, and appreciate the forceful arguments in support, of it. Rather, I tend to the view, as evidenced by my membership on the select committee and my agreement to many of its recommendations, that an independent council representative of a diverse range of interests within the community, away from partisan political influences, would be the best mechanism to deal with a code of practice and ethical standards.

On the other hand, in my view it is fairly important that no member of Parliament, as a Minister in the Government of the day, should be able to intrude his or her personal views, or those which might represent a majority in the Government of the day, into the deliberations of the council or to modify the recommendations which are made and that, in fact, any recommendations which are made by the council, which relate particularly to a code of practice or a set of ethical standards, should in fact be incorporated in regulations without amendment and should then be laid on the table of Parliament and be the subject of debate through the disallowance procedure. That has the advantage that the committee is independent of partisan political influence, its recommendations come to Parliament in the form in which the committee makes its recommendations, and they are then subject to review by Parliament. There is no Governmental or political interference; Parliament has the final say.

I must say that I gave consideration to the alternative mechanisms that could ensure that such recommendations were fully debated by Parliament on the basis of each person's own conscience and I could find no more appropriate mechanism for achieving that objective. The council, as recommended by the select committee and as adopted by the Government in the Bill before us, comprises a broad representation of members of the community. One member is nominated by the council of the University of Adelaide and one by the council of the Flinders University of South Australia. These are both centres of learning which have, or ought to have, a certain measure of independence of thought. One member is nominated by the Royal Australian College of Obstetricians and Gynaecologists, a body which

is very much concerned with the development of reproductive technology and the care of those who participate in programs. One member is nominated by the Royal Australian College of General Practitioners, a body whose members deal with day-to-day issues of infertility and could be expected to bring a broad range of experience to the council.

One is to be nominated by the heads of churches in South Australia. While there is a diverse range of denominations represented in that body, it seems to be the appropriate body to consider and bring to bear on the council its religious and moral views with respect to *in vitro* fertilisation in particular. I believe the addition of a representative of heads of churches in South Australia is an important acknowledgement of the place of Christianity in the life of our community and in the involvement in this issue.

One is to be nominated by the Law Society of South Australia. The legal profession has a long history of being able to weigh arguments and debate issues, thereby bringing a balanced judgment to bear in matters. The law is a very important area which really reflects the standards of society as enacted by the Parliament. It is appropriate that the legal profession be represented. Five are to be nominated by the Minister of Health. Contrary to what was recorded in the newspaper earlier this week, the Minister of Health of the day has a responsibility for nominating five members, which is a minority. The majority come from the various organisations to which I have just referred. The Minister of Health is to have regard to a variety of interests not represented among the six nominees to whom I have just referred in order to achieve a balance of views, if that is possible, on the council.

The person who will chair the council is in fact to be chosen by members of the committee. Again, it was felt strongly by the select committee that the council itself should make the selection of its own chairperson. That person will not have any more than a deliberative vote. There will be no casting vote, and that is important. The role of the council is, among other things, to develop a code of ethics. Its principal responsibility will be to develop a code of ethical practice to govern the use of artificial fertilisation procedures and research involving experimentation with human reproductive material. There are other important areas of responsibility, but it is essentially concerned with ethical practice and research.

The council is to have the responsibility of looking at applications for research projects and determining whether or not they should be approved from the perspective of an ethical standard. A number of issues reported on by the select committee are not included in the legislation. Such matters will be the subject of debate when amendments are moved by various members in this place.

One relates to recommendation 25 of the select committee report, namely, that the growth of an embryo *in vitro* beyond the point at which implantation takes place should not be permitted. I support that and believe that it should be included in the Bill. Another relates to the fact that this reproductive technology should be available only to married couples. Recommendation 32 states that reproductive technology should be made available only to infertile couples who can satisfactorily establish that they live in a stable domestic relationship. The select committee was evenly divided as to whether the couple should be married.

It is my strong view that the technology should be available only to married couples living in a stable domestic relationship. The pressure brought to bear upon a couple during deliberation and consideration of the question of infertility and their involvement in an *in vitro* fertilisation program is particularly stressful and, generally speaking, it is the sort of stress which can be best managed within a marriage relationship. Children born to a couple as a result of this procedure should have the advantage of a legally recognised and established relationship between the parents.

Another issue which is to be considered by way of amendment is the question of non-therapeutic invasive experiments on embryos. I was one of three members of the select committee who believed that the respect due to an embryo requires that it be protected from research that will cause its destruction. We believed that non-therapeutic research detrimental to an embryo should be prohibited. The select committee was evenly divided on whether the limits to be placed on research should be prescribed in legislation or determined by the council, but I believe that it is sufficiently important that it should be considered by Parliament and contained in the legislation.

The question of confidentiality of donors is another issue which I believe should be in the legislation. The views of members of the select committee differed on this issue, but I was one of two members who held the strong view that, while genetic information should be available to the social parents of a person conceived using donor gametes, the disclosure of a donor's identity should never be permitted. I took the strong view that a person born of donor gametes cannot in any way be equated to an adopted child, and the relationships are quite different. I also hold the view that there should be no requirement for social parents to tell a child of its origins as a result of *in vitro* fertilisation. I acknowledge that non-identifying information relating to genetic information should be available to the social parents. The issue of commercial surrogacy was debated several years ago in relation to the Family Relationships Act. The select committee took the strong view that commercial surrogacy should be opposed on principle.

It took the pragmatic view that surrogacy contracts should be unenforceable, that any person who organises a surrogacy contract for fee or reward should be guilty of an offence and that any fee paid to a person who organises a surrogacy contract be recoverable by those who paid the fee. That is not in the Bill. It may be that the Attorney-General has some proposal to introduce separate legislation dealing with this matter in the context of, say, the Criminal Law Consolidation Act, or some other legislation, but there has been no indication of that.

