LEGISLATIVE COUNCIL

Wednesday 16 August 1989

The PRESIDENT (Hon. G.L. Bruce) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS

ADELAIDE AIRPORT

The Hon. M.B. CAMERON: I seek leave to make a short statement before asking the Minister of Tourism a question about Adelaide Airport.

Leave granted.

The Hon. M.B. CAMERON: The Minister has made many public statements calling for an increase in domestic and international flights into Adelaide. From those statements, we are entitled to assume that she fully supports the 1982 Master Plan for the upgrading of Adelaide Airport to cater for projected regular public transport, commuter and general aviation aircraft operations until at least the year 2010.

An essential element of this plan is provision for another runway to be built parallel to the existing main runway at Adelaide. However, I have now been made aware of activities by the Minister's colleague, the Minister of State Development and Technology, which may jeopardise these plans. The Minister of State Development and Technology has been an enthusiastic proponent of plans for a hotel on the Marineland site. He proudly announced these plans in February this year, complete with detailed drawings, and a promise that the hotel would have 300 rooms.

There is only one problem with this: the hotel would protrude into protected air space for the additional runway. My authority for this is the Federal Airports Corporation, which has written to the architect for the development pointing out that the intrusion is up to four metres which would require two storeys to be taken off the hotel development. The Federal Airports Corporation wrote to Mr Alan Perkins, the Principal Planner of Hassell Architects, as follows:

> I am writing to formally advise the Federal Airports Corporations' view on the proposed West Beach Resort Motel as presented in sketch concept plans to me on 27 July 1989.
>
> The concept presented shows a three wing building of four, five and six floor levels. The location shown on your sketches places the structure roughly 85 metres south of Hamra Avenue.
>
> A check of the aerodrome obstacle limitation surface plans indicates the proposal protrudes through the airspace protected for the future 05L 23R runway. Specifically both the 2 per cent approach take-off surface and the 1 in 7 side transition surfaces are infringed by up to 4 metres . . . The FAC is opposed to any form of building development that infringes on the aerodrome obstacle limitation surface resulting in a restriction on the future use of the 05L 23R runway.

My questions to the Minister are:

1. Does she support plans for an additional runway at Adelaide Airport to meet projected demands to the year 2010?

2. If so, will she take up with her colleague, the Minister of State Development, the need to revise plans for the hotel on the Marineland site to ensure they do not jeopardise plans for an upgrading of the airport?

The Hon. BARBARA WIESE: As I understand it, the Federal Airport's Corporation holds the view that the additional runway proposal for Adelaide Airport is not something that would be required in the foreseeable future. Obviously, it is very difficult for the FAC to look too far into the future but, as I understand it, it considers that the existing airport facility, once there has been the substantial upgrading and in some cases redevelopment of numerous facilities to accommodate passengers and also aircraft within the airport complex itself, would be sufficient for South Australian needs for at least the next 20 years.

What happens beyond that is difficult for anyone to predict. There will be before much longer a committee reformed which will look at future airport needs; a planning committee similar to the one which produced some of the recommendations to which the honourable member has referred. I hope that once that organisation gets under way representatives of the South Australian Government would be included in its membership and they would be able to have some input into its deliberations. As I understand it, the FAC does not see any need in the time span that it is looking at now for the development of an additional runway. However, if the FAC has written—

The Hon. M.B. Cameron interjecting:

The Hon. BARBARA WIESE: I would like to see it, yes. If the FAC has written in the terms that the honourable member suggests, presumably it is doing so in order to leave options open for future plans, should it deem them necessary at some time in the future for such a runway to be constructed. Whether or not the plans of the Zhen Yun Corporation to build a hotel will be a problem is not something on which I can make a judgment. I am not sure to what extent the corporation has proceeded with the design of its project.

The Hon. M.B. Cameron interjecting:

The Hon. BARBARA WIESE: No, I do not know about that letter. I do not know to what extent the Zhen Yun Corporation has proceeded with its proposals for the development of a hotel or whether or not the height problem to which the honourable member refers is in fact a reality. I am sure that if the matter has been drawn to the attention of the appropriate people it will be addressed in the appropriate way.

The Hon. M.B. CAMERON: I desire to ask a supplementary question. In view of what the Minister has said and the indication she has given that another committee will be set up to look at this problem—

The Hon. Barbara Wiese interjecting:

The Hon. M.B. CAMERON: Yes—does she agree that it would be foolish to proceed with a building based on the information which I am happy to provide to her if the building will intrude into the airspace of the potential runway? Would it be foolish to proceed with that project in the face of this correspondence and the view taken by the FAC?

The Hon. BARBARA WIESE: It is desirable to keep options open in the area of the Adelaide airport. As the development of the hotel has not yet taken place, there is ample time for all these considerations to be taken into account. It is yet to be established whether the fear of the Airports Corporation is justified, but now that the matter has been raised with the appropriate people, I am sure that satisfactory negotiations will take place on it.

GRAND PRIX

The Hon. K.T. GRIFFIN: I seek leave to make an explanation before asking the Attorney-General a question about the Australian Formula One Grand Prix.

Leave granted.

The Hon. K.T. GRIFFIN: The Grand Prix Board has written to residents and owners of residential and commercial premises near the site of the Grand Prix informing

them that a charge will be imposed for persons other than staff who gain access to those premises. Both residents and business people are, naturally, incensed by the impost and the implied threat in the correspondence from the board. They hold the view that their properties are outside the control of the Government and its Grand Prix Board, and they can bring on to their premises anyone they like. They also say they put up with a great deal of disruption to their private lives and their businesses not just over the period of the Grand Prix but also in the months leading up to it, and that the board has considerable nerve seeking to charge them for bringing friends, customers and clients into their homes and business premises during the Grand Prix. The letter from the board states:

> The Australian Formula One Grand Prix Board has for some time been concerned with the number of buildings and structures being built on the perimeter of the Grand Prix circuit to enable free viewing of the event.

The response of the persons who have contacted me is that most of the buildings were there well before the Grand Prix. The letter also states:

> In addition, the increasing evidence of private viewing around the perimeter of the circuit brings with it considerable responsibility and liabilities on both us as promoters and the property owners.

The response to that is that the board has no legal liability for what happens on these private premises.

According to the correspondence from the Grand Prix Board, a charge of $215 is to be made to provide access to commercial premises (special passes will be issued to staff), and a charge of $65 for four days, or a daily rate from $16 on Thursday to $30 on Sunday, is to be made where guests attend private premises. No arrangements are proposed for customers and clients wanting to go to commercial premises for other business purposes. The threat to residents as well as to commercial property owners is that advertising signs or shadecloth will be erected to prevent viewing if the fees are not paid.

I have not been able to find any authority in the Grand Prix Act for these fees to be imposed or the threats to be made. The Act allows for an area of roadway and parklands to be declared for the purpose of the Grand Prix, but private property cannot be included in that declaration. The Act also allows prices to be charged for access to the motor racing circuit, but not to one's own home or business premises.

My questions to the Attorney-General are:

1. Does the Attorney-General and the Government support the approach of the Grand Prix Board to seek to make charges for access to one's home or business premises and for one's friends, customers or clients?

2. Does the Attorney-General support the threats made by the board?

3. What legal authority is there for this action by the Grand Prix Board?

The Hon. C.J. SUMNER: I am not aware of the letter written, or purportedly written, as suggested by the honourable member.

The Hon. R.J. Ritson: Table it!

The Hon. C.J. SUMNER: As I said, I am not aware of it. I will refer the question to the responsible Minister for a reply.

AUSTRALIA DAY HOLIDAY

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Minister of Local Government a question about Australia Day.

Leave granted.

The Hon. L.H. DAVIS: On several occasions over the past 18 months I have argued very strongly that Australia Day should be celebrated on 26 January. The Minister would be well aware that there is growing momentum in the community in favour of that proposition. In 1988 all States and Territories celebrated Australia Day on the correct day and it was an enormous success. However, in 1989 South Australia celebrated Australia Day on Monday 30 January rather than the correct day, Thursday 26 January. Although there was no public holiday on 26 January, the Australia Day Council and many communities in both Adelaide and country areas stuck to their guns and celebrated Australia Day on the correct day. However, no significant activities or events were organised for Monday 30 January 1989. In 1990, New South Wales, Queensland, the Commonwealth, the Australian Capital Territory and Northern Territory will celebrate Australia Day on the correct day, and I understand that the Tasmanian Government is seriously thinking about it. However, in 1990, South Australia will celebrate Australia Day on Monday 29 January rather than Friday 26 January.

It is crazy that this nation, which should use our national day as a focus for national pride, is split down the middle when it comes to celebrating the anniversary of European settlement in Australia. In South Australia, 26 January has become the holiday you are having when you are not having a holiday. Mr Bannon has refused to allow South Australians to celebrate Australia Day on its correct day, although public opinion is strongly in favour of that proposition. A recent poll on radio station 5AN showed that listeners were eight to one in favour of celebrating Australia Day on the correct day. I understand that a recent poll on the subject taken by television station channel 7 received nearly 4 000 responses with a better than six to one vote in favour. The Premier has ducked for cover on this issue by claiming he has accepted the view of the Industrial Relations Advisory Council, although there are many people in the community who believe that State Governments are there to make important decisions on matters such as this.

It is also clear that the majority of local government is strongly in favour of Australia Day being celebrated on the correct day. Only yesterday the Lord Mayor of the City of Adelaide (Mr Steve Condous) spoke out strongly on the subject. On page 7 of the *News* he is quoted as saying:

> As an Australian with an ethnic background these days are very important to me and if we are not going to promote our country and State we may as well throw in the towel.

The other argument that is being put is that it is easier to celebrate it on Monday because it will minimise disruption, but in 1990, as the Minister would well know, there is little difference between celebrating it on Friday 26 January—the correct day—and Monday 29 January. In fact, it could be argued that there will be more disruption because there will be a growing number of people in the community who will be attempting to celebrate it on the correct day as well as having the holiday on 29 January. In other words, there could be even more disruption if we stick to the Government's decision. My questions are:

1. Will the Minister of Local Government explain why South Australians cannot celebrate Australia Day on the correct day, and why has the Government taken the pageantry and pride out of the day and turned it into another excuse for a long weekend?

2. As Minister of Local Government, will she take notice of the majority view in local government, a view clearly in favour of celebrating Australia Day on the correct day?

3. Does the State Government have any plans to switch Anzac Day to the nearest Monday?

The Hon. ANNE LEVY: Questions 1 and 3 in no way relate to my portfolios of either local government or the arts, and I shall be happy to refer them to the Leader of the Government to respond. The second question refers to the views in local government. I have received no communication from any council, mayor or district chair in this State, or from the Local Government Association, to which I could be expected to respond in any way.

The Hon. L.H. Davis: You've made no inquiries?

The PRESIDENT: Order! The honourable member has asked his question.

The Hon. ANNE LEVY: Mr President, I listened to the honourable member's question without any interjections and I would hope that he could give me the same courtesy in response.

The PRESIDENT: Order! I would hope so, too.

Members interjecting:

The PRESIDENT: Order! The honourable member has asked his question and the answer should be heard in silence.

The Hon. ANNE LEVY: As I was saying, I have received no views from any local council, from any Mayor or district chair of a council, and nor have I received anything from the Local Government Association, which speaks on behalf of local government in this State. As a consequence, I have nothing to which to respond. I point out to the Council that, while the Hon. Mr Davis talks about Australia being divided down the middle, I think it is more a question of Australia being divided across the middle—in that it is the four southern States that will be celebrating Australia Day on Monday 29 January 1990, with the northern part of Australia celebrating Australia Day on Friday 26 January.

The honourable member seems to forget that a very large number of people work on a Saturday. Having a public holiday on the Friday would mean that they would have one day off, go back to work for one day and then have one other day off, whereas by celebrating the holiday on the Monday all these people who work on a Saturday will at least have a break of two successive days. The honourable member knows quite well that the Industrial Relations Affairs Committee (IRAC) has on it representatives of the Government and the trade union movement, as well as many business representatives from this State. It is those business people who are equally united in the view that, for the benefit of South Australia, industry should not be closed down on the Friday, reopened on the Saturday and again closed down on the Sunday. All members of IRAC, not just the trade union representatives, were united in agreeing that the public holiday for Australia Day would be celebrated on Monday 29 January 1990.

NORTHFIELD WOMEN'S PRISON

The Hon. I. GILFILLAN: I seek leave to make a statement before asking the Attorney-General, representing the Minister of Correctional Services, a question about the Northfield Women's Prison.

Leave granted

The Hon. I. GILFILLAN: After seeing a video taken by a television channel of a former inmate of Northfield Women's Prison, a serious concern has been aroused in relation to the conditions that apply in that institution. By South Australian standards, the institution is not large, with only 30 or so female inmates. Nonetheless, I am sure that this Parliament regards what goes on there as being just as important as what occurs in any other part of this State. It is therefore important that I share with my colleagues, in addressing this question to the Minister, some of the details that were revealed in this interview. Subsequently, I went to the prison myself this morning and interviewed six current inmates.

There is a sorry history of two suicides and four attempted suicides at that institution over the past five or six weeks and, on its own, I would say that that is enough reason to view with very profound concern what has happened and the conduct of that complex. There have been, in the interview that I saw of the former inmate, allegations of not only sexual harassment but also that complaints of such harassment were brushed under the carpet, with no follow-through thereon. There is the allegation both from the former inmate and the people to whom I spoke this morning that prison officers and the people concerned were named—one as having an alcohol problem and another being a drug addict. It was also alleged that this seriously impaired their work as correctional officers in the institution.

It was also alleged that there is no consistency with the management of the prison, and that the punishments meted out for minor offences and sometimes perceived offences could vary dramatically, depending on which group of correctional officers happened to be on duty. One which particularly disturbed me was the allegation that a ban on contact visits would be imposed for offences with no set period determined. I am sure honourable members would realise that several of these women have families with children, and to deprive them of contact visits is a very serious addition to the punishment that they are already suffering from being incarcerated in prison. These allegations of the uncertainty involved prompt me to ask, through the Attorney, that the Minister take some quite serious investigatory action to discover what is, in fact, the basis of the complaints.

However, before asking the questions, I indicate to the Council that, although Yatala has established a prisoner representative committee, I was advised that the management at Northfield has virtually prohibited the establishment of a committee in that institution by saying that two correctional officers must be present at all times that any such group meets and that they are forbidden from discussing departmental matters or matters concerning departmental officers, which obviously means that the committee would have virtually no point at all. So there is no formalised procedure for complaints to be dealt with. Bearing in mind the vulnerability of the women prisoners and the fact that male and female correctional officers are in charge of them, as well as the tragic suicide history, I ask the Minister of Correctional Services, through the Attorney:

1. Has there been an inquiry into the suicides and attempted suicides at Northfield? If so, will the Minister make the findings public? If not, why not?

2. Will the Minister investigate the running of the Northfield prison complex, particularly the women's prison, as a matter or urgency? I indicate to members that the cottages form another annex to that Northfield prison complex.

3. Would the Minister facilitate the establishment of an effective prisoners representative committee as a matter of urgency?

The Hon. C.J. SUMNER: I will refer those questions to my colleague the Hon. Mr Blevins and bring back a reply.

CAJ AMADIO

The Hon. T. CROTHERS: I seek leave to make a brief explanation before asking a question of the Minister of Local Government, representing the Minister for Environment and Planning, in relation to Mr Caj Amadio and the

Native Vegetation Management Branch of the Department of Environment and Planning.

Leave granted.

The Hon. T. CROTHERS: It has become, in recent times, a not uncommon practice for this place to be used as a forum to denigrate individuals outside of Parliament, free from the constraints of the laws of libel and slander. The 'cowards' castle' approach to gaining publicity for oneself or one's political Party brings nothing but shame to this place and to those who use this tactic. The damage done to an individual, his or her family, friends, aquaintances, and business dealings by the use of Parliament as a 'cowards' castle' is immeasurable.

An honourable member: That's an opinion.

The Hon. T. CROTHERS: So it is. In my view it is immeasurable. A case in point involves Mr Caj Amadio and the removal of trees from a property at Gumeracha. On 8 November 1988, the Hon. Mr Gilfillan asked the Minister representing the Minister for Environment and Planning a question in relation to the felling of some trees at a property being purchased by a company of which Mr Amadio is a principal. The Minister's reply to this question is printed in *Hansard* of 16 February 1989, on page 1945. I refer members to these references so that they can familiarise themselves with the issues raised, and the response given to Mr Gilfillan's question.

The Hon. Mr Gilfillan was apparently not happy with the answers given to his question of 8 November, and on 22 February 1989 moved a motion in this Council urging the Government to undertake immediate revision of regulations under the Native Vegetation Act Amendment Act 1985. During his contribution, Mr Gilfillan referred to the removal of another tree on section 6069, hundred of Talunga, by Mr Amadio during the time that the matter of the original tree felling had not been resolved. Mr Amadio had been informed in a letter from the Native Vegetation Branch of the Department of Environment and Planning dated 19 January 1989 that 'the removal of the tree was undertaken on the basis of the exemption provisions and that no illegal action has therefore been taken'.

Mr Gilfillan claimed in his contribution that this letter had been brought about as 'the result of strong pressure by Mr Amadio on the Native Vegetation Branch'. On the resumption of debate on his motion on 8 March 1989, Mr Gilfillan further claimed that Mr Amadio had intimidated the Native Vegetation Branch, and went on to say that the branch had 'bowed before the pressure of his (that is, Amadio's) verbal bullying'.

Mr Gilfillan's claims about Mr Amadio's alleged actions have been published in *Hansard* with no opportunity for Mr Amadio to reply. In fact, as I understand it, Mr Amadio attempted to contact Mr Gilfillan to discuss the matters raised but Mr Gilfillan refused to enter into any discussion with Mr Amadio.

My questions to the Minister, representing the Minister for Environment and Planning, are therefore aimed at setting the record straight in relation to Mr Amadio's dealings with the Native Vegetation Branch of the Department of Environment and Planning. They are as follows:

1. Did the Native Vegetation Management Branch of the Department of Environment and Planning write to Mr Amadio on 19 January 1989, in relation to the removal of a gum tree on section 6069, hundred of Talunga, as a result of strong pressure by Mr Amadio?

2. Has the Native Vegetation Management Branch been, at any time, intimidated by Mr Amadio?

3. Does the Native Vegetation Management Branch stand by its letter of 19 January 1989, in which it states that no illegal action had taken place in relation to the removal of the tree on section 6069, hundred of Talunga?

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

COUNCIL BOUNDARIES

The Hon. ANNE LEVY: I seek leave to table the two documents to which I referred in Question Time yesterday, namely, the proposal for alteration of the boundaries of the City of Mitcham and the proposed City of Flinders, signed by me, dated 27 July 1989, which was sent to the Local Government Advisory Commission; and a copy of a letter to the Chair of the Local Government Advisory Commission, signed by the Premier and me, dated 10 August.

Leave granted.

EDUCATION DISPUTE

The Hon. R.I. LUCAS: I seek leave to make a brief explanation before asking the Minister of Local Government, representing the Minister of Education, a question about the Bannon Government's education package.

Leave granted.