The Hon. C.J. Sumner interjecting:

The Hon. K.T. GRIFFIN: If the Attorney is going to do that, well and good, but I think the matter ought to be raised in the context of this legislation. I will further address this matter as other members raise the issue when considering amendments during the Committee stage.

The Hon. J.R. Cornwall interjecting:

The Hon. K.T. GRIFFIN: There is no doubt that many of these issues will have to be aired quite thoroughly in Committee.

The Hon. J.R. Cornwall: I am suggesting that, rather than round them all up in a three-quarters of an hour second reading reply, I think it might be better if I were to deal with them one by one in Committee.

The Hon. K.T. GRIFFIN: Yes, except that I think it would be helpful if the Minister felt disposed to give some outline in response to the various issues that had been raised. I know that he might feel that to be something of a burden, but I think it might be helpful for the Committee.

The Hon. J.R. Cornwall: The 25-hour days are starting to get to me!

The Hon. K.T. GRIFFIN: Anyway, I think it would be helpful. There are some issues that we will address later in Committee. The Committee was divided on the question

of licensing for the performance of the technology and that matter, obviously, will be the subject of further debate in Committee. I think that two other matters relating specifically to the Bill need to be addressed; I will flag them now, and whether or not the Minister responds to them during his reply or in Committee, at least they will be on the record, and he and his officers can perhaps consider them over the next day or so.

In clause 10, I would have thought that one of the functions of the council ought to be specifically expressed to be the approval of research projects. I know that that is referred to later, but it ought to be one of the functions of the council. In Clause 10 (4) the reference to amendments to the code of ethical practice should, I think, refer to amendments made by the council. It could be open to interpretation that amendments could be made to the code of ethical practice prior to promulgation, and not necessarily amendments made by the council. I think there is a need to provide some procedure by way of appeal or review to a decision made under clause 13 (6) relating to the withdrawal of an exemption from a person in respect of artificial insemination. In respect of clause 18, I think that a penalty of $2 000 for divulging confidential information is much too low and that it ought to be increased quite significantly. Those are the matters that should be discussed during the Committee stage. I support the second reading.

The Hon. R.I. LUCAS: I support the second reading of this Bill and I acknowledge that it is extremely complex legislation. However, I support the obvious attempt by Government and Parliament to attack legislatively the complex problems that we have with respect to reproductive technology. Many issues will have to be debated at some length in relation to this Bill. I believe that most of those issues will best be discussed during the Committee stage, which I would envisage, in the good and proper role of the Legislative Council, will be a long and healthy debate.

I will raise one fundamental issue and then touch briefly on five or six of the issues raised by the Hon. Martin Cameron. Finally, I will touch on two other issues relating to surplus embryos and experimentation. The one overriding and fundamental concern that I have about this Bill relates to the role of the South Australian Council on Reproductive Technology which is established under this legislation. In particular, I am concerned about its role in relation to what I see as the proper role of Parliament and members of Parliament. I have had (and I still retain) the view that, on the fundamental issues that will be covered in this legislation, Parliament and members of Parliament must have the primary role and responsibility in meeting the legislative challenges that need to be addressed.

My frank view of the council and the recommendations for the council as drafted in the Bill is that it is a legislative buck-pass from the Parliament to a supposed committee or council of experts. Under clause 10 of this Bill, the council will have a primary role, for example, not only to formulate the codes of ethics but also to keep them under review. Further, it will have the power to issue licences for research and experimentation on human embryos and it will also have the responsibility for issuing the conditions for licences. Under this Bill the role of Parliament and members of Parliament will be reduced to that of waiting for the perceived wisdom of the council and then taking a decision to attempt to disallow regulations that have been promulgated in instituting decisions of the South Australian council.

As I said, I believe that this is a legislative buck-pass; it is an abrogation of the responsibility of Parliament and members of Parliament. I believe that the council's role should be one of an advisory body only, advising both the Government and the Parliament. Rather than being formulated by the council, the codes of ethics, based upon the advice of the council, should then be introduced by the Minister responsible (Minister of Health) to the Parliament in the normal way or, in the unlikely circumstance that a Minister did not take up, either in part or in total, the recommendations of the advisory council, a private member is at liberty to exercise the right of a private member to introduce legislation to enact the recommendations or advice of what would then be an advisory council.

With that overriding view that I have about Parliament *vis-a-vis* what is in effect a statutory body, I will be moving amendments in Committee to attempt to reduce the powers of the council to those of an advisory body, as I have discussed. I have already looked at amendments in this respect. The council would not have the responsibility for formulating the codes of ethics as envisaged under the Bill, and I hope, although I am still having discussions with Parliamentary Counsel, that an alternative means of issuing licences and possibly conditions for licences for any experimentation on human embryos that the majority of members in the council might want (although that is not my particular view), might be handed over to a body other than the South Australian Council on Reproductive Technology.

My concerns about the council are based primarily on the fact that I believe the council will be seen by some in Parliament and by some in the media as being the 11 wise persons in relation to reproductive technology. In effect, through the regulations that they formulate we will have the concept of tablets coming down from the mount—the perceived wisdom of the South Australian Council on Reproductive Technology.

The Hon. Carolyn Pickles: Do you think that you are wiser than they are?

The Hon. R.I. LUCAS: The Hon. Ms Pickles asks whether I believe that I am wiser than the 11 experts on the council. I do not believe that I am wiser, but we have all been elected to Parliament to represent the community and to make judgments on difficult issues; that is our responsibility. It is not something that we ought to buck-pass or flick-pass to a council of 11 supposed experts.

While I concede that expertise in the difficult area of reproductive technology is an important factor in decision making, I believe that in this area more than many other areas questions of morality and ethics are equally as important in the decisions that have to be taken by whichever body—be it the Parliament or the South Australian Council on Reproductive Technology.