The Hon. R.I. LUCAS: In the past 24 hours members of the Liberal Party, including me, have been contacted by dozens of angry teachers from Government schools after they had received a letter from the Director-General of Education on behalf of the Bannon Government. In part, that letter states:

> It has not been possible to reach agreement with the Institute of Teachers on the curriculum guarantee proposal. This leaves no alternative but to proceed with the current provisions of the equitable service scheme for the 1990 school year. Consequently, it has been necessary for 1990 to identify teachers who have not yet undertaken country service. You are identified as one of these teachers and I draw your attention to *Education Gazette Supplement 88/6* which provides details of the scheme.

The Hon. T. Crothers interjecting:

The Hon. R.I. LUCAS: Would you like to be transferred, T.C.? We would be happy to accommodate you. The letter continues:

> The closing date for deferrals is 31 August 1989. Should agreement be reached with the Institute of Teachers within the next few weeks, it may be possible to begin phasing out the application of the Equitable Service Scheme for 1990.

This letter was sent to 3 500 teachers in Government schools. I am told that advice to teachers who might be identified for country service in previous years generally went to some 400 to 500 teachers and, at the end of the process, only up to 200 teachers were ever identified as being required for compulsory country service. What we have, then, is the Bannon Government this year, arm in arm with sending out the latest offer on the Education Department's curriculum guarantee package, advising 3 500 teachers and not 400 to 500 teachers that their number might come up for compulsory country service.

An honourable member: Hitler is not dead!

The Hon. R.I. LUCAS: Hitler is not dead, one member says. Teachers who have spoken to me about this have described it as unnecessary, strongarm tactics by the Bannon Government in an attempt to blackmail them into supporting the curriculum guarantee package at Saturday morning's delegate meeting at the Institute of Teachers—

The Hon. T. Crothers: Are you supporting it?

The Hon. R.I. LUCAS: —and that is a view I must support.

The Hon. G. Weatherill interjecting:

The Hon. R.I. LUCAS: We hear interjections from the back bench, from the Hon. Mr Roberts and the Hon. Mr Weatherill. They obviously support this attempt to blackmail teachers by the Bannon Government in relation to the package, and that is a very sad thing. My questions are:

1. Will the Minister indicate how many letters were sent to teachers in 1987 and 1988, and how many teachers were forced to undertake country service in 1988 and 1989?

2. If the old equitable service scheme were to remain in operation for 1990, how many teachers would be required to undertake country service in 1990?

3. Will the Minister now apologise for the unnecessary alarm he has caused to 3 500 teachers and their families and withdraw the letters sent to teachers who would not normally be contacted as part of this process?

The Hon. ANNE LEVY: I will be happy to refer those questions to my colleague in another place and bring back a reply.

PASTORAL LAND MANAGEMENT AND CONSERVATION BILL

The Hon. T.G. ROBERTS: I move:

That the Pastoral Land Management and Conservation Bill 1989 be restored to the Notice Paper pursuant to section 57 of the Constitution Act 1934.

Motion carried.

The Hon. T.G. ROBERTS brought up the report of the Select Committee on the Pastoral Land Management and Conservation Bill 1989, together with the minutes of proceedings and evidence.

Ordered that report be printed.

The Hon. T.G. ROBERTS: I move:

That this Bill be recommitted.

Motion carried.

GAS AND ELECTRICITY CONCESSIONS

The Hon. J.C. BURDETT: I seek leave to make a brief explanation before asking the Minister of Tourism, representing the Minister of Mines and Energy, a question about Gas Company and ETSA concessions for pensioners.

Leave granted.

The Hon. J.C. BURDETT: The question of concessions for pensioners was raised with me by a constituent and principally relates to Gas Company concessions. I am aware that the Gas Company is an independent body, but it operates under an Act and the Minister would be interested in the scheme. The constituent brought to my notice a letter he received from the Gas Company about this scheme which states:

The Gas Company is undertaking a review of its Pensioner Concession Scheme. First, I wish to assure you that the scheme is to continue. You will, however, appreciate that the circumstances of some consumers may have changed since the concession was first granted. In order that we may verify your eligibility to continue to receive the concession, we require your authority to contact the Department of Social Security or Veterans' Affairs.

If you wish to continue to receive the pensioner concession, please complete and return this form within 28 days. A stamped addressed envelope is enclosed for your convenience. Should you require any clarification on this matter our Customer Information and Services Department (Telephone 233 5154) would be pleased to assist.

At the bottom of the letter is the following form:

Please Do Not Detach

I (full name) .... of (address at which gas is consumed) .....

.....

am still eligible for and hold a current Pensioner Health Benefit Card/State Concession Card. My pension number is .....

I hereby authorise the Directors of Social Security/Veterans' Affairs, Adelaide, to disclose to the South Australian Gas Company Ltd so much of the information contained in my records as is necessary to determine my eligibility for the concession in respect of gas charges and for no other purpose.

Signature of Card Holder..... Date .....

Signature of Witness..... Date .....

My constituent regarded the access to his pension or Veterans' Affairs data as being an intrusion of his privacy, in view of the fact that the concession was minimal. He wrote to the Gas Company and one of the questions he asked concerned the annual rebate per consumer for the pension concession, and he was told that it was $6.60. To have to sign a form to give access to Veterans' Affairs or Social Security records is really selling your birthright for a mess of potage.

In the letter addressed to my constituent the Gas Company stated that the letter was an effort to correct inaccuracies in the pensioner scheme; that it was estimated that 10 000 consumers currently received a concession to which they were not entitled; and that State members of Parliament were contacted before the review commenced and no adverse comments were received. I do not dispute that, but I do not recall it and I do not know whether it was stated that the review involved access to one's Social Security or Veterans' Affairs records. The letter also stated that the Electricity Trust concession involves a verification of pension eligibility identical to the one being implemented by the Gas Company. However, I do not know whether that involved giving access to Social Security or Veterans' Affairs records. My questions are:

1. Will the Minister inquire into the matter and advise whether it is considered that the minimal concession warrants the intrusion into privacy?

2. Does the ETSA form also require authorisation to access Social Security and Veterans' Affairs information?

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

ARTEFACTS

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking the Minister for the Arts a question about the Ruhe collection of Aboriginal artefacts.

Leave granted.

The Hon. DIANA LAIDLAW: The Minister will recall that earlier this month the Leader of the Opposition in another place called on the Government to initiate action to acquire for South Australia the Ruhe Aboriginal collection, now located in Lawrence, USA. That collection has become available following the recent death of Dr Ruhe who collected the artefacts during a period of study in South Australia. I understand that at this stage the collection has only been offered to the South Australian Museum and that it is important that action is taken in the near future at least to indicate our interest in acquiring the collection before it is possibly offered to other museums, either in this State or overseas.

It is the Liberal Party's strong belief that the acquisition of this collection would not only augment the excellent

collection of Aboriginal artefacts already in the possession of the museum but that it would also form a very solid basis for a claim by the museum to be the home for the national museum of Aboriginal Australia. Therefore, I ask the Minister for the Arts what action, if any, she has taken on this matter to assist the museum in acquiring the collection? Also, does she propose to take any action in relation to informing the Commonwealth Government of the availability of this collection and to seek its support for this collection forming part of the proposed national museum of Aboriginal Australia and for that gallery or museum to be located in South Australia?

The Hon. ANNE LEVY: Mr President, as indicated by the honourable member, the Leader of the Opposition in another place did make a public statement about the Ruhe collection on 1 August. I certainly endorse his remarks and have done so prior to that time concerning the importance of the collection and the desirability of obtaining it for South Australia, if it is at all possible. One important reason is that the previous owner of the collection had a strong relationship with South Australia and certainly indicated his wish that the collection in its entirety should find a home in Adelaide, rather than in any other part of Australia. Certainly, he wished it to find a home in Australia rather than in the USA.

Of course, the inheritors are free to do whatever they wish with the collection, although I understand that they would be happy to follow the wishes of Dr Ruhe and sell the collection in its entirety to be housed in Australia, and preferably in Adelaide. At the same time as the Leader of the Opposition indicated his concern about the collection he did promise to seek sponsorship for the approximately million dollars which is apparently required to be able to purchase the collection from the inheritors of Dr Ruhe. As soon as I heard of this, I immediately made public a statement welcoming Mr Olsen's initiative in seeking sponsorship, saying that I agreed that this was an important issue to which I hoped there would be a bipartisan approach, and that I too would like to see the Ruhe collection come to South Australia.

I have not heard from Mr Olsen about whether he has sought any sponsorship or whether he has achieved any sponsorship. I hope that he is still working on this matter, as he indicated in his press statement. I look forward to hearing from him in the future about what he has been able to achieve in obtaining a million dollars, if that is the sum required.

The Hon. Diana Laidlaw: What are you doing?

The Hon. ANNE LEVY: You have asked me that—let me answer.

The Hon. Diana Laidlaw: I have waited five minutes, and you have not got there.

The Hon. ANNE LEVY: Your question took about five minutes also.

The PRESIDENT: Members will address the Chair. The honourable Minister.

The Hon. ANNE LEVY: Mr President, I have written to the Federal Government, as has the Premier, about the Ruhe collection, drawing the attention of the Federal Government to the availability of the collection and the desires expressed by Dr Ruhe about this collection and seeking its support—both moral and financial—to help obtain this collection for South Australia. I have not yet had any response from it, but I shall be happy to inform the honourable member if she also promises to inform me as soon as Mr Olsen has any results of the sponsorship drive which he undertook to take himself.

The Hon. DIANA LAIDLAW: I desire to ask a supplementary question. Does the Minister support moves or initiatives to establish in South Australia a museum of Aboriginal Australia?

The Hon. ANNE LEVY: I would be happy to see South Australia made the centre for Australia of Aboriginal heritage. Of course, there is the proposal by the Federal Government to have such a museum in Canberra. The building of that museum has been shelved by the Federal Government at least until 1995, but nevertheless it has continued to collect material for that museum which currently is stored and is not available for viewing.

There has been considerable discussion with the Federal Minister for the Arts, including a lengthy discussion at the cultural Ministers' conference a couple of months ago but, as yet, the directors of the National Museum in Canberra are unwilling to let any of the material for which they are currently responsible leave Canberra. At this stage it does not seem likely that in the near future we will be able to exhibit some of this national material in South Australia. However, this does not mean that it is not a question of concern to the Government in South Australia and we will certainly be continuing discussions with the Federal Government on this matter.

HOSPITAL VISIT

The Hon. R.R. ROBERTS: My question is to the Minister of Tourism, representing the Minister of Health in another place, is about proceedings that took place in this Council yesterday. Can the Minister confirm or deny the accuracy of the Hon. Dr Ritson's statement in this Council yesterday that the Minister of Health has not visited a hospital during normal hours and gone around with the heads of services discussing the needs of those institutions?

The Hon. BARBARA WIESE: Yesterday I was very concerned to hear the assertions made by the Hon. Dr Ritson, and for that reason I have done some research. I have discovered that Dr Hopgood, since his appointment in April as Minister of Health, has been extraordinarily active in visiting hospitals and having discussions with people in the hospital system. It may be of some interest to the Council to know of the range of hospitals that the Minister of Health has visited during that time.

In April, soon after the Minister of Health's appointment, he visited the Queen Elizabeth Hospital; in May he visited the Modbury and Glenside hospitals; in June he visited the Adelaide Medical Centre for women and children, both campuses of the Adelaide Children's Hospital, the Queen Victoria Hospital, the Royal Adelaide Hospital, the Sexually Transmitted Diseases Clinic, the Flinders Medical Centre and the Lyell McEwin Health Centre; and in July he visited the Hillcrest Hospital.

He has visited not only public hospitals but also private hospitals, including the Southern Cross Homes and Phillip Kennedy Medical Centre in May and the Memorial Medical Centre and the Ashford Community Hospital in July.

Dr Hopgood has been very active in familiarising himself with the various hospitals around the State. He has had numerous meetings with medical representatives and administrators of major teaching hospitals, and has visited most of those hospitals on other occasions for official and unofficial functions.

As for the honourable member's claim that the Minister should visit hospitals only during normal hours, I am surprised that the Hon. Dr Ritson, who has a medical background, is not aware that there are no normal hours for

services such as those provided by the casualty departments of hospitals. The Minister has had the opportunity to visit the casualty departments of some hospitals and has been able to see at first hand the demands placed on people in the front line of these services. The Minister of Health, rather than being condemned as he was yesterday by the Hon. Dr Ritson, should be applauded.

FEDERAL BUDGET

The Hon. M.B. CAMERON: I seek leave to make a brief explanation before asking the Minister representing the Minister of Health a question about the Federal budget.

Leave granted.

The Hon. M.B. CAMERON: The Federal budget papers show that South Australia is expected to receive $300.2 million for hospital funding in this financial year, or about 9 per cent of such funding allocated to the States. This share of funding is identical to that received last financial year, but is about 3 per cent less than the amount received in 1987-88. In that year South Australia obtained about $363 million from identified health grants and Medicare compensation.

When the Opposition last year tried to highlight the fact that South Australia had received a cut in funding of about $82 million, the then Minister of Health, Mr Blevins, rejected the assertion as incorrect. The Minister explained that he thought it was an excellent budget and that we had received $2.08 million for enhancement programs. Obviously he did not know what he was talking about, because that year we received $4.2 million and this year we have received half that amount for enhancement programs. Since then we have seen all too clearly that last year's budget was not an excellent one for South Australia.

The Federal budget papers now show clearly that South Australia last financial year received only $276.7 million for public hospitals, yet the previous year obtained almost $363 million for public hospitals. That $363 million, in real terms, means that we should have received $413 million this year, but in fact we have received $300 million, which is about $100 million less than we would have been entitled to receive under the old Medicare scheme. Will the Minister confirm that his predecessor misled Parliament and the people of South Australia last year by denying that there had been a substantial cut in hospital funding? Will he now admit that this year we have received, again, a substantial cut in the amount of funding that we would have received under the old Medicare agreement?

The PRESIDENT: Order! I draw to members' attention that Question Time has expired.

PERSONAL EXPLANATION: MINISTER'S REMARKS

The Hon. R.J. RITSON: I seek leave to make a personal explanation.

Leave granted.

The Hon. R.J. RITSON: The Hon. Ms Wiese, in a desperate attempt to defend one of a long line of successive Health Ministers, has wrongly suggested to the Council that the point of my comment—

The PRESIDENT: I pull the honourable member straight back into gear and say that this is a personal explanation. He should just get on to his personal explanation, not the business that has gone before.

The Hon. R.J. RITSON: The Minister has misrepresented me by wrongly stating to the Council that the point of my question was to suggest that the Minister had been tardy in attempting to familiarise himself with health services. That was never my intention. Indeed, I am quite sure that Dr Hopgood has frantically, if unsuccessfully, tried to familiarise himself. The point of the question was that Dr Hopgood, by choosing this method and ridiculously posturing himself in front of the cameras—

The PRESIDENT: Order! A personal explanation should involve something reflecting on the member, not something concerning what the Minister has done.

The Hon. R.J. RITSON: I have been completely misrepresented because Ms Wiese told the Council that I was trying to make out that Dr Hopgood was not diligently attempting to inform himself about his portfolio generally. She gave the Council a long list—

The PRESIDENT: Order! I do not think that can be interpreted as a personal explanation. That is an inference that members or people may draw from the question. A personal explanation relates to some damage that the honourable member feels has been done to him that should be redressed.

The Hon. R.J. RITSON: I have been misrepresented and, if you will hear me—

The PRESIDENT: I do not mind hearing you, but I do not like the long, detailed roundabout way that you are getting to your point.

The Hon. R.J. RITSON: With respect, you are entering into debate on the matter. I have been accused of alleging that the Minister has not attempted sufficiently to inform himself. That was not the point of my question yesterday. The point was that the manner in which he pulled the political stunt and garbed himself up was undignified and offended many members of the medical profession. That was my point, not the point alleged by the Hon. Ms Wiese.

The PRESIDENT: I do not really see it is a personal explanation, but the honourable member has already made it.

PINNAROO AREA SCHOOL

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

That this Council urges the Government to retain the secondary component of the Pinnaroo Area School with the provision of adequate teaching staff.

I have moved the motion because I have received a petition containing 217 signatures from people in the Pinnaroo area. The petition was not in the correct form to enable it to be tabled formally. However, as the matter has caused great concern in the community, I have moved this motion so that the concern can be put on record. The petition was addressed to me as the Democrat spokesman on education, headed 'Re: educational issues in Pinnaroo Area School—proposed changes'. It reads:

The humble petition of the undersigned showeth that:

1. Decisions of public meetings very well attended by community members, ignored, that is, reject any attempt to downgrade or close the secondary component of Pinnaroo Area School.

2. In the survey only two options are given, that is, downgrading, which is not viable, or consolidation with Lameroo. Discrimination against those who add further information—paper classed invalid—undemocratic. Refusal to fill in survey—discounted. Fill in under protest to be counted. 20 per cent to 30 per cent of papers accepted as valid, deemed sufficient for purpose of survey.

3. Children disadvantaged through downgrading of school, or consolidation—fewer students, less viable school, long distances

to travel, stress and hardship. District disadvantaged by loss of secondary schooling.

4. Strong grounds for resisting denial of equal opportunities and rights for country children in the Pinnaroo area, and for the community of Pinnaroo generally.

Your petitioners therefore pray that you support the retention of the Area II school status, with a minimum of six secondary teaching staff in Pinnaroo.

I made some inquiries about the Pinnaroo Area School and was informed that presently there are 141 students up to year 7, 16 students in year 8, 13 in year 9, 10 in year 10 and four mature age students. The present proposal is that the Year 8, 9 and 10 components of Pinnaroo, Lameroo and Geranium be merged at Lameroo. The distance from Pinnaroo to Lameroo is 40 kilometres and it is 34 kilometres from Geranium to Lameroo. The year 8, 9 and 10 classes are relatively small but it needs to be appreciated that several students would have left the school to go to Adelaide and a number go across the border to Murrayville High School in Victoria.

I taught for several years in the Swan Reach Area School which had a senior school no larger than the Pinnaroo school, and I thought it functioned extremely well and gave a very good quality of education. I must admit to being slightly surprised at the proposal to merge on the basis of the present school size, particularly when one looks at how many students are below year 7. One would have thought that the Pinnaroo Area School would continue to be viable in its own right. The degree of specialisation in subjects up to year 10 is not such that, with carefully chosen teachers, the range of subjects cannot be offered to ensure that a good education is provided to that level. Apparently, at one stage last year the Pinnaroo school council came out in support (I believe reluctantly) of the proposal to merge, but that did not have the support of the community, as became very obvious over the ensuing six or so months.

I will quote selectively from a letter I received from one Pinnaroo resident that highlights a few of the more important points as this person saw them. The letter states:

In 1986 Pinnaroo Area School, in consultation with Lameroo and Geranium Area Schools, voluntarily negotiated with the Education Department of South Australia to develop a joint year 11-12 component at Lameroo Area School.

A verbal guarantee was given that this voluntary downgrading of the Pinnaroo Area School to a year 8-10 curriculum would not act adversely against the school in the future, and that there was no threat to classes for years 8, 9, or 10 students continuing at Pinnaroo Area School.

Under present restructure proposals for Pinnaroo Area School, the threat to years 8, 9 and 10 education in Pinnaroo has become real. Two options have been given for the school:

1. Arbitrary downgrading of school from Area II to Area III status, resulting in loss of teachers and facilities to the district.