Whilst I would not argue that I have any greater expertise than members on the council, I would equally argue that the particular biases in morality and ethics that experts have on these questions are no greater and are no more important than the biases that I and other members of Parliament have. After all, we as members of Parliament are elected by the community to make judgments on these difficult issues. However, the South Australian Council on Reproductive Technology is not elected by or answerable to the community in any way, and, of course, cannot represent the views of the community in the decisions that it makes.

Because of this perception and buck-passing, it will be extraordinarily difficult, Ms President, if this legislation goes through, for the disallowance of regulations formulated by the council. The makeup of this council is 11 persons: six of them will come from various bodies and five will be recommended by Ministers.

The six respective bodies that will each have one nominee on the council of 11 will, we can guess, represent a diverse range of views in relation to the questions that they will have to consider, in particular the moral and ethical questions. The groups represented on the council are the Council of the University of Adelaide, the Council of the Flinders University (and we accept that both the universities are active in reproductive technology at the moment), the Royal Australian College of Obstetricians and Gyneacologists, the Royal Australian College of General Practitioners, and the Law Society of South Australia. I would argue that at least one or two of those six members (and possibly as many as three or four), would be at the more adventurous end of what they believe ought to be done in respect of further research into reproductive technology.

A number of them will be actively involved in reproductive technology, I would imagine, and would be unwilling to see major or significant restrictions imposed on the work that they currently undertake or would like to undertake in the near future. Given that that is the case, and given that the Minister—and the Minister alone—can nominate the other five members of the South Australian Council, it will be easy not necessarily for this Minister but for a future Minister with a particular view about the moral and ethical questions that will need to be considered by the South Australian Council to select five ministerial appointees who will mirror one or two (or perhaps up to three or four) of the organisational representatives who are at the adventurous end of the continuum on the need for further research and experimentation. For example—

The Hon. Carolyn Pickles: You haven't read the report very well.

The Hon. R.I. LUCAS: I have read all the report. I was up until 8 o'clock this morning reading it again. As I said, this is not an attack on the present Minister, but a Minister can select those five people knowing that he does not have to dictate his or her view. We all know that if one wants to select a committee that will give a certain result, one selects to serve on it people who, through past work and statements in the area, are at the adventurous end of the need for further research, for example, in the experimentation on human embryos. Given that of the six organisational representatives at least one or two will be at the adventurous end of that continuum as well, it is easy for a Minister with those views to ensure that a majority on the South Australian Council will share the views of that Minister in relation to the important moral and ethical questions that must be addressed by the council.

Having ensured that a majority of the 11 on that council share a consistency of views in relation to the moral and ethical questions, the Minister need do no more and has only to leave the council to implement its own decisions, to bring down recommendations, to issue licences to various bodies and to attach the conditions that it sees fit. If one looks at the legislation it would appear that under the current drafting of clause 14 the conditions attached by the South Australian Council are made solely by the council. It is answerable to nobody—the Parliament, the Minister, or anyone else—in relation to the conditions for the issuing of licences under clause 14. There is no recommendation there for promulgation of regulations under clause 14. For the benefit of the Hon. Ms Pickles, who is screwing up her face at the moment, clause 14 talks about research on experimentation on human embryos.

The Hon. Carolyn Pickles interjecting:

The Hon. R.I. LUCAS: Do you believe that men should not have a say in this issue at all?

The Hon. Carolyn Pickles interjecting:

The Hon. R.I. LUCAS: That is an interesting aside, Ms President. The Hon. Ms Pickles believes that men should have only a very small say in relation to these important moral and ethical questions. I will not go on at length rebutting that argument. It is specious and certainly not deserving of a member of Parliament, in the Legislative Council in particular.

I am concerned about the structure of the South Australian council, as well as its functions, as I have indicated previously. If there is a majority in the Council that is prepared to wind back the statutory powers of the council to that of an advisory body, then I will try to amend, as a fall-back option, the appointment procedures of the members of the council as I have indicated and argued, to ensure that a particular flavour or bias of one individual, one Minister of Health, in relation to moral and ethical questions does not hold sway in the South Australian Council on Reproductive Technology through appointments.

If we are looking at these important questions, a fall-back option may well be that, rather than the Minister making the appointments, in some way we should be able to achieve a bipartisan or tripartisan appointment procedure. So, rather than just the Minister appointing those five persons, there ought to be a mechanism for the Parliament to be involved in the appointment of the people on this South Australian Council on Reproductive Technology. That, at least in some part, would allay the concerns that I and a number of other people have that one particular Minister, with his or her own particular bias, could hold sway—

The Hon. Barbara Wiese: Three times you have said that. How often do you have to speak on this?

The Hon. R.I. LUCAS: I am speaking for about 25 minutes on a Bill which is very important. It is considerably less time than others have spoken on issues which I would deem not as important, but I am not complaining about that. If you are concerned about your beauty sleep, go and put your feet up somewhere. This is an important issue and I am entitled to speak for about 25 minutes if I like. I do not believe that is an excessive amount of the Parliament's time, as we have been sitting since 2.15 p.m. If you are a little bit worried, go outside and read the *Advertiser*. I am not fussed.

The Hon. Barbara Wiese: Finish your speech and—

The Hon. R.I. LUCAS: Well, stop interjecting. The longer you interject, the longer we will go.

The PRESIDENT: Order! I point out once again that there is no obligation on any member to take any notice of any interjections.

The Hon. R.I. LUCAS: Well, could you rule the interjections out of order and protect the person who has the floor?

The PRESIDENT: I am happy to prevent repeated interjections.

The Hon. R.I. LUCAS: Well, would you do that?

The PRESIDENT: I remind you to address all your remarks through the Chair.

The Hon. R.I. LUCAS: I am addressing you. I ask you to rule them out of order.

The PRESIDENT: I have said I will protect you. I point out that a few seconds ago you were not addressing remarks through the Chair but addressing remarks to an interjector and then complaining about the necessity to do so.