2. Consolidation at Lameroo, resulting in complete loss of secondary education in Pinnaroo, loss of numbers from the primary school, and stress and hardship to many families.

Some questions have been raised with me whether or not the expected result—that is, the students simply shifting from Lameroo to Pinnaroo—will in fact occur. A little later in the letter, the writer makes the point:

The second option, consolidation at Lameroo, is a futile exercise as Murrayville High School (Victoria) offers many advantages to Pinnaroo students, not least being its geographical position. If consolidation is forced upon Pinnaroo, the greatest beneficiary will be Murrayville.

Further, the letter continues:

Three public meetings have been called in Pinnaroo to involve the wider community in debate and decisions regarding such far reaching changes as proposed for the school and consequently the district.

The result of debate and questions has been a clear and decisive direction to keep secondary education in Pinnaroo at the present level. The community is strongly opposed to any downgrading of the school. Consolidation is not considered an option.

In fact, all three public meetings, as I understand it, came out with similar findings.

An independent survey was carried out amongst those with children at school or with preschool children who were likely to go to the Pinnaroo Area School. I will read a couple of the questions from that survey and indicate the results:

1. Are you in favour of the secondary component of the Pinnaroo Area School consolidating at Lameroo Area School and Pinnaroo becoming a Class II Primary School?—Yes 22 (17 per cent); No, 109 (83 per cent).

There was certainly a component in the community in support of the consolidation but 80 per cent were opposed. The survey continues:

2. If Pinnaroo remained an Area II School with a minimum of 6 Secondary teachers, would you expect to send your child/children there?—Yes, 123 (94 per cent); No, 10 (6 per cent).

If yes, to end of what year?—Year 8, 9, (3.5 per cent)' year 9, 13 (10.2 per cent); year 10, 107 (10 per cent).

The great majority of those who have children not yet of high school age were going to continue to support the Pinnaroo Area School and not send their children elsewhere. A small number who were going to go elsewhere most likely would have gone to Murrayville or perhaps to Adelaide. Further:

3. If Pinnaroo cannot remain classified an Area II, are you in favour of Pinnaroo Area School reclassified Area III?—Yes, 83 (63.8 per cent); No, 47 (36.2 per cent).

As I understand it, the consequences of that is a cutback from six teachers to four teachers. So, close to two-thirds of the respondents felt that, even if the school was downgraded, they would prefer to keep years 8, 9 and 10, recognising the potential loss of some subjects. The survey continues:

4. If the secondary component is closed at Pinnaroo, will you be sending your child/children to the Pinnaroo Primary School to the end of year 7?—Yes, 106 (89 per cent); No. 13 (11 per cent).

There is an indication that the cutback of the senior school at Pinnaroo also has implications for the primary component because 11 per cent of the parents would then withdraw their children from the primary school. I imagine they would probably send their children on the same bus as the older children to travel to Pinnaroo or else to Murrayville, so the cutback will also affect the size of the primary school and feedback effects could cut back the quality of its education, just as previously the loss of years 11 and 12 had some effect on the lower part of the secondary component. Further:

5. If the secondary component of the Pinnaroo Area School is closed, will you be sending your child/children to:—Lameroo Area School, 18 (13.5 per cent); Murrayville Secondary College, 71 (54.4 per cent); Elsewhere, 11 (6.3 per cent); unknown because of employment, 33 (24.8 per cent).

I imagine that the last figure relates largely to Government workers. That response seems to indicate that an attempt to consolidate, which is supposed to be to the benefit of Pinnaroo, Lameroo and Geranium, in fact will only marginally increase the number of students going to Lameroo, so there is not a great positive gain, even there.

There were a number of other questions, but I think I have covered the most important points. Further, the letter contains a quote from 'Schooling in Rural Australia, Commonwealth Schools Commission, November 1987', as follows:

Extensive daily travel to school. While distance travelled gives some indication how the journey to and from school might affect the student and the student's family, other facts are also relevant . . . a 30-minute stop-start school bus ride in an un-airconditioned bus along dusty roads in 40° summer heat is likely to be more arduous than a 60-minute school bus ride on sealed roads in temperate weather. Some students have to travel to the school bus stop by private car or other means, or have to make

connection between bus routes. Others have to fill in time between bus connections or between bus arrivals and departures and school starting and finishing times. These factors add to the time and arduous nature of extensive daily travel to attend school. The age of the child undertaking the travel is also a relevant consideration. For young children in lower primary school, for example, lengthy bus journeys or waiting periods can be very tiring.

The important point to be made here concerns the matter of prevailing conditions. City-based people might well say, 'Well, my child spends half an hour sitting on a bus going to school; what is the difference for a child travelling for, say, 40 minutes to the Lameroo school?' I think the material I have just referred to makes it very clear that conditions are not equal. In fact, the matter of city children travelling longer distances is usually at the parents' discretion. It is often they who have made a decision to send their children to a school other than the local one. The decision to close the Pinnaroo Area School removes any choice that the people in that area have. It is either Murrayville, Lameroo or the city—and the third choice is simply not an option for the greater majority, anyway. Further on, the letter states:

The issues to our community are broader than numbers for educational purposes than education for the children of the district. The viability of the community affects the educational opportunities of the children. If the people, particularly the business sector of the community, can continue as a viable economic entity, then public facilities, such as banks, law enforcement, stock firms and health services, will attract to the district people who will become part of the community. These people will strengthen all district institutions and organisations, including the education section. This is about people, not numbers!

Similar sorts of arguments were put forward when proposals were made to close country hospitals. I do not think bureaucrats have had an adequate understanding of other implications to the community. Once resources like hospitals or a readily available school are removed, people who previously had had something very vital that they could contribute to the community might make the decision that they no longer wish to live in that community. This certainly helps to continue the decline which the rural sector of our community has suffered. We have this positive feedback effect, causing further decline, and then further facilities are lost. I realise that we must consider critical sizes and critical masses below which a service cannot be justified, but I am not convinced that that is the case in Pinnaroo in relation to the provision of years 8, 9 and 10 education. A further quote from 'Schooling in Rural Australia, Commonwealth Schools Commission, November 1987, is as follows:

Main issues and positions. School community links are important, and improved links between schools and communities should be encouraged regardless of urban or rural location. In rural Australia, however, the links between school and community are particularly important, and the interdependence of school and community is likely to be greater than in metropolitan areas. In provincial and, more especially, remote areas the school is often the focal point of community life, as well as being important to the local economy. Likewise, the community can, and often must, contribute greatly to the work of the local school in order to improve the quality of schooling it provides.

Community support for the school and its staff are major factors influencing the quality of schooling. This position leads the commission to take the view that school systems should keep small rural schools open, whenever possible, and that they should maintain and, where feasible, even extend the network of schools throughout rural Australia. It also leads the commission to look at further contributions schools can make to their communities and to how communities can assist more in improving the quality of rural schooling.

Once again, my experience in country schools (and I have taught in four different schools) is that there is a very large interaction between a community and a school. It is guaranteed that shifting the secondary component of the Pinnaroo school to Lameroo will immediately mean that less parental support will go into that senior school. The extra bit of travel that will be required will mean that a number of people will no longer feel that they have a local school and the fund-raising and various other contributions that are normally made simply will not occur. The letter to which I have referred further states:

Through cooperation between the school and community with the district council, Pinnaroo district had the first school community library in the State. Present education policy will downgrade library facilities.

So, the school community library was a first in South Australia and now it is facing downgrading. The letter further states:

Pinnaroo community and district council, with the area school, had an imposing gymnasium/sports complex built on the school grounds for the use of the whole community. The school is the custodian of this complex.

These examples illustrate the joint involvement of school and community for the benefit and to the advantage of the district as a whole. A vibrant country community is fighting for survival. We need your help to save our school and save our district.

I was interested to see an article in the local paper headlined 'Labor Party conference supports community's fight for school', the first paragraph of which reads:

At the recent Labor Party Federal Electoral Council meeting held at Bordertown on Sunday 4 June, the 50 delegates present voted unanimously to support Pinnaroo community's fight to retain their secondary school facilities. The resulting resolution was passed for referral to the Hon. Greg Crafter, Minister of Education and Children's Services.

So, there we have the representation of the local Labor Party branch. I will find it most interesting if the Minister decides to ignore that. I also note that Senator Chris Schacht, who made a visit to the area after being lobbied by people from Pinnaroo, made a couple of points, which I think are worth repeating, in a letter that he wrote to the Hon. Greg Crafter. He stated:

First, the existing Pinnaroo Area School has a number of facilities which clearly have a community connection. If the secondary school is transferred to Lameroo those community aspects will be at grave risk.

(i) There is a local FM radio station operated jointly by the local community and the secondary school students at the area school. What is the future of this facility if there are no secondary students at Pinnaroo Area School?

(ii) There is a well established community library at the school. Will this be transferred, closed or allowed to remain open in its existing form? There is no other library facility in the Pinnaroo area.

(iii) A technical studies facility at the school is well equipped and a major resource for the area in that it is used for TAFE courses, as well as used for the school. Will this be transferred, closed or allowed to remain open?

(iv) Will the present home economics facility at the school, housed in a well equipped Demac building, be transferred to Lameroo? The facility is used for a range of community activities as well as secondary teaching.

He also notes a little later in the letter that horticultural production is starting to increase in the area, and he said:

I therefore believe it is necessary for the department to make a careful assessment of the future demographic trends in the Pinnaroo area, because it would be very unwise to close the secondary school and then find in two or three years time, because of increasing population and job opportunities, there were many more secondary students at Pinnaroo than at Lameroo or elsewhere in the central Murray-Mallee.

I think the points are well made in the letter from which I have quoted. I urge members of the Council to support the motion.

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

The Hon. I. GILFILLAN: Mr President, I draw your attention to the state of the Council.

A quorum having been formed:

ATMOSPHERE PROTECTION BILL

The Hon. M.J. ELLIOTT obtained leave and introduced a Bill for an Act to reduce the emission of gases that are likely to modify the thermal retention properties of the atmosphere and for other purposes. Read a first time.

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

That this Bill be now read a second time.

It is somewhat similar to one that I moved in the last session, although several clauses have been added. Because I have spoken on this matter previously, I will not make my contribution quite as long as last time, However, I will reiterate a few points and try to make a few new ones as well.

In simple terms the greenhouse effect is what we are attempting to address by way of this Bill. In simple terms, the greenhouse effect is the gradual warming of the atmosphere due to an accumulation of gases which have a capacity to absorb infra-red heat which normally would escape from the atmosphere. A very small percentage of the gases in our atmosphere have the ability to capture escaping infra-red heat. It works in a similar fashion to the greenhouse, which works on the principle that visible light passes through the glass, comes into the glasshouse, strikes plants and the ground in the glasshouse, and then is re-emitted as infra-red heat which does not escape.

In this case, rather than glass holding the heat in, we have a number of gases doing so. The prime causative agent is carbon dioxide which normally in the atmosphere is only about .03 per cent by volume. However, several other gases also have some effect. The other important gases are methane, with the chemical formula CH_4; nitrous oxide, which is N_2O; and chlorofluorocarbons, which, of course, have fame for another reason as well, namely, the unrelated matter of destruction of the ozone layer. People sometimes get those two confused, but they are quite separate occurrences, except that CFCs are the prime cause of one and are an important cause of the other. Undoubtedly, there is very clear evidence that the gases that I have just mentioned, and others which can act as greenhouse gases, are increasing dramatically in the atmosphere at this time.

Recent data suggests that carbon dioxide levels in the atmosphere have increased by about 50 per cent since late last century. Methane gas has approximately doubled since 1850. The prime source of carbon dioxide has been from the burning of fossil fuels—fossil fuels meaning the fuels which have come from either animal or plant source and which have been buried under the earth for a long time. The obvious fuels are coal, oil and gas. Oil can sometimes be retorted from oil shales.

Another less significant contributor of carbon dioxide is the removal of forests, which has been emphasised lately, particularly in the Amazon forests. There has been a great deal of concern about the damage being done there. However, in the long term, we need to recognise that fossil fuels are the far greater risk. If all fossil fuels that we are able to recover are burnt, we will increase the carbon dioxide level in the atmosphere by a factor of 10. If one considers that we have had an increase of 50 per cent only, the increase can be 20 times what it has been already. The hypotheses about what will happen to the greenhouse effect are largely based on the present increase in carbon dioxide, and not the future. When I mention the future, I mean later on today, tomorrow and into the next century.

We continue to use fossil fuels, at an ever increasing rate, for two reasons: first, because the population is increasing exponentially and, secondly, because the population continues to aspire to a higher standard of living, which it measures by way of gross domestic product. It looks primarily at material production and not at the usefulness of the objects being produced. The more we produce, the more successful we consider ourselves. So the juggernaut continues spewing carbon dioxide out into the atmosphere—the juggernaut to which I refer is the world economy. Some people suggest that this is simply theory, but I hope to show in the next few minutes that there is clear evidence that the greenhouse effect is on the way already.

I refer to the most recent article that has come to my attention. I refer to a report in the *Scientific American* of April 1989, entitled 'The Global Climatic Change', by Richard A. Houghton and George M. Woodwell. It states:

> James E. Hanson of the National Aeronautics and Space Administrations Goddard Institute of Space Studies and his colleagues have analysed temperature records going back to 1860. Their analyses suggests that the average global temperature has increased from .5 to .7 degrees Celsius since that year. The greatest increase has taken place in the past decade. This recent warming is both statistically significant and consistent with their experience based on theory and models of the global climatic system.

One might think that .5 to .7 degrees is neither here nor there, and perhaps might even try to argue that, with the sort of winter we have had this year it would be a good thing. The report continues:

> If a .5 degrees temperature change seems insubstantial, one should remember that in 1816 'the year without summer' the mean global temperature drop was also less than one degree. It was nonetheless sufficient to cause frosts in June—

which, of course, is the northern summer—

> in New England and widespread crop failures.

There is a great deal of other evidence that the ocean levels are rising, although not by a great amount at this stage. But, one needs to realise that water has a capacity to absorb a large amount of heat. Therefore, the response to global temperature increase variations will be slow. The rising ocean levels in the first instance will be due not to melting ice—as most people think—but to thermal expansion. The rise predicted over the next 30 years varies from one metre to a couple of metres is relatively low. That is due to thermal expansion. The more dramatic rises will occur if and when we have the ice caps, particularly the southern ice cap, melting.

There are also indicators besides rising oceans. The average temperature of Canadian lakes has increased. The annual maximum extent of sea ice surrounding the Antarctic continent and in the Arctic seas appears to be declining. Inland glaciers throughout Europe and elsewhere have receded. We are at present, through fossil fuels, putting 5 billion metric tonnes of carbon dioxide into the atmosphere annually. It is calculated that the atmosphere's carbon dioxide is increasing by just 3 billion tonnes. If you wonder where the rest has gone, the most likely place is the oceans, because carbon dioxide is water soluble. So, the oceans have been acting as something of a sink for surplus carbon dioxide. However, the oceans cannot absorb all the carbon dioxide that is generated.

I spent a great deal of time when I introduced a similar Bill last session talking about the consequences of the greenhouse effect, and I will not dwell on those again. These are catastrophic changes. Australia would appear to get away with it relatively lightly, perhaps if for no other reason than we happen to be the owners of the entire continent. So, if Australia becomes a bit drier in one area and a bit wetter in another we can shift our farming activities around. If Australia's sea levels happen to rise, we have a capacity to retreat. Both those changes would be expensive, but we can achieve them.

Consider the position of Bangladesh or the Philippines which have large areas of very productive land that are

marginally above sea level. Consider also the implications where the climate shift was sufficient—where countries which formally had good crops had significant drops, while perhaps a neighbour had a significant increase. The potential for global wars would be quite profound. One does not wish to get doomsday about these things, but I think a realistic appraisal would suggest that the implications are not just getting a little bit drier or wetter, depending on where you are.

There are quite dramatic political implications and certainly dramatic biological implications. Forests which grow in a particular place may need a change of only one degree Celsius for the species to be no longer suited to that location. While insects can flutter on to another spot, trees and forests take hundreds of years to establish themselves in any one place. Forests and whole ecosystems cannot just get up and move. The biological consequences and what other feedbacks might occur from that are really anyone's guess. I do not want to linger on that, because many of the consequences I talked about in the last session. I quote again from the *Scientific American* article, as follows:

> In 1985, a group of meteorologists meeting under the auspices of the World Meteorological Organisation (WMO) and the United Nations Environment Program (UNEP) demonstrated that without the respiratory feedback mechanisms addressed above, the combined effects of the greenhouse gases would warm the earth by an average of from 1.5 to 4.5 degrees Celsius before the middle of the next century. The conclusion was recently confirmed in a review written by more than 50 scientists who met in Villach, Austria, in 1987, and was published by the WMO and the UNEP.

I hope one notices that the sorts of organisations that are making these predictions would normally be given a great deal of credence. The article further states:

> Such changes are likely to be difficult for most of the world's peoples. First, the changes will be continuous. Unless the warming stops, efforts to adapt to climatic changes are likely to be responses to conditions that no longer exist. Secondly, the changes in climate will be irreversible for any time of interest to us or our children. There is no way to cool the earth or to lower sea level; we cannot return quickly to an atmosphere with lower concentrations of greenhouse gases.

The article then makes the most important point, which is as follows:

> The best we can do is to reduce current emissions. If that step is taken immediately, a further warming of more than one degree can be expected as the full effects of the heat-trapping gases already present are felt.
>
> Finally, the effects are open-ended. Although most modelling to date simulates a doubling of the atmospheric carbon dioxide content, there is simply no reason to assume that the concentrations will stop at twice the current levels. Estimated reserves of recoverable fossil fuels in themselves are enough to increase the atmospheric concentration of carbon dioxide by a factor of from 5 to 10.

Our society—a society that presently uses large amounts of energy—has to make a very important decision—and we have to make it soon—to use fewer fossil fuels. We can do that in two ways. First, we can change to other forms of energy production—and for a long time the Democrats have been talking about the need to change to solar, wind and other sustainable forms of energy production that can go on for evermore without interfering with the earth's processes and allowing us and our descendants to remain part of the earth—and, secondly and most importantly, we need to tackle the question of total energy production—in other words, we should be looking at cutting back energy use.

Many solutions are already available to us. One only needs to look at what happened in the early 1970s in the United States during the oil crisis to see how quickly the consumption of fossil fuels was cut back. Many experiments were set in train often at the county or city level to cut back energy consumption. Previously I quoted an example that concerned Davis in California where, despite a doubling of the population, it managed to halve its consumption of electricity and gas.

There is no suggestion that we would need to place our economy at risk by taking on energy saving which, in fact, has been demonstrated to make not only environmental but economic sense. In responding to the Bill I introduced in the last session I believe the Hon. Gordon Bruce had some assistance from the Department of Environment and Planning, and I cannot help but think that the person who gave him that assistance was given the instruction, 'We don't want to support this Bill. Try to pick the thing apart as best you can and basically be obstreperous.'

I will now tackle a few of the issues that were raised in the Hon. Mr Bruce's speech. He said:

> ... South Australia acting in isolation cannot have any significant impact on the greenhouse effect, which is a global issue. As a minimum, action must be Australia-wide.

There is a saying in the environmental community which I notice is increasingly being more widely used—think globally; act locally. If that saying had not previously permeated the Government's thinking, perhaps it has now. I happily concede that South Australia, in relative terms, would not have a dramatic impact on the greenhouse effect, but we seem to play this game in the international community of waiting for somebody else to do something first. That even seems to occur at the Australian level. I am particularly concerned at what has been a regular Government line, that we do not want to do anything in South Australia because we want to do it Australia-wide.

Senator Richardson has proven that line to be a lie. He has talked about the need for a referendum to give the Federal Government power over environmental matters and he said that he needed that because we could not get an Australia-wide consensus. For that reason with an issue such as this we are forced to act locally. For that reason this State can act unilaterally, I suggest that if we did act unilaterally we would find that not only would we gain a lot of benefits from it—and I will touch on those later—but also the other States would follow quickly. While this State was procrastinating on chlorofluorocarbons two other States did not wait for national action—both Western Australia and Tasmania acted quickly, and I believe that eventually Victoria beat us as well. However, I found it interesting that the Government did admit sympathy with the intent of my previous Bill, but then, as I said, set about trying to pick the thing apart. In his speech the Hon. Mr Bruce also said:

> Why is it that the sale and installation of appliances and not the manufacture of appliances is being regulated by the Bill?

There is a very simple answer to that: if we try to regulate the production of appliances I realise that manufacturers based in South Australia will say, 'You are stopping us from producing things that we can sell elsewhere. We will shut our business and leave.' As I see it, the only thing we can hope to regulate is not the manufacture of appliances that are likely to be sold interstate but the sale of appliances. During Question Time only two days ago I raised the matter of lighting—a very easy area we could tackle. Fluorescent light tubes are highly energy efficient; they use only 20 per cent of the energy of a standard incandescent globe and also have a life expectancy of six to eight years. However, they have a major drawback—at present in Australia they cost around $30. If one sits down and does one's sums, one will find that they are actually cheaper than incandescent globes in the long run, both because of energy usage and their long life, but this form of lighting presents a problem, particularly for people on lower wages and pensioners, in relation to upfront costs, but there are ways of getting around that.

The Government could quite easily intervene and supply such devices to households and pick up the cost of them in

electricity bills over a couple of years. That would not be an added impost on the electricity bill because fluorescent tubes use less electricity. In the long run, the person's electricity bill would be reduced while they were paying off the cost of the tube. The Gas Company has such schemes, whereby one buys an appliance the cost of which is added to the bill. Therefore, I see no reason why one cannot do a similar thing in relation to electrical appliances.

I suggest that if we made such a move—a move that has already been made in Holland—it offers a business opportunity for South Australia because fluorescent tubes are not manufactured in this State or anywhere else in Australia. In fact, there is only one fluorescent manufacturer in Australia at present, and it seems to me that if this State was smart enough to be the first to supply these tubes to households and put them in all Government offices it would create a large and guaranteed market. That market would be a major attraction for a company to set up manufacturing fluorescent products in South Australia. So, we have done something that the Government has talked about from time to time—grabbing an economic opportunity out of the problems that we have created. I must say that that sort of attitude worries me in general terms, but I realise that people need lighting and I think that it would be very sensible for us to move along that track. A little later, the Hon. Mr Bruce stated:

> What do we expect to be the reaction to this Bill of manufacturers who deal in a national or even international market and find that a small proportion of the total market now has different regulatory requirements?

That is really not a problem. The sorts of devices that would be acceptable already exist. There is no suggestion that manufacturers would have to build new models. It has already been admitted that there are varying efficiencies by the Government with the introduction of a five star system, where those items are rated upon their efficiency.

What I am suggesting in simple terms is that manufacturers who produce inefficient models will be told, 'You cannot sell those in South Australia.' I would argue that there is no democratic right to waste energy, to waste resources and to contribute to the greenhouse effect. That is not a democratic right. I do not see consumers suffering as a result of this; nor do I see manufacturers suffering. The only manufacturers who will suffer in the long run will be those who adopt a head in the sand approach and who do not want to know anything about the system.

Already smart marketers such as Coles realise that the community is becoming more environmentally interested. They are moving into environmentally sound products and the dopes are not. The Hon. Mr Bruce stated:

> The implications for, say, Mitsubishi in having to produce one vehicle to meet the requirements of a South Australian standard and another vehicle for the rest of Australia are extreme.

There is no suggestion that the regulations under my Bill would do such a thing. However, it would mean that if any extremely inefficient models were produced they would be difficult to sell. Mitsubishi has extremely efficient cars in its range and it will have no problem selling them. There is no suggestion that it would have to produce special vehicles for the South Australian market.

I suggest that the other States should follow us quickly and that consumer pressure will also mount so that in the longer run car manufacturers will start to do what they did back in the 1970s, and produce more efficient cars. I would argue that our State would eventually upgrade public transport and try to move as many people and goods as possible on railways and on buses. The Hon. Mr Bruce stated:

> . . . regulations of this sort must be developed in unison with the relevant industries—

I am happy to cooperate with the industries but, in the long run, this matter is too important for their sheer pigheadedness to be allowed to get in the way.

The Hon. Mr Bruce then went on to point out what he considered to be the good record of the Government in energy management. He pointed to the Government's energy management program, which had been in place for four years. I can give any number of examples of South Australian instrumentalities still being extremely inefficient in the use of energy, and I do not believe that the Government's energy management program has gone anywhere near far enough. What has the Government done so far? There have been interim measures, including wind energy monitoring and wind turbine generator evaluation. While we are doing that, Western Australia is setting up its first wind farm. The United States has a large number of alternative energy producers, as does Britain. The technology is rapidly changing, and by this stage it is not new, yet we are still procrastinating and talking about putting in a trial wind energy generator next to Torrens Island, which is a very strange place to build it. Certainly, the site is accessible to engineers, but if one was looking for a first site for such a device I would not have thought that Torrens Island was the first place to go—more likely the South Coast.

The Hon. Mr Bruce talked about energy demand and management studies. So far nothing has come forth which suggests that we are getting much benefit from that. There has been talk about energy labelling regulations for electrical appliances. I have already argued that labelling is not good enough. It is not a matter of giving people a choice to be more efficient—I do not think that people have the right to be inefficient. The Hon. Mr Bruce talked about energy research and development to investigate potential alternatives such as solar, wind, etc. It all sounds a bit more like waffle.

We are mucking around. We have had projects like the electric car program at Flinders University, a program which has been lost. One can point to programs which have come and gone in South Australia without any obvious benefit coming from them. The Government even had the gall to point to the Energy Information Centre—a very good centre but grossly underfunded and with a lack of facilities.

I recall a conversation I had with one staff member at the centre who said that the centre has a good program whereby it can do assessments for small business. He said that, on a simple walk-through of a small business, it is possible to make suggestions to give guaranteed savings of at least 10 per cent in energy without spending any money. I commented that I had never heard of such a program, and the staff member said, 'We do not advertise it, because we simply could not cope.' Word of mouth brings in a few people, but the large majority of small business, which is the largest employer in South Australia and, I suggest, probably the largest single consumer of energy, is being left in the dark on energy matters because the centre is underfunded.

The Hon. I. Gilfillan: It's prohibited from advertising.

The Hon. M.J. ELLIOTT: If it is prohibited from advertising, that takes things a step further. I have even had personal experience of going to the Gas Company, in which the people of South Australia are major shareholders, to buy a gas heater. I had an old heater and was aware of its being grossly inefficient. I obtained advice about the appropriate heater to buy in respect of the room size and had it installed. I was proud of my purchase. Some time later I visited the Energy Information Centre and found that there was a simple device that I could attach to the heater at a cost of about $50 which would have increased its efficiency

by about 20 or 30 per cent. The Gas Company just did not tell me that such a device existed. This seemed extremely strange, but it just goes to show how slack things are in this State now with respect to energy.

I can point to examples of gross waste of energy. Bolivar Sewage Works produces large amounts of methane following the digestion of sludge from the works. It is capable of producing all the electricity needed to run the sewage works. It has a large surplus of methane. ETSA offered 2.5 cents per kilowatt hour for that electricity, which is the top rate offered by ETSA to independent producers.

At that price it was not worthwhile for Bolivar carrying the project through, and now it simply burns off the gas into the atmosphere. We have carbon dioxide going up the spout doing no useful work whatever. The carbon dioxide is originally sourced from biological matter; it is already part of the carbon cycle of the earth and is not a new addition. However, in the north of the State we are taking methane from underground and burning it off, thus adding extra carbon into the cycle. This example illustrates the sort of stupidity from which we suffer.

At the same time the E&WS, which is being offered 2.5 cents a kilowatt hour, is pumping water over the Hills through large pumping stations and it is paying 10 cents a kilowatt hour for electricity at the other end. It has the capacity to produce its own energy, which could be passed through the South Australian grid.

Cogeneration is another matter of great importance. The Minister responsible (Mr Klunder) was happy to open the cogeneration plant recently in the State Bank building. There are a couple of cogeneration plants in South Australia. Cogeneration involves people producing their electricity on site by burning gas, rather than buying the electricity. People who produce their own electricity often have large amounts of surplus heat. When that happens in a power station, the surplus heat is vented, but when electricity is produced on the site where it is to be used, it can be used by the producer to heat or air-condition the building and for many other purposes.

Cogeneration is used a great deal in many States of the United States. Some States there have laws that make it mandatory for electrical utilities to buy surplus electricity from producers, and they must pay a rate set by legislation which makes it worth the while of the producers to sell it.

The Electricity Trust of South Australia cannot pay more than 2.5c per kilowatt hour for electricity produced by cogeneration. As a result, it is not worthwhile for producers of electricity by cogeneration to sell the surplus, therefore they tend to build plants which are too small for their own operations. The trust here produces only 30 per cent of its own power needs, because it cannot afford to produce a surplus. That is obviously a ludicrous situation.

It is far more efficient to produce electricity by cogeneration when one takes into consideration the amount of carbon dioxide produced. I find it strange that South Australia has two utilities, the Electricity Trust of South Australia and Sagasco, operating in competition with each other. In most cases competition is healthy, and in many places in the market there is not enough competition, but the competition between ETSA and Sagasco is not healthy because they do not encourage people to use the most efficient energy devices or to take into account the greenhouse effect. Gas heaters produce some 60 per cent less carbon dioxide than electric heaters producing the same amount of heat.

Where electricity is produced at a power station, some heat is lost at that level and a large amount of heat is lost in the transmission of the electricity to the home where it is to be used, whereas gas is burnt on the site where it is to be used and most heat is retained. Some heat is lost up the flue, but devices can be bought, using counter-current techniques which capture most of that heat.

Similarly, gas stoves are far more efficient than electric stoves. Although there is little difference in the cost of operation, the difference is significant in terms of the greenhouse effect because gas stoves produce 60 per cent less carbon dioxide than electric stoves. Why is the Electricity Trust flat out encouraging people to put electric stoves and heaters in their homes? If we were a responsible community, we should be doing everything in our power to get rid of electric stoves and heaters and encouraging the use of gas for those purposes.

The Government's initial response to the Bill seemed to indicate that it was acting under instructions and it was going to oppose the Bill because it was going to oppose it. The matter is very important and causes a great deal of concern and interest in the community. People look to Governments and Parliaments for leadership and direction. We cannot afford the luxury of having petty Party squabbles or playing games with this matter.

I ask the Government to consider carefully what I have drafted. I have used a form similar to that used in the chlorofluorocarbons legislation that I proposed, which was in a similar form to the legislation later drafted by the Government. The Bill defines the areas in which the Government has power to act, but the final actions are promulgated by way of regulation. I recognise that industry will have some concern about this matter and we must be careful not to run out of business people who rely on interstate sales. The Bill will be structured in such a way that allowances can be made for this.

The Bill will have an impact on South Australia, but the impact is not negative. The example I gave of fluorescent globes indicates the economic impact of the Bill, in that it will save money for the community in the long run. The Bill will remove the need for South Australia to build another power station, which would require funding of hundreds of millions of dollars. If we can put off having to build another power station, we will have done the community an enormous service. Many economic gains will be made as a result of the Bill; it is not simply an environmental proposal.

Part 2 of the Bill relates to efficiency standards. The Government currently is considering efficiency standards by way of a five star system. We should move one step further by expanding the number of products to which the legislation will apply the efficiency standards in terms of energy consumption and we should stipulate that products which are less efficient cannot be sold in South Australia. If, as a result of the legislation, companies will have to retool, those companies can apply under the regulations to be granted exemption. The Bill provides for exemptions to be granted to those sections of industry or the community upon which the legislation would have an unduly harsh impact, while keeping in mind that the primary goal of the Bill is to take responsible action in terms of the greenhouse effect.

Part 3 of the Bill relates to packaging standards. I have no doubt that the packaging industry will scream blue murder when it sees the Bill, reminiscent of the noises that came from the aerosol manufacturers two years ago. Within hours of my introducing the chlorofluorocarbons legislation, I was contacted by many manufacturers. A deputation came down from Sydney and said, 'You will destroy us, we cannot do it. It will take 10 to 15 years before we can do anything about it. Besides, the scientific evidence is not conclusive.'

Then away they went. I suggested at the time that they should take their heads out of the sand and take the approach that Coles-Myer is taking: that, when they look at the doughnut, they should not look at the hole; they should consider the advantages and positives of the legislation. If the Bill needs to be tightened up or reworded, that is one thing, but to dismiss it out of hand, as I am sure some people will attempt to do, is dangerous and cannot be tolerated.

Packaging is a significant waste of resources in many senses. I will not go into the argument of whether glass is better than plastic, plastic is better than paper, or paper is better than paper coated with cardboard, tin or whatever else things are coated with. However, in many cases packaging is useless and unnecessary. People point to a shirt box and say, 'There is rubbish which has been manufactured. It never had a useful purpose, other than a marketing purpose, in terms of the product and its usefulness to the buyer. It is manufactured rubbish.' Blister packaging is another example of packaging which will have to disappear.

Part 3 of the Bill relates to the Government's power to prescribe by regulation the composition of packaging and what materials may be used—the shape, size, dimensions and thickness of packaging—so that packaging is manufactured only for useful purposes.

Part 4 of the Bill relates to Part 3, the power to set deposits and require returns of packaging. We need to look at minimising the waste in our society. Minimisation occurs in a number of ways. It can occur by returning things and recycling them. In some cases it would be more efficient to return and reuse items. We are used to seeing that occur with soft drinks and alcoholic drinks in South Australia. We have already stolen the march on the other States in that regard, although there have been attempts to undermine that by certain interests.

The packaging industry makes its money by producing as much packaging as possible which goes into the tip and does not come back or, if it does come back, they make more money if it is recycled rather than reused. One has to be very careful when looking at their figures. There are some cases where recycling is better than reusing, but they are few and far between. I will treat all figures produced by the packaging industry on this matter as suspect until proven otherwise.

There is a requirement in Part V that each Government agency must, as far as is practicable, take measures to reduce its consumption of electricity and fossil fuels. There is a requirement that each Government agency must, as far as is practicable, use goods consisting wholly or partly of recycled materials or, if such goods are unavailable, materials that can be recycled. It is stating the obvious but recycled materials would not be used that simply cannot do the job that they are meant to do, nor would they be used if they were massively more expensive. It is already possible to use recycled paper at essentially the same cost. As turnover of these manufacturing plants increases, I expect that recycled paper may in fact be cheaper than the product made directly from wood. In some cases the Government may argue that we cannot get systems at this time that are efficient and in fact that we are wasting energy. I expect the Government to take that into account when making a decision whether or not to use materials.

Finally, each Government agency should be required to produce an annual report including a statement setting out the measures that have been taken in compliance with this section during the period to which the report relates. I have not stated the form that the report need take. Clearly, a report from ETSA would be significantly different from a report from, say, the Pest Control Board or other smaller agencies. There are some very small Government agencies, and their reports might run to only one page, simply showing that they have managed to reduce their energy consumption in the current year. One would expect ETSA, Sagasco, the Education Department and other large departments to produce extremely comprehensive reports, and a requirement to do so annually would really guarantee that they start behaving responsibly.

This matter is very important, and well above Party politics. I hope to God that the State Government does not again try to say that we need national legislation. As I said, Senator Richardson does not believe that Federal legislation is easy to get, particularly in environmental areas. In this case we do not have a Federal convention that can be invoked by the Federal Government as a reason to bring in its own legislation. It could do that with CFCs because of the Montreal Protocol. However, there is nothing like that in relation to greenhouse. Lord only knows how long it will take to get an international protocol. If we act locally, we may act as a spur for other States to follow our examples and maybe other countries also, although I suspect that some are already moving faster than we are. I implore all members of this Chamber to support this Bill.

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

URANIUM MINING HEALTH RISKS SELECT COMMITTEE

The Hon. I. GILFILLAN: I move:

1. That a select committee of the Legislative Council be established to examine the evidence on the health risks of uranium mining, milling and processing, the adequacy of exposure standards in the Roxby Downs Indenture Ratification Act and the need for any further action in relation to the indenture.

2. That the committee consist of six members and that the quorum of members necessary to be present at all meetings of the committee be fixed at four members and that Standing Order No. 389 be so far suspended as to enable the Chairperson of the committee to have a deliberative vote only.

3. That this Council permit the select committee to authorise the discloure or publication, as it thinks fit, of any evidence presented to the committee prior to such evidence being reported to the Council.

It is with much pleasure that I move this motion to establish this select committee, as I am really in this case a servant of the Labor Party. At its recent convention which was held on Saturday 1 July 1989 at 2 p.m., a motion was passed in the third session in quite an interesting way that I intend to share with the Council for the actual establishment of a committee identical to the one which I am proposing at this time.

Item 72 on the agenda which was from the Kingston FEC, moved by R. Gunn and seconded by T. Macharper, states:

That the State Government establish a parliamentary select committee to examine the evidence on the health risks of underground uranium mining, the adequacy of exposure standards in the Roxby Downs Indenture Ratification Act, and the need for any further action in relation to the indenture.

An extension of time was granted to R. Gunn, and T. Macharper supported the motion. The first amendment which was moved by I. Cambridge and seconded by J. Dunnery, states:

That the State Government establish a parliamentary select committee to examine the evidence on the health risks of uranium mining, milling and processing, the adequacy of exposure standards in the Roxby Downs Indenture Ratification Act and the need for any further action in relation to the indenture.

A formal motion was put and lost. Someone was obviously getting impatient with the debate. A further amendment, which was was moved by J. Klunder and seconded by D. Abfalter, states:

That the State Government examine the evidence on the health risks of uranium mining, milling and processing, the adequacy of exposure standards in the Roxby Downs Indenture Ratification Act, and the need for any further action in relation to the indenture.

The mover spoke in reply and the Klunder amendment was put and lost. A show of hands was called for, resulting in 95 for and 72 against. It was therefore carried. The Cambridge amendment for a parliamentary select committee was put and carried. Then the motion in whatever form it existed was put and carried. From these minutes it is clear that the motion to establish a parliamentary select committee was carried. Members will note that the wording in the amendment moved by I. Cambridge is identical to the wording of my motion. It was an excellent motion and I am delighted to find that the convention saw fit to pass such a motion. It is therefore with great confidence that I move for the establishment of this committee in this place, looking forward as I do to enthusiastic support from Government members.