The Hon. R.I. LUCAS: I am happy to stay here for as long as you want to. I am just trying to be reasonable. I believe that we need to look at that alternative option. As I indicated earlier, I want to quickly put my views on some of the matters that the Hon. Martin Cameron and the Hon. John Burdett have indicated they intend raising by way of amendments. First, the Hon. Mr Cameron talked about

moving an amendment about a recommendation against the *in vitro* culture of embryos beyond the implantation stage.

My present position would be in support of that. In relation to access of persons to the technology, I indicate a different view from that of the Hon. Martin Cameron, who, I believe, indicated that he would attempt to limit the technology to married couples. I intend to move an amendment that will limit it to married couples or putative spouses as defined under the Family Relationships Act. I will be moving an amendment to provide that couples in a stable domestic relationship ought to have access to the technology.

In relation to the confidentiality of the identity of donors of genetic material, my present view is, again, slightly different from that of some other members; that is, I would support the select committee recommendation, as I understand that recommendation, that there should be primary confidentiality subject to the donors being able to agree in writing to subsequent disclosure if they so wished. If no other member is moving an amendment along those lines, I intend moving an amendment as well. I will be supporting the prohibition of commercial surrogacy in relation to IVF procedures. In relation to whether we as a community ought to accept a procedure such as that involving donor ova and donor embryos, my view, as I have indicated previously in the Parliament, is supportive of the use of donor ova and donor embryos.

In relation to experimentation on human embryos, in the debate on the Family Relationships Bill in 1984 I expressed my abhorrence of some of the proposals for future research in the growth of experimentation on human embryos. I referred on that occasion to articles at that time in the *Age*—glass wombs, baby farms—and I stand by the statements that I made in 1984. I do not support experimentation on human embryos and indicate my general support for amendments that members in this Chamber move to place in the legislation bans on invasive experimentation on human embryos.

I believe that, once one goes down the path of arguing that we can allow embryos to be grown for seven, 14 or 28 days, the question arises as to where one draws the line. I think that the line ought to be drawn in a pretty restrictive way to ensure that we do not allow scientists, in particular, to take us, as a community and a Parliament, by the nose and drag us into areas and questions of glass wombs, baby farms, testing of drugs on human embryos, and so forth, when I do not support us moving in that particular way, and I do not believe that the majority of the community wishes to move in that way.

I have indicated in previous debates, and do so again, that I find it ironic that most of the community and most members of Parliament, I believe, will oppose experimentation on human embryos but appear to be generally unconcerned about the destruction of surplus embryos. They are concerned about allowing the embryo to develop for seven to 14 days and experimenting on it; yet they are unconcerned about the procedures that would result in the destruction of surplus embryos.

That brings me to the last point that I want to address in my relatively short contribution on this important matter, namely, what should we do with surplus embryos and what is being done with them? This morning I took the opportunity to contact the Queen Elizabeth Hospital and Flinders University. The Queen Elizabeth Hospital advised that for three years its ethics committees have prevented the researchers from being involved with donor ova and donor embryos. The hospital has participants who are prepared to donate ova and frozen embryos to other participants. The researchers are keen to get on with what they see as an advance in reproductive technology, but they feel frustrated by what they consider to be the conservatism of the ethics committees of the Queen Elizabeth Hospital.

To be fair to those committees, they have taken the view that the Parliament would eventually get round to considering the recommendations of the select committee and laying down guidelines. As I indicated earlier, that might not be the case, because it will be left for the South Australian council to get its teeth into it if the Bill goes through in its present form.

I am told that all surplus embryos at Queen Elizabeth Hospital are frozen. However, fewer than 5 per cent of couples in the program will not agree to the freezing of surplus embryos. The technique used by that hospital is that only four eggs are fertilised at a time. Those couples who will not agree to the freezing of surplus embryos are told that that will mitigate against the possible success of the procedure at the hospital. If the couples insist on it, the doctors agree to it and only fertilise four eggs, which are then used in that particular cycle. In using that technique, the hospital is not confronted with the problem of surplus embryos of those participants who do not agree to their freezing. The person to whom I spoke at the Queen Elizabeth Hospital advised that the hospital has not yet had to confront the problem of whether to terminate, destroy or dispose of—

The Hon. J.R. Cornwall: Thaw.

The Hon. R.I. LUCAS: In 1984, the Minister used the expression 'withdraw extraordinary means of support'. The Minister now says 'thaw'. Whatever the word is, the hospital says that it has not yet had to confront that problem.

The Hon. J.R. Cornwall interjecting:

The Hon. R.I. LUCAS: The consent form does.

The Hon. J.R. Cornwall: The couple determine quite properly the fate of their genetic material.

The Hon. R.I. LUCAS: What I am saying is that while the consent form says that, the practice at the Queen Elizabeth Hospital is a little different. Those couples who are not prepared to freeze their embryos are not put in the position in which there are surplus embryos.

The Hon. J.R. Cornwall: No, but there are surplus frozen embryos, and the couple can then say whether they are to be donated, thawed or whatever.

The Hon. R.I. LUCAS: No, they cannot donate them because the ethics committee at the Queen Elizabeth Hospital will not allow embryos to be donated.

The Hon. J.R. Cornwall: It is nice to know that the ethics committee has at last taken some sort of stand on something.

The Hon. R.I. LUCAS: The ethics committee at the Queen Elizabeth Hospital has been very conservative on this issue.

The Hon. J.R. Cornwall interjecting:

The Hon. R.I. LUCAS: All I can talk about, Minister, is the present. They do not allow donor embryos or donor ova to be used as procedures at the Queen Elizabeth Hospital and they are waiting for Parliament to make decisions and provide guidelines in this particular area.

The Hon. J.R. Cornwall: They are terrified of the Minister, perhaps you are right; perhaps all those allegations are right after all.

The Hon. R.I. LUCAS: Not the Minister, the Parliament. The Flinders Medical Centre provided me with similar advice, although not exactly the same. However, the Flinders Medical Centre has been involved in whatever word one uses—disposal, destruction, termination—

The Hon. Carolyn Pickles: Thawing.