This debate may well be a repetition of the debate that took place in the convention. There are very good reasons why this matter should be under review. I remind the Council that the mover of the original motion was Dr Richie Gun, probably one of the State's most authoritative medical experts in the area of radiation, particularly relating to Roxby Downs.

In the 7 January 1988 edition of *New Scientist*, an article appeared entitled, 'A tale of two cities', by Joseph Rotblat, emeritus professor of physics in the University of London, at St Bartholomew's Hospital Medical College. During the Second World War he was a member of the British team at Los Alamos where the first atomic bomb was made. I quote from this article, first, because it throws some relatively new light on the effects of radiation on health and, secondly, because the *New Scientist* is very highly regarded as a magazine with authoritative and authentic articles as its contents.

I shall quote some selected parts of the article to indicate its main thrust. It involves a review of the effects of radiation after a continuing and detailed study of Hiroshima and Nagasaki. The article states, in part:

The Atomic Bomb Casualty Commission, under the aegis of the United States National Academy of Sciences, started this task in 1947. In 1975, the commission handed the job to the Radiation Effects Research Foundation (RERF), a joint American-Japanese undertaking, with its headquarters in Hiroshima.

I want to refer specifically to the work that has been done in this regard. Much of the work has involved the survivors of Hiroshima and Nagasaki. I recommend to members that they look at the total text of this article. I quote from it, in part, as follows:

The United States and Japan jointly financed the study, coordinated by the RERF. The foundation published Volume 1 of its final report dealing with the dosimetry system [a method of measurement] in the middle of 1987. It also published another report by Dale Preston and Donald Pierce, from the RERF, which deals with the effects of the changes in the dosimetry on the estimates of the risk of death from cancer.

The article—and I have left out a considerable part of the text, but this is a summary and, as I say, I urge members to look at the full text—further states:

With these and other confusing changes in the method of assessing radiation risk, the question is, 'Where do we stand now and what are the real risks of cancer?' It appears that after all the efforts we still do not have the final answer, but Preston and Pierce have come to some surprising conclusions. In the discussion of their results on the comparison of the two dosimetries, the authors present a table which shows that the cancer risk may be as much as 15 times greater than that suggested by the ICRP.

I emphasise that: 15 times greater. The article continues:

Other models may reduce the estimates of risk, as would an assumption that the relationship between radiation dose and cancer is nonlinear, which is however not justfied by the findings. A possible but debatable effect on the risks from radiation is that in Japan the whole dose occurred in a short instant, whereas in peacetime exposures, for example, those received by workers in the nuclear industry, the dose is spread out over long periods of time. This could somewhat reduce our assessment of risk. But it is difficult to escape the conclusion that the estimate of radiation risk is at least five times greater than the current values of the ICRP . . .

In Britain, however, the National Radiological Protection Board has already recognised the need to do something now. The board said in November 1987 in its 'Interim Guidance' that radiation limits for workers should be reduced to less than a third of the present value. In its Como statement, the ICRP says that dose limits are not important as long as we stick to the ALARA principle, that is, to keep all doses 'as low as reasonably achievable'. The problem with ALARA—

and I emphasise this—

is the interpretation of the term 'reasonable'.

So, these comments emphasise why the Democrats believe that a select committee is essential as a Parliamentary forum in order to keep up to date in assessing the latest information on what are acceptable radiation levels for workers—not only at Roxby Downs, but in other areas—to ensure that the latest evidence is being brought forward and to be able to reassure the public that this work is being considered, is being taken into account, when setting limits for radiation exposure by workers. Workers are certainly entitled to that.

This is not a witch-hunt issue; it is not a question of point-scoring. It is a question involving the very simple principle of occupational health and safety for workers—which this Parliament has enthusiastically supported. We have gone to a lot of trouble to get the right legislation in place. The UTLC, the Government and, to a degree, the Opposition have shown an enthusiasm to ensure that our workplaces are safe. I consider that this select committee is a proper arm in relation to investigations into a very difficult occupational health and safety area for workers in South Australia.

I want to provide a few more brief quotes, which emphasise yet again the fact that what might have appeared to be satisfactory in the early days when the Roxby Downs indenture was drawn up has been challenged dramatically. In relation to another select committee, which I will be speaking on later, I will be raising again the question of the authenticity of original reports brought from the Health Commission. I refer to a South Australian Health Commission internal memorandum, dated 14 December 1988. It is to the Radiation Protection Committee and it is about a National Health and Medical Research Council cautionary statement on radiation exposure. However, before proceeding further with that, I refer to the news release made by the National Health and Medical Research Council, which stated:

The National Health and Medical Research Council at its 106th session in Canberra has issued a cautionary statement to all users of ionising radiation in Australia.

Reduced estimates of the radiation doses received by survivors of the atomic blasts at Hiroshima and Nagasaki, combined with more complete epidemiological information on those populations have indicated that the carcinogenic risk from radiation exposure may have been underestimated by a factor of two to three.

So, that is from an Australian organisation, and was published on 2 November last year. The Health Commission internal memorandum stated:

At its 106th session in Canberra in November 1988, the National Health and Medical Research Council issued a cautionary statement to users of ionising radiation. The statement reads as follows:

In 1987 the International Commission on Radiological Protection (ICRP) issued a statement commenting on the implications for radiation risk of a reduction of the assessed dose for the Japanese bomb survivors at Hiroshima and Nagasaki. These revised dose estimates and the availability of more complete epidemiological data for these populations indicate that the carcinogenic risk associated with radiation may be two to three times higher than is assumed at present. The new evidence is being closely examined by the scientific community and will be taken into account in the formulation of new recommendations of the ICRP, expected in 1990. It is anticipated that when these recommendations appear Council may consider it necessary to recommend a lower limit for lifetime exposure to ionising radiation.

My arguments in support of the establishment of the select committee do not simply relate to the question of my debating the scientific data on the current estimates of safe and unsafe levels. I believe that it has been established beyond refute that the earlier assumptions made were wrong, that they are in a state of flux and that we must assume that the previous levels have been too high and that more strict controls should be in place. This must be considered if we are serious about protecting the health of the workers at Roxby Downs and in other areas where exposure to radiation occurs. It is for that reason that I move for the establishment of the select committee, and the wording involved in this is identical to the wording of the amendment which, from the document I have referred to, was shown to be successful at the Labor Party convention. So obviously many members of the ALP, and I feel also in the Liberal Party, would share our serious concern that we must keep up to date with the latest evidence so that no workers, no members of the public, are exposed through their work to dangerous levels of radiation.

The Hon. R.R. ROBERTS secured the adjournment of the debate.

BRIDGEWATER RAIL SERVICE

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

That this Council calls on the State Government to reintroduce a rationalised rail service to Bridgewater with the aim of providing an effective commuter facility plus support for the tourist industry in South Australia.

It is always a shame to see a Government stepping in to remove services from the community because of a presumed loss of revenue from such a facility. I do not believe that Governments ever really look at whether or not the facility can be upgraded to attract patronage. Rather, it seems that, in this case, the Government has said, 'Not enough people are travelling on this train so we will cut it out.' Of course, there were a lot of problems with the train service, although they were not the fault of the local people. They were associated with the quality of the railcars being provided for the service. A document put out by an action group in the Hills said:

There can be no argument that the service was not promoted or encouraged. It is also true that no attempt was made to speed up the journey at peak times and, added to this, were frequent delays due to mechanical failure of railcars and signals. Various forms of discomfort also had to be endured such as cold, draughty railcars, some leaking in wet weather, often with windows that would not open and doors that would not close.

Nobody in their right mind can expect people to continue to travel on a service with those problems. Instead of the Government's doing something about that and attempting to reassure people that the service was reasonable and fit to travel on, its reaction was to say that, as people were not using the service, it would shut it down. Yet in its State platform, the Labor Party states:

The aim of a public transport authority shall be to provide a public service which meets the need for accessibility to activity centres as required by users. The State Labor Government will ensure the preservation and expansion of intrastate rail services... The public transport system shall be adequately equipped to encourage its use as an alternative to the private motor car.

By the sound of the problems associated with the Bridgewater line before its closure, this Government must presume that everybody travels in a T model Ford because that is about the only commensurate form of motor vehicle that one could think of that would have all those problems.

Also involved is the issue of tourism. It became quite clear to me, on studying documents associated with this problem, that the matter of tourist use of the railcar had not been taken into account. It was certainly taken into account by local shop owners who found that after the rail service was closed their business from local trippers dropped dramatically. It has led to a number of people losing a very large part of their business. The local people said:

It's hit us all... If the rail closure is not the only reason it's certainly a contributing factor. Bridgewater Inn manager, Mick Edmonds, said his hotel had lost a considerable amount of business from the closure. 'People used to come up on the train during the week to spend a nice day in the hills. We used to open the restaurant downstairs every day for lunch—now we only open on Fridays. We've lost $1 000 a week—that's $52 000 every year from one business,' Mr Edmonds said.

That is a fairly dramatic change for a local community and a local business that certainly has relied on that facility. The Minister of Tourism wrote to the Hills Transport Action Group, saying:

Dear Mr Weston,

Thank you for your letter regarding the future of the Belair-Bridgewater rail service.

I will detail my involvement in this issue from a tourism perspective as the course that this STA is pursuing is being addressed by the Minister of Transport. I have noted your concerns and call for the retention of the service and, as Minister of Tourism, I have raised the tourism aspects with my colleague on previous occasions.

As a consequence, we recently met with a delegation of interested parties. I provided input from a tourism viewpoint and agreed with the delegation's view that the Adelaide Hills has substantial tourism potential and that travelling there by rail is attractive. I also accepted their proposition that extra potential could be provided when the Convention Centre and the Hyatt Hotel are fully operational and indicated that I would be interested in any approaches from private operators who might wish to provide a service should the commuter service close.

I reiterate my colleague's statement that the railway line itself is not closing and the potential for tourist trips to Bridgewater and beyond will remain.

That is all very well. It is quite a business to arrange those sorts of trips. If they are not on a regular basis, anyone associated with the tourist industry would know that you cannot sell such ideas. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

FREEDOM OF INFORMATION BILL

The Hon. M.B. CAMERON (Leader of the Opposition) obtained leave and introduced a Bill for an Act to give the members of the public rights of access to official documents of the Government of South Australia and of its agencies and for other purposes. Read a first time.

The Hon. M.B. CAMERON: I move:

That this Bill be now read a second time.

This is the fourth occasion on which I have introduced this legislation, and I am somewhat sad that it is necessary to do so once again, because it seems to me that this Bill should have received the assent of the Council at a very

early stage in the life of the present Government. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

ADELAIDE ENTERTAINMENT CENTRE

The Hon. PETER DUNN: I move:

That the report of the South Australian Parliamentary Standing Committee on Public Works on the Adelaide Entertainment Centre, dated 5 July 1989, be returned to the Public Works Standing Committee with notice that, in the opinion of this Council—

1. The report is currently in breach of section 8 (5) of the Public Works Standing Committee Act 1927; and
2. That the report be corrected in accordance with the said Act and re-lodged with the President for tabling in this Council as a matter of both urgency and importance.

I have moved this motion because a mistake—and probably an unintentional mistake—was made during the consideration of the entertainment centre reference. The fact is that there was some disagreement among members of the Public Works Standing Committee, and that disagreement caused us to take some votes during the recommendation stage of the consideration of the entertainment centre reference. The committee usually strolls along very nicely, and works amicably, its task being to determine whether or not large projects involving the expenditure of more than $2 million should proceed. Most of the submissions we get are very well presented; on odd occasions we may require some further information; or we may take umbrage about the manner in which a submission is presented to us. Generally speaking, however, the committee works very well.

Since I have been on the Public Works Standing Committee, which is approximately 12 months, none of the references that we have looked at have been as big as the entertainment centre. The Hon. Ted Chapman, the Hon. David Wotton and I felt a little aggrieved because this matter was being pushed through with an enormous amount of urgency and we felt that some of the things in the report did not stack up. It is the committee's job to determine—

The Hon. T. Crothers: Who did the leaking?

The Hon. PETER DUNN: I will go into that in a minute. The Hon. Trevor Crothers says, 'Who did the leaking?' I point out to him that there are some dribbly Government members, and I will demonstrate shortly what happened regarding how the reports came about. We saw some problems that the committee should have corrected. We believed that the evidence presented to us, first, by a Mr Lindner, on behalf of the Government, and, secondly, by the Basketball Association of South Australia was in conflict and, as such, that it was our job to determine whether or not the entertainment centre should go ahead when the equation did not agree. If one reads the report the evidence is plain for all to see.

I believe that we carried out our responsibility as members of that committee, and one should remember that our responsibility is to determine whether the facts are right, whether there is some other way of doing it or whether some minor changes should be made. For instance, the Public Works Standing Committee took evidence about the building of a new gaol at Ceduna, and the committee determined that, because the Royal Commission was taking evidence into the deaths of Aborigines in custody and had made some interim recommendations, those recommendations should be incorporated into the plan. Subsequently, some of those recommendations were adopted. As a result, the gaol cost very little more, but it contained significant changes which made its operation better not only for officers but also for its inmates, many of whom would be Aborigines. In this case the Public Works Standing Committee returned the plan with modifications and the cost was little more than the original one.

However, there seemed to be this enormous urgency to get the entertainment centre on the road, so to speak, and we were told that we had to have the report ready at designated times. Some of those times slipped by, but I thought that we handled it with as much speed as was humanly possible, bearing in mind that we had to travel interstate to look at some other entertainment centres—and it would have been remiss of us if we had not done that. We thought that a centre costing in excess of $40 million—which is not peanuts; it is big money—should be put together as a whole package. We did not want this project to fall over halfway through or to be not satisfactory, not big enough, too big, or whatever the case might be. We travelled interstate to look at two entertainment centres, one in Sydney and one in Brisbane, that were roughly the same size as that proposed for the Hindmarsh site.

Although we were treated cordially, I found it difficult in both the Sydney and Brisbane centres to get an annual report. True, I could get glossy reports, but I could not get accurate financial figures. I asked for this detail at each centre. The people at Brisbane's Boondall centre said they would forward information. Accordingly, we received a glossy promotional magazine with a few reports about operations and who used the centre for the year, but there was no financial information as to whether it made a profit or loss. I believe that the figures we obtained did not quite stack up at the end of the season.

The Boondall operation did not make a profit initially—it did so only after it was handed over to a private enterprise group. Apparently it is now making a profit. I suppose it has a right to keep that information to itself, but it is sad that we could not get some of that information so that we could apply it to the project here.

Finally, the South Australian Basketball Association gave evidence which conflicted with the evidence given to us initially. We were told that it did not want to use the proposed entertainment centre as its base. We reviewed the Brisbane experience, where the Boondall centre did not make a profit until the Brisbane Bullets made it their home. Our association said that it did not want to do that in this State and that put a cloud over the economic operation of the Adelaide entertainment centre. There is still a cloud hanging over the finances of the centre. The method by which the Government has determined the profit of the operation contains some flaws.

One flaw relates to the operation of corporate boxes. The plan is for the boxes to be leased at more than $20 000 a year. I have looked at the system, the number of people, the size of the boxes and the entertainment to be provided, and I doubt that any corporation would want to pay $20 000 and more for such a box for a year. Perhaps there will be some, but the number of boxes planned is such that I do not believe that they will all be leased. We were advised that the situation in respect of the Grand Prix corporate boxes which cost $20 000 could be applied to the entertainment centre. I do not believe that that is so. The Grand Prix is a totally different operation from an entertainment centre particularly an entertainment centre, which will not have basketball matches played in it.

Over the past couple of days we have been advised that the South Australian Basketball Association has obtained finance for its own centre and, therefore, the money that would have gone into the Adelaide entertainment centre from that association is no longer available. That being the case, a rather heavy financial burden will fall on successive Governments. I point out that the capital cost is to be

written off, anyway. That cost is not to be recovered from the fees charged. The fee will be about $21 000 a night for a performance in the new centre—that is what it will have to average. The fact is that no operating costs will be written off—just the capital cost. We were advised that there would be about 100 performances a year, and I have queried that, too.

The ACTING PRESIDENT (Hon. G. Weatherill): Are the honourable member's remarks on the motion that he has moved?

The Hon. PETER DUNN: Yes, Sir.

The ACTING PRESIDENT: The honourable member seems to be moving all over the place.

The Hon. PETER DUNN: I am outlining the reasons for my motion and the necessity for the Public Works Standing Committee to put this matter to a vote. If you wish to rule otherwise, Sir, I will bow to your wishes.

The ACTING PRESIDENT: Will the honourable member keep his remarks relevant to the motion that he has just moved?

The Hon. PETER DUNN: Yes, Sir. For all the reasons that I have advanced, I seek support for my motion. Several PWSC members thought that a vote ought to be taken on whether the entertainment centre project should proceed. There was disagreement within the committee. The Hon. Mr Terry Roberts sits opposite smiling. I am sure he thought I was right but he was not allowed to vote otherwise.

There were later accusations that there had been a leaking of information from the committee. However, if one looks at the sequence of events in respect of how the dribbling came out, it will be noted that there was a press release from the Leader of the Opposition which came out before evidence was taken by the committee. When questioned about where the information came from, it was said that the evidence came from journalists who knew a lot more about it than I did. The question was asked about who was dribbling.

The only dribblers and leakers must have come from the Government side, because they were the only members who knew of the situation. The committee had not taken evidence from Dr Lindner when the Leader of the Opposition made his press statement. So the information must have come out through some other method. Neither I nor anyone on my side knows any more. The facts are that there was a disagreement, and we continued to disagree. A problem arose on the committee in respect of procedural mismanagement. My motion simply seeks to have the matter returned to the Public Works Standing Committee where the vote ought to be recorded. The original vote was not recorded as it should have been. It should have been recorded as a vote of the Public Works Committee, signed and presented to the Council. For those reasons, I have brought forward the motion.

The Hon. R.I. LUCAS: I rise to support the Hon. Peter Dunn's motion, which seeks to return the entertainment centre project to the Public Works Committee. The Hon. Peter Dunn has indicated that the committee's votes on the project were not recorded. Liberal Party members on the committee, as well as Liberal members of this Chamber and the other Chamber, have had their stance on the entertainment centre misrepresented.

The Hon. T.G. Roberts: The Hon. Mr Dunn is opposing it on financial grounds.

The Hon. R.I. LUCAS: There are many reasons for opposing the Hindmarsh site. As the matter has been raised by the honourable member, I should like to address one or two of the reasons. There are many reasons why the vote ought to be recorded. The motion should be passed so that the committee's report can be referred back to the Public Works Standing Committee. I hope that the Hon. Terry Roberts, when he addresses the motion, will support the reference of the report back to the committee, so that the vote can be recorded and all Liberal members can have their position clearly set down. In an article in the *Sunday Mail* of 2 July, under the headline, 'Libs bid fails to stop centre', photographs of John Bannon and Rob Lucas appeared. The appearance of my photograph surprised me, as I was not a member of the committee.

The Hon. Peter Dunn: He was in good company.