The Hon. R.I. LUCAS: Actually it is not thawing on the advice that is given to me, Ms Pickles. What they do is leave the embryo in the humidifier and it passes away. They do not actually thaw it; they just leave it there.

The Hon. Carolyn Pickles interjecting:

The Hon. R.I. LUCAS: No, they do not freeze it, they just leave it there. As the Minister would know, the Flinders Medical Centre was way behind the Queen Elizabeth Hospital in relation to the freezing of embryos. It is hard for members of Parliament to know exactly what doctors and scientists are up to, even if this legislation is passed.

The Hon. J.R. Cornwall: They have to keep records.

The Hon. R.I. LUCAS: Having spoken to them, I think it will be extraordinarily difficult for anyone, even if they have to keep records, to prove that what they are doing in the privacy of their own clinical facilities is not what they say they happen to be doing at the time. I am saying that in relation to the Flinders Medical Centre they have, as I am advised, been involved in the situation of leaving surplus embryos to terminate in a humidifier. Those questions in relation to what is done with surplus embryos are questions that members of Parliament need to be involved in deciding and they ought not be left to the South Australian council.

Ms President, I indicated I would not go on for any great length of time in the second reading. I have indicated some of my concerns and views on the important matters and I will certainly be making my contribution during the Committee stages of the legislation.

The Hon. J.R. CORNWALL (Minister of Health): I thank members for their contributions. Obviously a number of matters have been raised during the course of a fairly lengthy debate. This Bill has been in the Chamber for about eight weeks. The Bill was also the result, I might point out, of a Select Committee which deliberated for a period of almost three years and I believe we have a great deal of work before us in Committee. I have already had a look at the contributions of members who have previously spoken and I would like to examine in some detail the contributions of the Hon. Mr Griffin, who was a member of the Select Committee, and the Hon. Mr Lucas, who has always taken a special—I suppose is the best word I can use—perspective on this matter. I respect his views which are obviously deeply and fervently held. At this stage, rather than reply off the cuff, as it were, I think I would be wise to seek leave to conclude my remarks when we resume this debate on Tuesday.

Leave granted; debate adjourned.

NATIONAL PARKS AND WILDLIFE ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The National Parks and Wildlife Act, 1972, provides for the establishment and management of reserves for public benefit and enjoyment and for the conservation of wildlife in a natural environment. The Act has remained largely unamended since its introduction in 1972. The purpose of these amendments is to bring the Act into the 1980s and beyond, to service the requirements and needs of nature conservation within this State.

There are a number of amendments proposed to the Act and it is intended subsequently to amend the supporting regulations to reflect the new look Act. The major areas of amendment include the provision of a new Reserve Classification to be known as Regional Reserve, a requirement in the Act for a consultation with the Minister of Mines and Energy before constituting new reserves, defining the activities of the Crown in relation to exploration and mining within reserves, the upgrading of existing flora protection provisions, a revision of the provisions of the Act as they relate to hunting and food gathering by Aborigines both within the reserve system and on alienated land and the establishment of a Reserve Services Fund to enable the responsible Minister to request licensed concession holders to pay for municipal services provided.

I now wish to cover some of these matters in more detail. The first major amendments relate to clarifying the powers of wardens operating under the provisions of the Act. These powers have been in place since 1972. The proposed amendments will make the difficult job of wardens easier including indemnity for wardens enforcing the provisions of the legislation. Members will note that provision is available for wardens to break into premises or a vehicle if they are authorized to do so by a warrant from a Justice of the Peace. These powers are similar to those of authorized officers under the Fisheries Act and are regarded as essential if the legislation is to be properly administered.

A significant amendment is being made in relation to substantiating the tenure for game reserves. As the Act is currently written, National Parks and Conservation Parks are the types of reserve which can be abolished only through a motion of two Houses of Parliament. Most game reserves and recreation parks which are the other two types of reserves can be abolished by proclamation, with the exception of Belair and Para Wirra Recreation Parks. It is our intention to secure the tenure of all Game Reserves so that their security is the same as that which applies for conservation parks and national parks.

The present Act gives the responsible Minister the ability to lease reserves or portions of reserves to any person under conditions that he thinks fit. The Park Service has been concentrating on increasing the involvement of the private sector in development works on reserves. The Government believes this to be a highly appropriate activity, subject of course to private sector groups operating within the provisions of the legislation. It is important if major developments are to take place within the reserves system that the Park Service be able to request private sector groups to make a financial contribution to the provision of what can best be described as municipal services. These services include capital infrastructure such as drainage, sewerage connections, water supply, power and so on. The intention of the Bill is to establish a Reserves Services Fund under which a person may be required to contribute to the cost of maintaining and improving a reserve, where a private sector development is contemplated or has taken place.

Members will note a new provision in the Bill whereby the Governor may by proclamation alter the boundaries of a reserve to provide for minor alterations or additions to public roads that may adjoin that reserve. We have been in the situation in the past where a minor realignment of a road reserve established adjacent to a park cannot be under-

taken legally where the realignment may involve lands within the park, because of the provisions of the existing Act, which require a resolution of both Houses of Parliament to alter reserve boundaries. It is our intention to allow logic to prevail and have the opportunity for slight modifications to reserve boundaries to provide for issues of road alignment, where problems of safety mean that such a decision would be in the interest of the community as a whole. The powers to undertake these alterations are qualified by the restriction that such boundary alteration should not prejudice the objectives of management contained within the Act and not be contrary to any plan of management prepared for the particular reserve.

There are some further alterations to the Act in relation to mining and exploration. We intend to include a provision within the Act which requires submission of any proposals to establish a new reserve or alter the boundaries of an existing reserve to the Minister of Mines and Energy, and the Minister administering the Act must consider the views of that Minister in relation to the proposal. The Bill includes a provision allowing the Minister of Mines and Energy or a person authorized by him to enter onto a reserve to undertake any form of geological, geophysical or geochemical survey that does not involve disturbance of land.