The Hon. R.I. LUCAS: He was looking down and I was looking up, so I do not know why he was looking sad. The article, by journalist Mr Ashbourne, related to the motion and the report, and it stated:

> Liberal spokesman, Mr Rob Lucas, claims taxpayers will have to subsidise the centre to the tune of at least $4 million a year. He says the Government should recognise that the Hindmarsh site is a mistake and develop a joint project with the South Australian Basketball Association at Beverley.

It went on to describe some of the intimate working details of various Public Works Standing Committee meetings.

I raise two matters: first, my position and that of the Liberal Party has always been to support the entertainment centre, but not to support two competing centres at Beverley and Hindmarsh. We ought to be financially responsible by coming to an arrangement for one centre. I do not want to spend too much time on that matter, because it relates only indirectly to the motion before us.

The article included two brief comments that I had given to a journalist for a Friday night television interview, which were repeated in the *Sunday Mail* on Sunday. My photograph appeared alongside the photograph of Mr Bannon under the article, which gave some intimate details of the workings of the PWSC. That led some members of the Government to misrepresent my position and to imply, as they have in this Chamber—if not personally against me, against my Party—that the Liberal members of the committee had leaked information about its intimate working details, not only to the Leader of the Liberal Party but to me. That resulted in the article in the *Sunday Mail* of 2 July.

The Hon. Ted Chapman has said, 'We have received a report and simultaneously criticism from Government committee members'—that is, members of the PWSC—'of the Liberal members for allegedly leaking material to our Leader.' I am not revealing anything from the committee; I am quoting one of the committee members, who said quite clearly in another place that Government members alleged that Liberal Party members of the committee had leaked material to the Leader. As I have subsequently found out from journalists, it has been alleged that Liberal members were leaking material, not only to the Leader but to me.

It is important, as a result of the misrepresentation, that the motion should be passed, because the true workings of the Public Works Committee—the motions and votes thereon—should be recorded as part of the report. That is why the motion is before us. Liberal members of the committee have not leaked material to me or the Liberal Leader in the other place. I suggest, in response to the interjection ealier this afternoon of the Hon. Trevor Crothers as to who was doing the leaking that, if he were to have a quiet discussion with the member for Briggs (Michael Rann), I am sure he would get a ready answer to his question.

The Hon. T.G. Roberts: Has he found out who it is?

The Hon. R.I. LUCAS: The interjection from the Hon. Terry Roberts about whether Mr Rann has found out who it is was said with a broad grin on his face. Even the Hon.

Terry Roberts, who is still laughing, knows that that is not the case. Mr Rann in past days was known as 'also Rann' because he missed out on the last ministerial portfolio, but is now known to his colleagues—

The Hon. T.G. Roberts: He didn't stand—didn't that leak out?

The Hon. R.I. LUCAS: Well, he had already organised a driver. You might speak to the driver to whom he spoke. I will try not to be deflected by interjections across the Chamber about matters not relevant to the motion before us. Mr Rann, known as 'also Rann' in past days is now known by his colleagues, not by his opponents, as 'Leaker Rann'. Mr Leaker Rann has a long history. One can remember such examples as the uranium report that was leaked to the press with one page missing. One can remember the infamous meeting with Matt Abraham from the *Advertiser* with the material leaked from Bert Prowse from Treasury in relation to supposed Treasury costings of Olsen Opposition plans during the 1985 election campaign.

So, in speaking briefly to this motion, I make clear that it should be passed because it is important that the committee again meet to correct the errors indicated by the Hon. Mr Dunn. I also take the opportunity to make quite clear that members should not be talking to Ted Chapman or to Peter Dunn about material that might have been leaked but rather they should be talking to a gentleman called Mike 'Leaker' Rann.

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

NURSING HOMES

The Hon. DIANA LAIDLAW: I move:

That this Council deplores the lowering of standards in South Australian nursing homes as a result of deliberate policies which were set in place during 1988 by the Hawke Labor Government and which have seen a lowering of morale amongst service providers, a lack of flexibility in staffing and funding and a diminishing of standards in the provision of quality care to the aged.

In 1986 the Hawke Labor Government outlined a 10-year plan comprising eight stages to address the provision of accommodation and care services for aged people in our community. Essentially the plan envisaged a redistribution of resources for the care of aged people from nursing homes to alternative less institutional forms of residential care and community care services. It also advanced the principle of equity of care. The Liberal Party, at both Federal and State levels, agrees with the philosophy which motivates these changes in direction. However, we object and, in fact, deplore many of the bureaucratic measures adopted to implement such changes within a cost neutral framework because of the adverse impacts such measures are having on the care and well-being of the frail aged in South Australia: hence this motion. To realise its ultimate objective, the Hawke Government aims to achieve a target of 60 hostel places and 40 nursing home beds for every 1 000 frail aged persons in our community. It proposes that, in 10 years time, this 60/40 formula will provide that 900 out of every 1 000 frail aged persons will be accommodated in their home environment. As at 30 June 1988, 1 176 195 Australians were aged 65 years and over. Based on this figure, the Federal Government's 60/40 formula requires 70 560 hostel accommodation units and 47 004 nursing home beds. At the end of June 1988, however, only 43 004 hostel units were available, representing a deficiency of 27 556 units. Also, there were 72 016 nursing home beds, representing a surplus of 25 072.

To help redress these national imbalances, and recognising that traditionally in South Australia we have enjoyed a very high proportion of nursing home beds, the Federal Government acted some years ago to freeze nursing home funds to South Australia. However, this step overlooked, whether conveniently or inadvertently, the population profile of South Australia, the demographic forecasts, plus the current siting of nursing home beds. There are over 5 000 nursing home beds in South Australia. However, 92 per cent of these beds happen to be in the metropolitan area, even though there are more 'old' persons—those 75 years and over—in rural areas of South Australia than there are in Adelaide. In addition, in South Australia we have proportionately more people 65 years of age and over than any other State or Territory, a situation which is forecast to increase towards the year 2021. I seek leave to have incorporated in *Hansard* a chart highlighting Australia's population, showing those 65 years and over by States for the period June 1988 projected to June 2021.

The ACTING PRESIDENT (Hon. T. Crothers): Is that in purely statistical form?

The Hon. DIANA LAIDLAW: Yes.

Leave granted.

POPULATION AGED 65 AND OVER, BY STATE
JUNE 1988 AND PROJECTION TO JUNE 2021

State	June 1988		June 2021	
	'000	% of Total Population	'000	% of Total Population
New South Wales	648.5	11.1	329.2	16.3
Victoria	470.5	11.0	966.7	16.0
Queensland	292.9	10.7	723.6	16.0
South Australia	172.2	12.2	324.7	17.8
Western Australia	145.4	9.4	428.1	14.7
Tasmania	51.4	11.5	96.9	17.1
Northern Territory	4.3	2.7	31.2	9.3
ACT	14.8	5.4	58.1	14.3
Australia	1 799.8	10.9	3 958.5	16.0

Source: Australian Bureau of Statistics

The Hon. DIANA LAIDLAW: Based on the anticipated increase in the number of South Australians 65 years and over by the year 2001, a joint report by the Australian Bureau of Statistics and the South Australian Premier's Department in 1985 forecast that South Australia would require an additional 3 900 nursing home beds, an increase on current numbers, not a decrease. However, to achieve the reduction on current numbers, which is the current plan of the Hawke Government, one would expect that, in the interests of the frail aged unable to enter a nursing home now or in the future, the Federal and State Governments would be making a concerted effort to improve the availability of home and community care services in this State but, regrettably, that is not the case. Members will recall that last Thursday during Question Time I highlighted that the Bannon Government last financial year failed to match by $2.1 million available Commonwealth funding under the HACC program, including the annual growth component.

This failure by the Bannon Government deprived older South Australians of home services that are vital in ensuring the maintenance of their quality of life and their independence, yet that is the professed aim of the HACC program. It also deprived the State of the opportunity to attract additional unmatched Commonwealth funds.

The Bannon and Hawke Governments cannot have it both ways, but their rhetoric seems to indicate that that is the case. In my opinion, and in the opinion of the Liberal Party, it is deplorable that the Bannon Government should deprive the frail aged of home help services by refusing to match Commonwealth HACC funds at a time when the Commonwealth Government is depriving many older peo-

ple of the option to enter a nursing home. At the very least, I share the hope expressed by the South Australian Council of Social Services in its State budget submission (and I understand that all members have received a copy of it) that is that this financial year the State Government match available Commonwealth funds under the HACC program. The program is in dire need of greater resources if it is effectively to assist elderly people in keeping their independence for longer periods.

A further major concern relating to the quality of life and care of frail aged in South Australia arises from the Hawke Government's action on 1 July last year to reduce progressively the funding for and therefore the hours spent by nursing homes in staff-caring hours. From 1 July 1988 all new nursing home residents Australia-wide attract nursing hours in accordance with a dependency category as assessed by the Federal Government.

In South Australia, the Liberal Party and, as far as I can determine, the staff, residents and families of residents do not object to the Government's application of the principle of 'equity' of care in nursing homes. Our common objection rests on the fact that, in seeking equity Australia-wide, the Hawke Government has opted for mediocrity by basing the standard of care on the lowest common denominator, which is the Australia-wide average.

This decision, which stems in part from a direction that equity must be achieved within a cost neutral framework, has severely disadvantaged the frail aged in South Australia and in Victoria. It also seems to be a decision that is at odds with the Hawke Government's professed zeal for social justice. On an Australia-wide basis, the average nursing and personal care staff time per week per nursing home resident has been 17.12 hours. In South Australia the average has been much higher at 22 hours. This higher average number of hours has stemmed from the high minimum staffing standards established by the State Government in 1984.

That was an initiative of the Bannon Government that was first mooted by the former Tonkin Government. That staffing standard was required under regulation 135AA of the Health Act 1935. This regulation was repealed on 22 June last and substituted by a new regulation 135AA which defines a much lower minimum standard for nursing home care hours in this State than the former 22 hours and a lower standard has been deliberately set to meet the lower funding arrangements under the Hawke Government last year.

I believe that it is not really the inclination of the Bannon State Government to endorse this lowering of nursing home standards by the revoking of the former regulation 135AA but that by the actions of the Hawke Government it has been given no choice. To maintain in South Australia a much higher standard of care through regulation, but to see such nursing homes unable to meet that standard because of lower funding, puts nursing home administrators and staff in a most invidious position. I will elaborate on this subject further on Wednesday week when I will be addressing a motion to disallow that regulation.

It is most unsatisfactory, that, in seeking equity of care in nursing homes, the Hawke Government has nominated to adopt the Australia-wide norm of 17.12 hours rather than seeking to lift the whole Australian standard to the standard that had been in force in South Australia and Victoria of 22 hours per resident per week.

The Hon. M.B. Cameron: Disgraceful decision.

The Hon. DIANA LAIDLAW: It is a disgraceful decision and, as I said earlier, it does reinforce the fact that the Federal Government is prepared, when it comes to the well-being of older people, to be content with the lowest common denominator of care. I think it is shameful.

Members interjecting:

The Hon. DIANA LAIDLAW: I am surprised at the interjections from members opposite. If they would endorse—

Members interjecting:

The Hon. DIANA LAIDLAW: Yes, members opposite do not mind doing it there, but when it comes to the frail aged, who cannot speak for themselves (who are probably too sick to speak for themselves) and who are ill and infirm, they do not care a damn what happens. I will be very interested to see what members opposite do in relation to this motion before the Council. It would be shameful if they voted against it. It would certainly indicate that they are not in touch with the needs of the frail aged in this State and the staff and administrators of nursing homes who are seeking to meet the needs that exist.

In July last year this move by the Federal Government to endorse the lowest common denominator of 17.12 hours as being sufficient for the care of highly dependent frail aged people was damned by the Voluntary Care Association in South Australia, and Australia-wide, on behalf of its 100 member associations. It was also loudly damned by the residents (who were able to do so) and/or by the families of those residents, current and prospective. The association argued forcibly that the change in funding arrangements in South Australia would hit rehabilitation services, such as physiotherapy and supervised social and physical activities. These areas are directly related to the standards of care and quality of life of residents in nursing homes. These services are vital in ensuring that older people are encouraged to exert the maximum degree of independence in their older years.

The Hon. R.R. Roberts interjecting:

The Hon. DIANA LAIDLAW: The Hon. Mr Roberts clearly indicates that he is a novice in this place. Ironically, such services are required also to meet the rehabilitation standards set by members of the honourable member's own Party in the Federal Parliament, the Commonwealth itself.

Nursing homes are now experiencing great difficulty in achieving standards on the reduced funding formula introduced by the Hon. Mr Roberts's Federal colleagues. To implement its new funding formula, the Hawke Government introduced a resident classification instrument (RCI) which is the guide for assessing a resident's ability to perform various functions and for seeking information on major areas of service need. The assessment is undertaken by independent panels which, on the basis of information provided, assign residents to one of five service need categories ranging from high to low dependency with payments adjusted accordingly.

Category 1 residents on average are assessed as having the highest level of dependency and therefore the highest level of service need compared with residents in other categories. Category 5 is the lowest service need category. Eventually it is proposed, although I understand there is no time frame at present, that the five category system will shrink to a three category system. Again, I seek leave to incorporate in *Hansard* a further chart outlining the categories one to five and the hours per day and per week of nursing and personal care deemed appropriate for each of those five categories.

Leave granted.

Hours per week day and per week of nursing and personal care deemed appropriate for each category:

RCI	Hrs per Day	Hrs per Week
Category 5	3.86	10
4	3.86	13
3	2.86	20
2	1.86	23.5
1	1.43	27

The Hon. DIANA LAIDLAW: While the resident classification instrument determines an individual's category of dependency and need, there are two further associated modules which determine the level of payments to be forwarded to nursing homes for the services which they provide. They are the care aggregate module (CAM) and the standard aggregate module (SAM).

The basic problem with this system is that the Federal Government, in seeking to introduce a uniform national system of service for the frail aged, has implemented a most complex mathematical formula for determining what was originally assessed on the basis of care and need. It has depersonalised care, and that would be apparent to all honourable members who choose to visit nursing homes either to visit family members or out of their responsibility to the electorate. I believe that they will find to their horror that this new arrangement, in the interests of equity, is depersonalising care and lowering the standard of that care. I am aware, from visiting a nursing home last week, that the care aggregate module, which the Federal Government has proposed for assessing levels of care, has been widely dubbed by nursing home staff as 'caring attitude missing'.

Under the new Commonwealth funding arrangements, funding is now determined by the assessed relative nursing need of each resident in a nursing home, not the total number of residents as in the past. The Government intends that only persons assessed as being of the highest category of dependence 1 to 3 should be admitted to a nursing home. Accordingly, low dependency residents in nursing homes are being progressively replaced or not admitted in favour of high dependency residents.

The maximum hours per week deemed appropriate for a category 1 resident is 27 hours. However, many such residents require far more intensive and costly nursing home care—sometimes up to 40 hours a week, according to some of the nursing homes from which I have received information on this matter, especially if they are required, following cancer operations and the like, to feed residents by a tube or deal with some of the disgusting pressure sore problems of which I have seen photographs and actual examples among some elderly people who have recently been admitted to nursing homes from private hospitals where they have been resting and sleeping on beds which are far too hard for a frail aged person.

Some of these people have revolting pressure sores. Also, I was unfortunate enough to be shown, unannounced, the pressure sores of a woman who had been cared for at home for some time by her 80-year-old husband, a man who was too frail himself to lift and turn his wife, as is required for any person lying in one position for any length of time. Nursing homes are dealing with a whole range of acute problems but are being paid only a maximum of 27 hours per week for that care and attention. Perhaps the payment of 27 hours a week would not be so bad if we had the old system whereby the nursing home did not have increasing numbers of high dependency residents requiring such high levels of care.

The previous system, with the range of levels of dependency both high and low, meant that, when the nursing home received fees on the average number of residents, the fees received for a low dependency person could be used towards the care of a high dependency individual. That is just not possible now: increasingly it is not possible because the Federal Government's wish is that the lower dependency frail aged in categories 4 and 5 are not admitted to nursing homes and, therefore, the nursing homes are being monopolised by high dependency patients and residents.

Another factor in this high dependency area is the admission of high dependency residents and the increasing burden of funding pressures on public hospital systems. We all know that public hospitals, because of funding pressures, are discharging patients much earlier than previously. Many of those patients are subsequently being admitted to nursing homes for care and nursing which previously would have been undertaken in a hospital. Because of the cost of that care in a hospital, they are now being transferred to nursing homes, and that is relatively cheaper in the whole spectrum of care, but nursing homes are not receiving adequate recompense for the care they are providing to these people.

So, the practice of progressively admitting only high dependency residents to nursing homes is creating a nightmare for administrators and staff. Regularly, such residents require care and nursing in excess of the maximum of 27 hours which is deemed adequate for a category 1 resident. I have outlined that this would not have been the case in the past when nursing homes would have been assessed for free recovery on the basis of the average number of residents within that home rather than on the assessed need of each resident.

What is happening in nursing homes is that they have higher dependency residents at a time when the Federal Government is also cutting back funding to nursing homes from the earlier average of 22 hours per resident per week to the Australian average of 17.12 hours per resident per week.

This is a catch 22 situation for nursing homes—either they are forced to cut back, against their will, the hours of care for high dependency residents or they have to put off staff because they cannot afford to continue operating as they did in the past. I understand, from calculations done by the Voluntary Care Association, that each hour of reduction over the State equates with the loss of 168 full-time equivalent jobs—and that is happening in South Australian nursing homes at present.

As I have said, this is a major problem for nursing homes. Not only are the cost pressures resulting in what most nursing home administrators would argue are inadequate hours of care provided to many frail aged people but also, to maintain their financial viability, some nursing homes are agreeing to take only high dependency residents, even though they know they cannot adequately service and care for them. This is being done simply to maintain the maximum funding from the Commonwealth Government. I believe that that is a deplorable situation that is becoming increasingly rife across South Australia. The tendency for nursing homes to admit high dependency residents is forcing persons categorised in levels of dependency 4 and 5 to seek hostel accommodation rather than nursing home accommodation, and I understand that this is the Federal Government's ultimate objective.

Hostels generally are not structured or resourced to cope with persons with high dependencies, for instance, dementia residents. The hostel administrators to whom I have spoken in recent weeks are becoming increasingly reluctant to accept categories 4 and 5 frail aged persons, who are increasingly becoming a displaced group in our community. The basic problem for hostel administrators is one of funding. For instance, for a category 4 person to be placed in a nursing

home in South Australia the fee recovery on a daily basis is $24.50 for the care aggregate module and $29.07 for the standard aggregate module, making a total of $53, whereas in a hostel the fee recovery is $14.35 for personal care plus a mere $2.25 for the subsidy for adminstration costs, totalling $16.60, or one-third—$34 less than the same person would attract in respect of funding if that person were in a nursing home. The same person with the same standards of dependency can attract $34 more in a nursing home than in a hostel. I think that that inequity is absolutely irrational. Because the Federal Government insists that nursing homes take only category 1, 2 or 3 residents and hostels take category 4 and 5 residents, hostels are losing money on such residents and are slowly going broke and are determining that they will not take category 4 and 5 residents.

I understand that the Federal Government is about to proceed with the implementation of assessment teams for hostels. This arrangement will be similar to that which now applies for nursing homes. I also understand that this initiative will require hostels to take category 4 and 5 residents. I only hope that, as the Federal Government pursues this initiative, it will increase the fee recovery to hostels for the care and nursing of category 4 and 5 residents. I point out to members that these people are suffering from varying degrees of marked dementia.