Another major amendment is to provide for the creation of a fifth classification of reserve. The current Act contains the classifications of National Park, Conservation Park, Game Reserve and Recreation Park. Within these reserve classifications, no mining or exploration can take place under the existing provisions of the Act without the declaration of a joint proclamation at time of creation of the reserve, or unless existing rights to enter for these purposes were in existence at the time the reserve was created and are provided for in a proclamation, or if a resolution is made by both Houses of Parliament. It is our intention to establish an extra classification of reserve to be known as Regional Reserve which will allow for the reservation and protection of lands under the National Parks and Wildlife Act, 1972, but at the same time allow for the utilization of natural resources under agreed conditions in such reserves. The provisions of section 43 of the existing legislation relating to exploration and mining would not apply to these reserves.

The Bill recognises that exploration and mining are likely to be principal activities involving utilization of natural resources within regional reserves. These activities under the Mining and Petroleum Acts are not prevented by the Bill. The Minister of Mines and Energy can grant exploration tenements in regional reserves, but must not grant such tenements without considering the views of the Minister administering the Act. In the case of mining tenements involving production, the Minister of Mines and Energy must seek approval of the Minister before granting production tenements. If approval is desired, the Minister of Mines and Energy can refer the matter to the Governor for resolution. Members should note that the requirement for approval cannot restrict the rights of parties to the Cooper Basin Indenture. The granting of any form of tenement in a regional reserve will mean that management of the reserve is to be in accordance with the exercise of the tenement holder's rights.

The Bill also provides for the responsible Minister to enter into an agreement with a mining tenement holder within a regional reserve. Such an agreement could limit or restrict the full exercise of rights under the tenement. If a person who is party to such an agreement fails to comply with its conditions, the Minister of Mines and Energy can cancel the tenement.

A Regional Reserve will have the same strength of tenure as the existing conservation parks and national parks and indeed game reserves once this Bill becomes law.

In relation to wildlife, we propose to establish new schedules which reflect the status of native species of both flora and fauna in their natural habitat. These schedules will categorize species of flora and fauna into either endangered, vulnerable or rare species classifications. These will serve as a basis for identifying those species requiring monitoring and special consideration to ensure their survival in a natural habitat. It follows that higher penalties will apply to the taking of or illegal possession of species listed on these new schedules. The schedules include endangered species—these are species in danger of extinction and whose survival is unlikely if the causal factors which have brought about their plight continue to operate. This category includes South Australian species and those on the Australian endangered species list. The second category is to be known as vulnerable species—these species are those believed likely to move into the endangered category in the near future if the causal factors mentioned before which have brought about their decline continue to operate. This category will include species where most or all of the population of that species are continuing to decrease because of over exploitation, extensive destruction of habitat or other serious environmental disturbance. It will also include species with populations which have been seriously depleted and whose ultimate security has not been assured. Furthermore, it will include those species with populations that are still abundant but are under threat from severe adverse factors throughout their range. The third category, rare species, concerns species with small world populations that are not at present endangered or vulnerable but are thinly scattered over an extensive area.

The provision for permits to keep rare species of animals has been incorporated into the general keep and sell permit provisions of the Act. These will be supported by new wildlife regulations to be introduced next year.

Provisions for the keeping of prohibited and controlled species which were formerly applied to exotic species of animals have been repealed. Controls under the Animal Plant Control (Agricultural Protection and Other Purposes) Act, 1986, now replace these provisions.

A new section prevents the release of any native animal without a permit. This provision is intended to control the indiscriminate release of animals into areas outside their normal range of distribution. A mechanism has been maintained to prohibit the keeping of native species of animals where their release or escape would threaten populations of naturally occurring species or subspecies. This is particularly necessary in areas such as off-shore islands, where unique species are vulnerable to introduction of other species.

In relation to provisions for the protection of native flora, we propose to amend the Act by extending control over the taking of native plants to all native plants on any reserve under this Act, any parcel of Crown land, any land reserved or dedicated to public purposes and to any forest reserve. A permit will be required to remove native plants from these areas. We also intend to make provisions for the declaration by regulation of prescribed species, the unrestricted harvesting of which would be detrimental to individual species. Therefore, these species could not be taken or sold without a permit. These plants will be able to be sold under a permit where they have been propagated by the owner, or taken lawfully under the provisions of the Act. We also propose to include a new section to provide a penalty for the possession of native plants taken illegally in this or any other State. This section will also act to deter

those who may wish to use South Australia as a clearing house for illegally acquired ferns, orchids and other plants.

I wish to make clear that the emphasis of these provisions is to provide for the conservation of native plants in a natural environment. The word 'wildlife' in this Act covers both plants and animals, as indeed it should. The intent of these provisions is to concentrate on the taking of particular species of native plants or their flowers, branches and roots, where such plants would be used for commercial gain through horticulture, cut flower trade, for scientific purposes or personal gain. This intent is complementary to the provisions of the Native Vegetation Management Act, 1985, which is primarily aimed at the controlled clearance of native vegetation for agriculture and other development purposes. The way in which the two parcels of legislation will be used in their application is that:

The collection of native plants or their parts for horticulture, sale of cut flowers, propagation, personal interest or scientific purposes will require a permit from the National Parks and Wildlife Services in line with the provisions of wildlife legislation interstate. Broad-acre removal of vegetation is covered by the Native Vegetation Management Act, 1985, and will continue to require a permit issued by the Native Vegetation Management Authority. This will include the broad scale cutting of vegetation such as broombush and firewood.

In relation to protected animals, the same categories of endangered, vulnerable and rare species will apply. As with the flora provisions, substantially increased penalties will be applied where a person takes protected animals or eggs of protected animals without the necessary permit. Provision is made to allow the Governor to proclaim protected species of fauna as exempt from the keep and sell permit provisions of the Act. It is intended that very common species of native fauna which are not adversely affected by keeping and trade will be able to be kept and sold without a permit.

Members will note that the Act has been amended to provide that the responsible Minister may declare open seasons for the taking of protected animals rather than the current provision which provides for the declaration by Governor's proclamation. This is to allow for greater flexibility in declaring and revoking if necessary open days following consultation with appropriate bodies and examination of seasonal factors.

The provisions of the existing Act have been upgraded as they relate to hunting. Penalties for illegal hunting without written permission of the landowner and without the necessary hunting permit have been significantly increased. Also the Bill provides that hunting cannot take place on unalienated Crown land without the approval of the Minister of Lands.

An additional division has been added to the Act to provide for hunting and food gathering by Aborigines. It is important to provide an appropriate definition of an Aborigine to enable these provisions to work effectively. The definition we have selected has been included after exhaustive investigation and discussion with the Australian Law Reform Commission, the Minister and his office of Aboriginal Affairs locally and consultation with other interested groups. This division generally provides for the taking of both native animals and native plants by Aborigines, where the taking of the animals and plants are for the purpose of food for the person who takes it or for his or her dependants. Additionally, native flora and fauna can be taken solely for purposes that are cultural in origin. These provisions for the taking of protected species of animals and plants will prevail outside of the reserve system but may apply to zones within some reserves, where a joint management agreement for allowing the taking of selected fauna and flora under prescribed conditions has been ratified by proclamation.

Members should note that in relation to private land, written permission of the landowner will still be required for Aborigines to take native species of plants and animals.

The final important amendment is provided for a regulation to restrict or prohibit the removal of wood, mulch or other dead vegetation from reserves. This amendment is being included to deal with the problem of harvesting of firewood from reserves by wood gatherers.

Penalties for all offences against the Act have been increased. Penalties for the taking and illegal possession of native fauna are aimed at curbing illegal activities and are consistent with similar provisions of other States' wildlife protection legislation.

Clauses 1 and 2 are formal. Clause 3 inserts and replaces definitions of terms used in the principal Act. Clause 4 replaces a divisional heading. Clause 5 replaces the delegation provision with a similar provision that includes a number of minor improvements. Clause 6 repeals sections 13 and 14. The requirements of section 13 are now provided by the Government Management and Employment Act, 1985, and the provisions of section 14 are obsolete. A new section 13 is inserted. This section will prevent a conflict of interest that could arise if the Minister of Mines and Energy was given responsibility for the administration of this Act. Clause 7 requires wardens to carry identity cards and to produce them before exercising powers granted by the principal Act. Clause 8 provides for assistance to wardens in carrying out their powers under the Act. Clause 9 substitutes a new section dealing with powers of wardens. The warden is empowered, on suspecting the commission of an offence, to—

(a) enter and search premises or vehicles;
(b) give directions to a person in a vehicle;
(c) require the statement of name and address;
(d) order persons off reserves for periods up to 24 hours.

A warden may enter premises on which an animal is kept, or require production of a permit. A warden may break into premises or a vehicle if authorized by warrant of a justice or if there is reason to believe that urgent action is required. Clause 10 substitutes a new section dealing with forfeiture of objects if—

(a) the object has been used in the commission of an offence;
(b) it furnishes evidence of the commission of an offence;
(c) being an animal, carcass, egg or plant, it was taken in contravention of the Act.

A warden may seize an object if the warden reasonably believes it to be liable to forfeiture.

Where an object has been seized—

(a) if proceedings are not commenced within 3 months it must be returned to the owner;
(b) if the owner is convicted of an offence—the court may order that the object be forfeited to the Crown or in the case of an animal or plant—the court must so order an application by the prosecutor;
(c) if the owner is not convicted or there is no order for forfeiture, the object must be returned to the owner;
(d) a forfeited object may be sold and the funds paid into the Wildlife Conservation Fund.

Notwithstanding the foregoing—

—a living animal that has been seized may be released from captivity;

—if the owner cannot be found, the object may be sold as above.

Clause 11 substitutes a new section dealing with hindering wardens. It is an offence to—

(a) hinder a warden or an assistant;

(b) use abusive, threatening or insulting language to a warden or assistant;

(c) assault a warden or an assistant.

Clause 12 replaces section 25 of the principal Act. Clause 13 inserts a section exonerating wardens and assistants from personal liability while acting under the Act. Clause 14 is a procedural amendment relating to the constitution of game reserves by statute. Clause 15 inserts a new Division dealing with regional reserves. Clause 16 replaces section 36 (2) to bring the terminology and style up to date. Clause 17 makes minor changes to section 37 and inserts a consequential provision in relation to regional reserves. Clause 18 increases the time within which representations can be made to the Minister in relation to a proposed plan of management. Clause 19 inserts a new subsection in section 40 of the principal Act that makes it clear that the management of a regional reserve is subject to the rights of the holder of a mining tenement even though the tenement may have been granted after the land became a regional reserve. Clause 20: New section 40a provides for an agreement between the holder of a mining tenement and the Minister of Mines and Energy and the Minister administering the principal Act restricting the tenement holder's rights. The tenement holder can refuse to enter into such an agreement or may require compensation before doing so. However restrictions set out in the agreement can be enforced by threat of cancellation of the tenement.

Clause 21 amends section 41 of the principal Act. Clause 22 inserts a new provision that allows minor alterations to be made to the boundaries of a reserve without the authority of Parliament. Clause 23 amends section 43 of the principal Act. Regional reserves are excluded from the operation of the section and a penalty provision is inserted. Clause 24 inserts new sections 43a and 43b. Section 43a deals with the granting of mining tenements on regional reserves. Section 43b provides for entry by the Minister of Mines and Energy onto a reserve to carry out certain investigations and surveys. Clause 25 clarifies the meaning of 'owner' in section 44 of the principal Act. Clause 26 replaces section 45 with a simpler provision which includes increased penalties. Clauses 27 and 28 make consequential changes.