A range of other issues have been highlighted to me in recent times. I will quickly mention those issues. First, in relation to the 28-day leave provision, it is quite clear from the experiences of nursing homes that residents are unwilling to take the social leave which is possible with this 28-day leave provision, for fear of requiring those days at some later stage for hospital leave. If residents use those 28 days, their bed at the nursing home is no longer available for them. Many residents are not going home to visit families or friends at weekends, or taking holidays or outings, for fear that they will accumulate the 28 days quickly and, later, if they need hospital care—and it is most probable that they will because of their high dependency—they will lose their nursing home bed and, as a consequence, they will lose their independence and sense of security.

This provision is also a major worry to nursing homes. which are trying as hard as they can to establish a home-like environment for their residents. In addition, in the aggregate models to which I have referred there is no provision for counselling. As most members would know, in dealing with the frail aged—essentially those who may have an ethnic or a non-English speaking background—a lot of time is involved in counselling relatives and friends. Yet, there is no recompense or acknowledgment within the fee recovery system now adopted by the Federal Government for any recovery of time spent in counselling, whether it be for first admission to a nursing home or later when a person is near death or in bereavement.

Hospice care is difficult under the current provisions. The transition from hospice nursing home care appears to be a traumatic experience for both residents and carers. The resident classification instrument that I referred to earlier needs to identify hospice residents admitted to a nursing home. Hospice care requires a different level of emotional support and counselling, and that should be recognised in the fee recovery process. If it is not, nursing homes will either not provide such emotional support or counselling, or they will do so at their own cost in terms of staff hours, for instance, in after-duty hours. Increasingly, this becomes an issue for the Australian Nursing Federation, which is becoming concerned about the number of hours that nursing homes and hostels increasingly are either condoning or requiring staff for practices that, in the past, would have attracted a charge. I note that a bulletin from the Australian Nursing Federation, dated 4 August and addressed to all persons employed in nursing homes, states that the federation is taking a more industrial interest in these matters and, increasingly, this is a matter of concern to the administrators of nursing homes at a time when they have less operating funds.

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

The Hon. DIANA LAIDLAW: I have only a few more points to make about concerns in respect of the administration of nursing and personal care for frail aged people in South Australia. There is concern across nursing homes in South Australia in respect of rehabilitation. As I stated earlier in my remarks, the Commonwealth Government has established quite high rehabilitation standards. However, the argument is that the lower funding formula now introduced by the Federal Government does not allow that rehabilitation element of care to be undertaken.

A further concern is that the present system rewards dependency and not independence. I have been told in regard to incontinence, which is a major issue for aged people, that the present resident classification system awards points and, therefore, funding towards people who may wet their bed. However, if they are encouraged to undertake incontinence training and they get up and use a commode, for instance, no points are awarded to that person in terms of their independence.

That is a major concern, because the exercise of getting out of bed is very important for old people. Unless they are encouraged, and in some instances trained, to do so, they quickly become zombies. It is a major concern to rest home administrators and staff.

Further concern has been expressed about the classification of 90-day residents. It is claimed that the system is unfair, because a person who is readmitted wihin 90 days of being discharged may have different service needs. Yet if a person is classified at category 4, that classification will remain for 12 months, notwithstanding that the person's circumstances may have changed after 90 days. The classification is not subject to review. That is a major worry to many older people whose circumstances—as those of us with grandmothers, grandfathers or aged parents know—can change quickly after an assessment period. Nursing homes are not allowed the extra resources which may be necessary to give care in addition to that required under the classification.

Vacant bed days is another issue that is infringing on the rights of nursing home patients. Nursing homes must fill beds quickly so that they have ongoing funds, but often when a bed is vacant there is not enough time for decision making about the needs of the new person being admitted. Delays by assessment teams in approving new admissions are increasing vacant bed days, which results in a loss of income for nursing homes.

An issue was raised yesterday relating to vacant bed days and the proposed amendments to the Guardianship Board. A person who runs a nursing home spoke to me today about the entrenchment of the role of the Guardianship Board in decision making issues, yet the board is notoriously slow to make decisions on behalf of individuals. That concerns nursing home administrators, as it may increase the cost pressures on nursing homes.

The resident classification system for persons with dementia is a very poor determinant of the overall service needs of that person. Relatives of individuals who suffer from dementia need a high level of emotional support, and that is a very time consuming process. Yet no allowance is

made within the resident classification instrument for counselling and support.

Those people who have some interest in nursing homes and care of the frail aged would know that the units for individuals with dementia are closing in South Australia because persons with dementia are not rated well in terms of the provision of service within the current resident classification instrument.

All the points that I have raised infringe on the rights of the frail aged, on behalf of whom services are meant to be delivered for their overall benefit. There is a sad irony in this because at present the Federal Minister, Peter Staples, is advocating a charter of consumer rights for residents in nursing homes. I highlight the problem because it seems to me that the Minister is on the right course in addressing the rights of residents, but he can hardly do so with any credibility until he addresses the system that he has imposed upon nursing homes and hostels, which is mitigating against the rights of elderly people in our community.

In fact, it is denying the rights of many individuals to a high standard of care which, traditionally, we have been proud of in this State. So, I am most concerned about the Federal Government's present pressure to apply this charter of rights to older people without addressing these other pressing issues I have outlined today. I am also concerned about staff stress. Many experienced caring workers in the aged care field are now leaving that field because of the stress involved. A particular kind of stress is experienced in dealing with old people suffering from dementia, incontinence and the like—people who are very dependent upon nursing staff. The staff find they cannot deliver the type of service which they would like to provide and which they deem that these individuals need. They are finding it difficult to allocate time to sit and talk to many older people. Members would know from experience with family and friends that so many older people want somebody to care for them in terms of sitting and talking with them about past experiences and their concerns.

It is true that work-related injuries are increasing amongst staff in nursing homes and hostels. Employers are being required increasingly to roster adjustments because staff are choosing to cut hours to cope with the emotional pressures, in addition to physical pressures, now being imposed upon them. Many are not doing extra duties to cover for holiday and sickness relief, so there is no continuity of care. This means that staff require more time for reorientation and managers have to restructure rosters, employ agency staff and so on. The whole quality of care for the aged is being undermined by this system imposed upon nursing homes because of an obsession to establish equity of standards across Australia—equity in terms of reducing standards rather than raising them to that which we have deemed to be so necessary in South Australia to ensure quality of care for frail aged people in our community.

In conclusion, I note that one nursing home to which I spoke last week received 27 phone calls the previous week from relatives of residents seeking nursing home accommodation. Apparently several relatives were in tears because they cannot obtain a placement for their relatives who are likely to be in category 4 or 5. I mentioned earlier that people in those categories are not deemed to be of sufficiently high dependency to be admitted to nursing homes but are a cost liability to hostels.

This 'no man's land' is an enormous problem. Because of funding guidelines from the Federal Government, we are also experiencing a rapid decline in the number of respite beds in South Australia. For instance, Resthaven has recently closed a further four beds, and the Philip Kennedy Centre has closed most of its respite beds. Members will find that the numbers in the metropolitan area have been reduced to 25 per cent of the total 12 months ago.

The caring for older people at home is usually left to the lot of women, so I speak with some passion on this subject. Anyone who is left caring for older people at home values and requires respite from those responsibilities, yet there has been this reduction in respite beds. It is an absolute disgrace, as we turn towards the 1990s, to think that we cannot even provide adequately for our frail aged persons at a time when South Australia has the highest proportion of older people in this country, and that proportion is forecast to grow in the future.

I know I have outlined a picture of woe, but I can assure members that that is the case with respect to the care of frail aged people in nursing homes and hostels in South Australia. I believe that my motion, calling on this Council to deplore the lowering of standards in South Australian nursing homes as a result of deliberate policies set in place by the Hawke Labor Government, is a mild expression of what this Council should be saying on behalf of frail South Australians in sending a very strong message to the Hawke Labor Government that we demand much better with respect to the care of frail aged in this State.

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

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 15 August. Page 243.)

The Hon. J.C. BURDETT: I support the motion. I thank His Excellency for the speech with which he opened Parliament and I reaffirm my oath of allegiance to the Queen which I previously swore in this place. I join His Excellency in extending sympathy to the families of deceased members, all of whom worked for the true welfare of the people of this State. I did not serve at the same time as Mr Heaslip or Mr Nicholson. However, I did have the pleasure of serving at the same time as Paddy Ryan. On my occasional visits to the House of Assembly to listen to debates in that Chamber, I observed that, when he shouted 'Order!', the House came to order.

Sir Lyell McEwin was President of this Chamber when I came here in 1973 following a by-election. As His Excellency said, Sir Lyell served 40 years as a member of Parliament, which is a daunting thought, and 25 of those years were as a Minister. In his capacity as Minister, he had responsibility for the police, and he performed a great service to law and order and also to health in this State. He was a fair President with the utmost integrity.

I remember the day on which I was sworn in after the by-election. After the Chamber rose, being conscientious, I remained in my place and read Standing Orders. Sir Lyell came back into the Chamber and said, 'Young man, you don't have to know those. You find out when you break them.'

For a period I served at the same time as did the other deceased member, Sir Arthur Rymill. He was a great legislator who brought to legislation a very good trained legal mind. He had a good sense of humour. Perhaps one of his most memorable speeches was given during an Address in Reply debate. He began by saying that the previous night his wife had asked him what would he do if he wanted to introduce a socialist state through democratic means and

by the ordinary administrative process. He outlined a series of things that everybody knew the Dunstan Government had just implemented.

I wish to speak first about the visit to Armenia that was undertaken in May by you, Mr President, as leader of the delegation, the Hon. Roy Abbott, Mr Martyn Evans, Mr Lewis and me. May I say that your leadership was excellent and it did the State of South Australia and the delegates proud.

The visit came about as a result of the following events: the Supreme Soviet of Armenia invited a delegation of five members of the South Australian Parliament to visit that country. The Hon. Anne Levy was originally to be the leader of the delegation, because at that time she was the President of the Legislative Council. However, when she became a Minister, she found that she could not go. I am sure that she was very pleased to be appointed Minister, but I think that she was disappointed that she could not go to Armenia. Through you, Mr President, I thank the Hon. Anne Levy because she helped considerably in making arrangements for the visit with the Soviet Ambassador. She also provided the members of the delegation with copious information about the trip.

I am sure that the Supreme Soviet of Armenia's motive in inviting us was a goodwill gesture. Obviously there was no ulterior motive and the reason why we were invited became even more apparent during the visit. That gesture was successful, because we all brought back feelings of goodwill for our host republic and its people.

I suppose that I should have known better, but my previous impression was of the USSR, the Soviet Union and Russia as all being the same, but that is not the case. The 15 Soviet Socialist Republics are very different. They differ more than do the Australian States and I would say they differ far more than the American States differ.

In the Soviet Union many of the republics are completely different, and Armenia was particularly a case in point. They are different ethnically. In Armenia, 98 per cent of the population are ethnic Armenians and their language is different. Many of them speak Russian, but their own language is Armenian, which is a completely different language with a different alphabet. It is an Aryan language, the same language group as ours. They are ethnically the same as we are. They are Caucasians, of course, and, after all, Armenia is in the Caucasian Mountains. They are culturally different from the Soviet Union. This does not apply only in regard to Armenia; throughout the Soviet Union many of the republics are totally different from each other.

Since I have been back, when I read any news that has come out of the Soviet Union pertaining to what has happened there I look very carefully to see where the place referred to is—as it certainly is not all the same. Mr President, I am sure that you will agree that we were extremely well looked after, particularly by the Deputy Manager of the Praesidium of the Supreme Soviet of Armenia, Barsegyan Hrachya, who accompanied us while in the Soviet Union, together with three different interpreters and other officials.

Examples of our good treatment were visits to the Moscow Circus, the Bolshoi Theatre and the Music Hall in Leningrad. I intend mainly to speak about Armenia because that is why we went to the Soviet Union but, in passing, I point out, for example, that the hotel we stayed at in Moscow had 4 000 guests. I spent most of my working time in the town of Mannum, which had 2 000 inhabitants, and so I was somewhat overpowered to find a hotel with 4 000 guests. The two cities that we visited in the north, Moscow and Leningrad, were beautiful cities. There was no graffiti, no neon signs, and it was safe to walk the streets at night.

Leningrad is still living in the shadow of the 900-day siege in the Second World War. The population at that time was three million people; it is now six million. During the siege 1.2 million people died. The war memorial is high in the cultural life of Leningrad, and we went there and laid flowers on the memorial. An interesting thing is that it is a common practice for newly married couples after they are married to make their first call to the war memorial and lay flowers there, and we saw several bridal couples come and do just that. There is the war cemetery. There are 600 000 people buried in mass graves, 10 000 in each grave. In relation to every public building, the palaces and the other places that one goes to, one is told either how the buildings were preserved during the siege or how they were reconstructed after the seige. It is remarkable how the people have preserved their past. They did have a veneration for their past, including the Czarist past, at the time of Peter the Great, and they did make quite sure, even through the terrible stringencies of the seige, that that past was not lost.

We arrived in Moscow a few days before the historic first democratically elected Congress. There was great interest among the people. People were everywhere outside television shops or in hotels—wherever there was a television set—glued to the television. We saw parts of the Congress on television. The Russians have not yet learnt from us—I suppose they will—but no-one was absent, no-one was reading a newspaper and no-one was asleep; they were all listening.

We visited the Armenian mission to Moscow. It was rather surprising that there was an Armenian mission to Moscow. Can one imagine a South Australian mission to Canberra? The leader of the mission was of ambassadorial rank and we addressed him as 'Your Excellency'. He spoke good English, but we had to observe the protocol of talking to him through an interpreter so that the officials would know what he was saying to us and what we were saying to him.

The mission is of 200 squares, built in the 1850s by two Armenian brothers from the Persian Armenian community. It served as a school and later a university for the large Armenian community in Moscow. A small part of the building is used for the mission and the rest is used as a cultural and language centre for the Armenian community. It is used very much at weekends. People come to learn or to relearn or to keep up with their cultural traditions and the Armenian language.

On 29 May we flew to Yerevan, the capital of Armenia. I am sure, Mr President, you will remember that Peter Lewis, the member for Murray-Mallee, kept reminding us that Armenia is the size of his electorate. Its population is 3.5 million, which I think would make it rather over quota if it were Murray-Mallee. Yerevan is a beautiful city of 1.2 million people. Many members of the Council of Ministers and other senior officials were not there, because they were attending the convention in Moscow as delegates, but we were feted and most hospitably treated by those remaining, including the Deputy President, and we had several meetings with them.

I particularly enjoyed talking to the Chairman of the Supreme Court, who, incidentally, is a Minister—a member of the Council of Ministers—who saw nothing incongruous in being at the same time Chairman of the Supreme Court and a Minister. The Soviet Union does not appear to have heard of the separation of powers. A.V. Dicey would turn in his grave.

An honourable member interjecting:

The Hon. J.C. BURDETT: That could be right, too. As Leningrad was still in the shadow of the siege, Armenia is still in the shadow of the genocide, when, on 24 April 1915, the Turks slaughtered three million Armenian men, women and children. We found that most of the Armenians to whom we talked had families touched by the genocide—grandparents or some relative like that had been slaughtered in the genocide. That caused the Armenian people to be scattered throughout the world—rather like the Jews, I suppose. There is quite a large Armenian community in Australia, particularly in Sydney, and in the United States. Armenia is now only one-tenth its original size. Originally it had a border on the Mediterranean Sea.

I am sure you, Mr President, will remember that when we woke up in our bedrooms in the morning in Yerevan and looked out of the window, we saw Mount Ararat and Little Ararat snowclad in the early morning light. It was an absolutely beautiful sight. Although it was summer, there is a snow cloud all the year round. It really was something.

Something that makes the Armenians angry is that Mount Ararat is actually in Turkey. It is three kilometres beyond the river that forms the border. Mount Ararat is very much a part of the culture of the Armenian people. The Armenians told us that they knew that there was a town called Ararat in Australia, although they did not know it was in Victoria. We visited the centre of the Armenian church, which was very close to the border—closer than we were to Mount Ararat. The leader of the Armenian church, the 130th Catholicos, was not there, because he was a delegate to the Congress in Moscow, but we spoke to a priest and a bishop who spoke perfect English.

The church was built in 301AD over a Zoroastrian temple built in the pre-Christian era, and we also went into that temple. The Armenian church has a big influence on Armenians, family people who love children. Armenia is similar in one sense to South Australia, in that only a very small part of it is arable, although for different reasons. In our case, it is because of the arid nature of our non-arable lands; in their case, it is because it is mountainous. Only the Ararat Valley is arable.

The mountainous nature of the country is because it is in the Caucasian Mountains. Yerevan is 3 000 feet above sea level, and we travelled up to 6 000 feet above sea level. The major lake, Lake Sevan, is 6 000 feet above sea level and is claimed to be—and I would not doubt it—one of the largest high altitude lakes in the world. On 31 May we visited the earthquake areas which, as I am sure you will agree, Mr President, was a very moving experience. We had read about it in the newspapers and had seen it on television, but actually to be there, even that much after the event, was something which I will never forget and which, from the point of view of pleasure, I would not undertake. However, it was a very memorable experience. The earthquake happened at 11.40 a.m. on 7 December 1988, and that was one blessing. If it had happened at night, probably hardly anyone would have survived.

The second city in Armenia, the city of Leninakan, has a population of 230 000—or did before the earthquake. The loss of life there amounted to 15 000. When we were there 120 000 people were still homeless. In the cities of the Soviet Union, as far as we saw, almost everyone lives in high rise apartment buildings. In Moscow there are very few houses. In Yerevan there are a few, but most people in the cities live in high rise apartments, and the general pattern was that pretty well everything over four storeys fell down. The lower buildings stood, and another part of the pattern was that the old buildings stood while the new buildings fell down.

The cathedral in Leninakan was quite high—I would equate it in height to perhaps a seven-storey building—and that is still standing and is still used. However, the belfry fell off and is still lying on the ground. The schools were destroyed and when we were there classes were being held in tents. The press facilities were destroyed—that was not so sad perhaps—and this was operating from the back of trucks.

Most of the rubble had been cleared, and undoubtedly there were still bodies in the rubble. The official number of people lost in the earthquake was 46 000, but it was probably much more than that because there are still people in the rubble and, immediately after the earthquake, a number of people were relocated to other areas of the Soviet Union and it is not known who they were and where they all are.

Other Soviet Socialist Republics and some countries in Europe—Italy, France, the United Kingdom and West Berlin (not West Germany)—gave massive help, but of course they are much closer than we are. We gave money; there was not much else we could do. We heard about the village of Spitag where not a building remained standing and most of the 18 000 people perished. The Italians sent 105 houses, a hospital and a school in kit form, and the workmen to erect them. Those buildings were handed over while we were there, and some of the Italian engineers stayed in the same hotel as we were staying in.

The major cities of Leninakan and Kirovakan are being rebuilt in the same location. One of the reasons for that is that the Armenians—and I found this throughout the part of Russia that we saw—have a great veneration for the dead and people were not prepared to leave the graves of their parents and ancestors. There are strict regulations on rebuilding. Broadly speaking, nothing above four storeys was to be built and buildings had to be designed to be earthquake proof. The big question is whether the people who are still homeless will be relocated in houses before the northern winter. It would be rather tragic if they were not.