Clause 29 substitutes a new section dealing with unlawful taking of plants: a person shall not take a native plant on a reserve, Crown land, land reserved for or dedicated to a public purpose or a forest reserve. A sliding scale of penalties is provided according to the species of plant. It is an offence to take a native plant of a prescribed species on private land with or without the owner's consent. The sliding scale of penalties apply in this case also. It is an offence to take a native plant on private land without the owner's consent—Penalty: $1 000. It is a defence to a charge under the section that the defendant's act was neither intentional nor negligent or was done in pursuance of some statutory authority.

Clause 30 inserts a new section 48. The section prohibits the sale or gift of a native plant of a prescribed species. The sliding scale of penalty applies. It is a defence to such a charge that the native plant was taken pursuant to a licence under the Forestry Act, 1950. Clause 31 inserts a new section 48a. The new section provides that it is an offence to have possession of a native plant illegally taken or acquired (whether under this Act or the law of another State or Territory)—Penalty: $1 000. Clause 32 inserts new section 49 dealing with permits. Clause 33 replaces section 51 (1) and (1a) with a simpler provision which includes the increased scale of penalties. Clause 34 replaces section 52 of the principal Act. Clause 35 makes a minor amendment. Clause 36 replaces Division III of Part V of the principal Act. The substance of the existing sections 55 and 56 will be catered for by new section 58. New section 55 replaces existing section 57.

Clause 37 replaces section 58 of the principal Act. Clause 38 replaces section 60 of the principal Act. Clause 39 extends the operation of section 64 to Crown lands. Clause 40 replaces section 66 with a more detailed provision. Clause 41 inserts a divisional heading. Clause 42 makes a minor amendment to section 68a of the principal Act. Clause 43 replaces section 68b with an updated provision that extends to Crown land as well as private land. Clause 44 inserts a new division dealing with hunting and food gathering by Aborigines. Clause 45 replaces section 70 of the principal Act. Clause 46 makes a consequential change. Clause 47 inserts a new section that provides a defence for a person authorized under the Native Vegetation Management Act, 1985, or acting in compliance with any other Act.

Clause 48 makes minor amendments to section 78. Clause 49 replaces section 79 and inserts new section 79a. New section 79a empowers the Minister to require contributions from lessees and licence holders in relation to the maintenance and improvement of reserves. Clause 50 amends section 80 of the principal Act. Clause 51 replaces the seventh, eighth and ninth schedules. The schedule sets out statute law revision amendments in preparation for republication of the principal Act.

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

ROAD TRAFFIC ACT AMENDMENT BILL (No. 2)

The House of Assembly intimated that it had disagreed to the Legislative Council's amendment.

MOTOR VEHICLES ACT AMENDMENT BILL (No. 2)

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

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The first object of this Bill is to allow a registered motor vehicle to be driven on a road without a number plate attached, whilst the registered owner is awaiting the delivery of number plates from the Registrar of Motor Vehicles.

New and replacement plates are supplied under contract through approved manufacturers, both of which are located in Adelaide. An exemption is already provided in the circumstance where an owner has registered a new or second-hand vehicle for the first time and is awaiting delivery of plates.

The existing exemption applies only at the time of first registration. Difficulty can be experienced, particularly by country owners of currently registered vehicles where

replacement plates are required due to theft or accidental loss or damage, because current legislation prevents them from operating the vehicle until a replacement plate is obtained and attached.

This Bill will amend section 47 to provide that on making an application to the Registrar for replacement number plates, and payment of the prescribed fee, the subject vehicle is exempt from the requirement to display a number plate or plates until expiration of the day following delivery to the registered owner of a number plate or plates.

The opportunity is taken to incorporate the existing exemption to display number plates in regulation 15 (11) under the Motor Vehicles Act into section 47. Regulation 15 (11) can then be revoked.

The other object of this Bill is to provide that where a person applies to renew a driver's licence within ninety days of the expiry of a previous licence, then the term of the licence will be calculated from the date of expiry of the previous licence.

A survey has shown that of the 226 000 licence renewal payments made in the previous twelve month period, 18.5% were paid after expiry.

It is believed that, in many cases, persons continue to drive unlicensed after their driver's licence has expired, either knowingly or unintentionally. An unlicensed person who continues to drive between expiry of the previous licence and date of payment of the renewal, should not benefit by receiving a full licence period of five years from the date of payment.

The backdating of the expiry date of a licence to the original expiry date, where the renewal payment is made late, is a common practice followed by other States.

In cases where a licence is renewed after 90 days from the expiry date, the term of the licence will date from the new renewal date with a penalty for late payment to cover the additional administrative costs. A draft Regulation under the Motor Vehicles Act is being prepared to give effect to this.

Clause 1 is formal. Clause 2 provides for commencement by proclamation. Clause 3 amends section 47 of the Act by adding a further exemption from the obligation to carry number plates, so that a person who has applied to the Registrar for plates but has not yet received them may still drive his or her car on the roads, and is given one further day for fixing the plates to the car. Clause 4 provides for the late renewal of licences during a period of no more than 90 days after expiry. It is made clear that a person will still be guilty of the offence of driving without a licence if he or she drives after expiry and before late renewal under the new provision.

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

SOUTH AUSTRALIAN TIMBER CORPORATION

The Hon. T.G. ROBERTS: I move:

That it be an instruction to the select committee on the effectiveness and efficiency of operations of the South Australian Timber Corporation that its terms of reference be amended by deleting 'Australia' from paragraph 1 *(a)* and inserting in lieu thereof 'Holdings'.

Motion carried.

WEST BEACH RECREATION RESERVE BILL

Returned from the House of Assembly with amendments.

ADJOURNMENT

At 11.50 p.m. the Council adjourned until Thursday 5 November at 2.15 p.m.