I have a few snippets in relation to my trip to Armenia. If any honourable member has not been to the Soviet Union I urge him to go there, but do not make the mistake that we did with our first couple of meals thinking that the appetiser was it. If one operates on that basis one will not get through the menu.

The Hon. M.S. Feleppa interjecting:

The Hon. J.C. BURDETT: Not really, but the meals were magnificent. The appetiser applied whether it was breakfast, lunch or dinner, and if one ate too much of that one did not get through the rest of the meal. Just one small thing—and I am sure you, Mr President, will agree with me about this—the tomatoes and cucumbers were beautiful. The tomatoes tasted like tomatoes—perhaps that is an argument against the supermarket syndrome where you breed tomatoes to look beautiful but to taste like bladders of water. The tomatoes were really beautiful.

When in Moscow, we asked the interpreter about the water. He said that, officially, it was safe, but he did not drink it, so we did not drink it either. The water in Armenia was beautiful—it was snow water. We drank water from springs near Lake Sevan which was better than champagne. It was absolutely beautiful, the kind of water I am afraid we do not get here.

Mr President, you know as well as I do that for the five delegates leaving Armenia was not the end of the line. I certainly intend to go back, and we know that some of the people we met intend to come to Australia. We hope to meet them, or at least contact them by telephone, when they do visit. Since we have been back, the delegation has

written a number of letters, including letters to Qantas and the Commonwealth Government, suggesting that there should be greater reciprocity in relation to Aeroflot flights to Australia and Qantas flights to the Soviet Union. In addition, we suggested that there should be direct access to Yerevan—a city bigger than Adelaide—by air from the east. There are two flights from Yerevan to the west, but no flights into the city from the east: to get to Yerevan one must travel to Moscow. That was not a problem for the delegation, because we wanted to travel to Moscow at that time. However, by the time I go back, I hope that it might be possible to fly directly into Yerevan.

The delegation also wrote to the State and Federal Governments suggesting that more technological help be given to the areas affected by the earthquake. The people of Armenia were aware that the State of South Australia, the Commonwealth of Australia and private appeal organisations had sent money to them. Of course, as we are not as close to Armenia as are the European countries, we could not provide help in the same way as countries like Italy. However, there is still the need for engineering and other technological skills and we have made the appropriate request. The delegation has also made suggestions about a sister city, or sister state, relationship and educational contacts and trade links.

I do not mean to turn from the sublime to the ridiculous; that would not be quite right. However, I do intend to come down from the exotic heights of Armenia to mundane matters in the north-eastern suburbs. First, I refer to the funding cuts to programs for children with learning difficulties who live in the north-eastern suburbs. A survey has revealed that more than 500 students with learning difficulties who live in the north-eastern suburbs are being denied assistance to help them learn basic skills. The results of a survey conducted by the Tea Tree Gully school councils last month has revealed that up to 27 students in most local primary schools, and 97 students in one high school, are not receiving help for special learning problems.

Special education classes in the Tea Tree Gully area are already full, or nearly full, and further funding has been denied. A request made last year to the Education Department by the local schools to establish an extra special education class at Surrey Downs was refused. The Tea Tree Gully school councils organisation has now sent an urgent submission to the Bannon Government seeking corrective action. That submission highlights the concern that an increasing number of parents are transferring their children to private schools because they believe their children will receive better support in dealing with their learning problems.

I have known several parents who have done just that, and taken their children out of State schools where one would expect that there would be greater help for children with special learning difficulties and they have sent them to private schools where they have found that they have received more help. Parents also believe that their children are being disadvantaged because they are considered to be educated in an advantaged area. In many north-eastern schools the curriculum guarantee package will also result in further cuts because of the removal of negotiable staffing, which is used by many schools to provide much needed assistance.

The Government says that it will now allocate these extra salaries to those schools with larger numbers of poor or Aboriginal children. While there is no doubt that these schools need further assistance, it is a disturbing version of social justice to take staff and resources away from schools where it is so desperately needed. That covers that issue.

I now turn to another matter in the education field, again in the north-east, and I refer to the quite extraordinary nature of grants given by the Government in the north-east. This matter is reported in the Messenger *Leader* of Wednesday 9 August 1989 in the following article:

Local schools have branded as a 'cynical political exercise' recent education grants made by the State Government under its $10 million Back-to-School funding program.

Under the scheme, $117 000 was made available to 10 local schools for painting, renovation and air-conditioning.

But school councils were outraged to learn the money was for materials only and they were being forced to rely on volunteers to do the work.

Schools were allocated up to $26 000 each for repainting and renovations—way beyond amounts they could conceivably use. Modbury West Primary School principal Ron Mitchell said the school badly needed repainting. but there was no way the promised $15 000 in paint could be used. Obviously $15 000 would paint the whole of Tea Tree Gully,' Mr Mitchell said.

Perhaps that is a bit of an exaggeration, but he is on the right track. The article continues:

At Banksia Park Primary School, the library needs repainting. But principal Chris Barratt said out of the $15 000 grant money offered, the school would need only $200 in paint, and $100 in brushes and rollers—and that the rest we have to hand back to the Government or we never receive it. We felt the Government was making some political mileage in stating such a huge amount for such a small job, he said.

Ridgehaven Primary School council chairwoman Denise Thompson said the school was allocated $15 000 for repainting and $10 000 for carpets. 'The grant we've been offered gives us two great pallets of paint,' she said.

Yet the school was painted externally last year by the department, and only the classrooms in one building need interior painting. It makes me rather cynical because I know we are in a marginal electorate and I know there are other schools which didn't get money and need it a lot more than we do.'

Para Vista Primary School principal John McPherson, said 'a good deal of concern' was expressed by the school council when the terms of the grant money became known. It's absurd when you think about it, having well-meaning parents coming in to do a job only a professional could do. Another principal, who did not want to be identified, viewed the Government's offerings as a 'very cynical exercise'. Asking parents to paint the school was a 'slap in the face', after they had spent $30 000 on air-conditioning.

To be fair, another article on the same page reports that both the Newland Liberal candidate (Dorothy Kotz) and the member for Newland (Diane Gayler) agreed that the conditions being placed on the grants by the State Government were outrageous.

Reids Road is the only convenient access in the north-east from Dernancourt to Campbelltown. An article appeared in the *News* of 6 May 1987, under the heading 'If you get yourself in, get yourself out, says a weary family'. It states:

A Dernancourt family living near the Reids Road ford has padlocked a sign to the council post near the River Torrens saying they and their neighbours will refuse to help drivers pull out cars stranded on the ford in floodwaters this winter.

The Datson family claims that last winter they helped pull 'easily a dozen' cars from raging flood waters in the middle of the night, after drivers crossing the Silkes-Reids Road ford had ignored the height of the water and become stranded.

'We are just jacked-off with getting people beating the door down at a quarter to four in the morning', Mrs Sue Datson said. She said her home was close to the ford, and people went to the first house they saw when they needed help. 'This goes on two times a week in winter because our house is an open type of house', she said.

'We have towed people out and seen so many cars get washed away.' Mrs Datson claimed there were continual traffic problems on and near the ford. Drivers sped across and often lost control of cars and, if damage occurred, they often asked for help from residents.

The article continues, and there is a photograph of the ford. The problem stems from May 1987 and it still exists. The problem is that, unless one goes right down to Darley Road, the ford is the only access between Dernancourt and Campbelltown. A bridge or a high ford is needed at that point.

That is the responsibility of the Highways Department, not the local councils. The Tea Tree Gully Council has expressed concern that no ready access exists, without going the long way around, between two areas through which people often want to move. With those remarks, I have pleasure in supporting the motion.

The Hon. T.G. ROBERTS: I am pleased to support the adoption of the Address in Reply and would like to pass on my condolences to the families of Mr James Alexander Heaslip, the member for Rocky River, Mr Leslie Charles Nicholson, Mr John Richard Ryan, the Hon. Sir Lyell McEwin and the Hon. Sir Arthur Campbell Rymill, who passed on during the recess. Those long serving members of Parliament contributed much to the Parliament and the State in their time as members, when the State went through a period of growth that set South Australia on its feet. Predictable and ordered growth was then being experienced in most parts of the Western world, and parliamentarians and leaders of local government would have had a reasonably easy row to hoe in providing support, backup facilities and those things required by local, State and Federal Governments to put in place the structures required for the general population to share in the benefits of the wealth that was being created.

We now live in different circumstances, with rapid change in both technology and socially. Members of Parliament—or anybody who is a leader at local, State or Federal Government levels—must take into account many of the economic and social changes that are taking place.

Our jobs are much harder but the quality and standard of members of Parliament and people in positions of leadership are such that they are able to meet the challenges, probably because of certain evolution that takes place where one grows up with these changes and is able to adapt. It would be very hard for the aforementioned people to come into Parliament now and come to terms with some of the changes. In 10 to 15 years time it will be very hard for people like me to come to terms with some of the changes being carried out within society at that time.

The Hon. R.I. Lucas: Hear, hear!

The Hon. T.G. ROBERTS: The Hon. Mr Lucas will probably join me. He will have future shock in 15 years time because of the rapidly changing world in which we all find ourselves. The responsibility on us as members of Parliament at this stage is to set a climate whereby that change can be instituted and the benefits of the change can be shared equally amongst those people in society who will be participating in that change.

The Governor's speech referred to some of the initiatives being taken in this State in relation to some of the changes at industry level. Many people in both the journalistic and political sense would lead one to believe that many changes are separate, that they are individual changes and that there is no common denominator or link. I assure members opposite, and anybody who wants to read *Hansard*, that the Federal and State Governments have a program and a plan. It was put into effect upon coming to Government after a long period of stagnation in the Fraser Liberal years during which Australia was seen as a mining centre and, unfortunately, all our secondary industries were allowed to lag. We are now paying the price for that period of stagnation.

In 1983-84, a program was put into place that had a vision, that had a dream, which is still being maintained. The restructure that had to take place at the Federal, State and local government levels was of a large magnitude, which meant rapid social, economic and industrial change and some disruption. There have been periods where the Federal Labor Government has come under attack. There have been ebbs and flows. Members of the Opposition are laughing at the moment but, if they look at the current polls, they will find that people in the broader community are starting to recognise that Governments have to grapple with difficulties and that the Federal and State Labor Governments are doing their best in difficult circumstances. The rapid changes with which they have had to deal has meant a lot of disruption, and nobody is denying that.

An understanding exists in the broader community that many of those changes are necessary to put into effect the springboard for both the Federal and State Labor Governments to take advantage of the circumstances in which we find ourselves. If we look at the restructuring going on, we find that it starts at an educative level to fit the circumstances to match a renewed manufacturing sector. Restructuring is taking place at a secondary level in secondary education. It is also taking place at a tertiary level. It is meeting some resistance, and there are some difficulties about restructuring tertiary education.

The building bricks for the educative structure to meet the demands of high skills, training levels and the demands that will be made on people coming into the work force within the next decade are being put into place at the moment. Hopefully, a consensus will be reached between the conservative and the progressive forces in Australia (I represent the progressive forces), and that that program will be allowed to be put into place over at least another two terms of a Federal Labor Government. State Labor Governments complement that organising educative process by fitting in with the Federal Labor Government's program, and some of the spinoffs—

The Hon. L.H. Davis interjecting:

The Hon. T.G. ROBERTS: I will get to that in a minute—be patient.

The PRESIDENT: Order! If the honourable member addressed the Chair, he would do better.

The Hon. T.G. ROBERTS: Some of the spinoffs are now starting to come back into the State labour area in the form of the submarine, frigate and defence contracts that are being picked up in this State. We are starting to complement the agricultural base on which South Australia made its name for over 100 years. We are now starting to become the centre of manufacturing and there is recognition that South Australia has a quality of life that will complement a high tech industry base associated with some of those defence developments.

The restructuring process is equipping young people coming into the work force to, hopefully, be skilled in whatever endeavours they take up to complement some of the ideals being put in place at the moment at an administrative level via both Federal and State Government structures. We have had a lot of disruption, as I said earlier, in a lot of areas in terms of changing some of the more conservative structures that have existed over a long time. A lot of people really do not like waking up to change but, if they do not wake up to the changing forces in Australian society, they will just get left behind.

Members opposite have said that trade unions might find it difficult to accept their responsibility for change. The trade union structure—the wages structure—is all part of a total picture. It cannot be seen as separate from a total restructuring process. The trade unions have to play their part. It has been indicated via the ACTU through the Government program and tripartite negotiations that it will be up to the trade unions to amalgamate to bring about those structural changes within the work force that complement the changes that have been outlined by the ACTU and the

Federal and State Governments in relation to how industry restructures.

The skilling programs to which I have referred and the education levels that will be required in the next decade and thereafter will require a sound base of flexible educative measures. It will then require a sound structural union base inside well managed enterprises, and there has to be a degree of industrial democracy that flows from those sorts of inter-marriages. It is no good the employers demanding that workers fit into some mould that will be designed for them. The new structures have to be negotiated via the peak bodies in a way that allows for workers to make contributions at their enterprise level through their trade unions to fit the patterns and plans being designed basically through the accord structure, so that Australia has a platform for export that hopefully will be able to turn around the balance of payments problems that we now have.

It is very early days. We have two parallel programs running at the moment. We have an employers' program being designed at peak council level through the ACTU and with peak council employer organisation participation. That is quite healthy. That involves structural change at the workplace level and includes trade unions, employers and Government initiatives.

It attempts to fit a national development model which has a capacity to maintain a domestic market level and to export surpluses so that the balance of trade problem may be turned around. We have a very healthy model that at the moment is being undermined by a New Right strategy that has a parallel program. Although that program appears to be running in the same direction as a restructuring model by agreement whereby companies such as CRA, ICI, the Copeman group in Western Australia—

The Hon. R.I. Lucas: Peko Wallsend.

The Hon. T.G. ROBERTS: Yes, Peko Wallsend. At the local level, Apcel Pty Limited, which has the same sort of agreement at the ACTU level, is trying to get out of the agreement. I believe that those conservative forces will discover that, unless there is an industrial democracy balance whereby changes are introduced by agreement and not by confrontation, those required productivity increases will not be achieved.

It is a wonder that the Hon. Mr Davis has not interjected that, through the Copeman plan, the programs in the Pilbara have increased productivity. I understand that agreement has been reached about change in that area.

The Hon. L.H. Davis: In other words, although he was pilloried for it at the time, people have accepted the need for a dramatic change in work practices around Australia.

The Hon. T.G. ROBERTS: I think that there are degrees of acceptance by trade unions and management that work practices have to change, but that must be done by agreement and not by the heavy-handed method used by Mr Copeman and others of his ilk. The trade union movement has accepted that reforms must take place. There is also an acceptance that amalgamations must occur.

One of our problems is that, if employers have a preference for union amalgamation and industry unions based on a political preference—and that is a tame cat organisation, as it is referred to in the trade union movement—

The Hon. R.I. Lucas: A reasonable one.

The Hon. T.G. ROBERTS: —as being the predominant union in that industry and if employers make deals with tame cat unions or, as Mr Lucas says, unions that are very reasonable (and I think Des Keegan refers to them as rational unions), organisations such as the FIA will become the predominant unions in those production areas to the detriment of a large number of unions that operate probably in a far more democratic way. There would be a far more beneficial effect if those progressive organisations in the mining and manufacturing sector were able to harness the ideas which emanate from them.

In his absence, I congratulate the Hon. Mr Burdett on his enlightened approach to his recent trip to the Soviet Union. If people adopted the same sort of enlightened attitude to the left wing of the trade union movement and to some of the more progressive forces within the trade union movement, they would be able to break down the cold war mentality which exists in Australia today towards the trade union movement, and they would be able to harness a lot of the progressive ideas formulated in those organisations. However, unfortunately, in today's climate it is seen as a win if one can harness the energies of a tame cat organisation and thereby impose one's own programs over the top of what would be regarded as the wishes of a major democratic force. By doing that, people hope to establish a formula for survival.

Members interjecting:

The PRESIDENT: Order! The honourable member should address his comments to the Chair, and there are too many interjections.

The Hon. T.G. ROBERTS: I would suggest that that was a very short-term solution to the problem and that, in the long term, those sorts of marriages will be frustrated. I think that it will be found that at a rank and file level changes will be wrought within those unions and that those employers probably will not be able to deal with some of those changes that emanate from a further democratisation of those organisations that are now regarded as tame cats.

Members interjecting:

The Hon. T.G. ROBERTS: I am now being taunted by members opposite about some of the more progressive organisations in the building industry. I would have to say that there are some blemishes on the records of some of the organisations within the building area but, in the main, I think if one examines the record of those organisations—

The Hon. R.I. Lucas: Are you calling Ben Carslake a blemish?

The Hon. T.G. ROBERTS: I am not saying that Ben Carslake is a blemish. I am saying that there are some organisations in the building industry which, historically, one cannot regard as being the epitome of progressive union organisations, that sometimes they do act outside what are regarded as the bounds of reason within the trade union movement. However, that does not mean to say that those organisations are not able to work cooperatively with some of the major building companies. The challenge I would throw out to members opposite is that they should go onto the Remm site and, instead of taking a paint brush and a roller, stand on the fourth floor of the Remm building—

The Hon. L.H. Davis: There isn't a Remm building!

The PRESIDENT: Order!

The Hon. T.G. ROBERTS: I mean before the demolition. Had they gone and stood on the fourth floor and started knocking out pillars, with concrete and bricks falling down around them, they could then have seen and understood what goes on inside the building industry. The activities of most unions in the building industry revolve around the style and the type of industry in which they operate. The building industry is very dirty and very dangerous. It is regarded as one of the hardest areas in which to work in terms of manual labour. If one looks at the safety record of some of the building employers and considers some of the dangerous conditions in which workers have to work in the building industry, one can see why the workers in that industry are so militant and why they stick out on a lot of

the issues that arise. It is very difficult for people in suits with shiny bums (and I must include myself in that category at the moment) to understand some of the difficulties that these workers operate under and some of the decisions that they make within their organisations.

The position that I was alluding to before I was goaded by members opposite was that the consensus that needs to be drawn between all sections within the manufacturing sector, within all industries, is reliant on a certain degree of leadership being shown by the Federal and State Governments and at all levels. We have a competent State Government showing leadership in terms of the contracts that have been gained for the submarine work and the frigate project. The State Government is putting into place those training programs that I was talking about in terms of skilling workers, to enable them to carry out diligently and skilfully the work that is required, particularly in terms of welding. This relates to all sorts of skills, acquired through all sections of the Department of Technical and Further Education and the skilling programs, which enable South Australia to provide the necessaryy skills to build and maintain a base for those industries that we have been able to attract.

The education system in South Australia has been flexible enough to adjust to provide those skills in tourism and in providing training programs for young people to go into tourism. Training programs have been conducted in CAEs, TAFEs, secondary schools and at tertiary education level. Much discussion still has to take place to enable all those pockets to fit in to build up a skilled and diligent work force. It takes all those ingredients that I mentioned earlier and a high degree of cooperation and understanding of where we are to take us into the next decade.

If we have confrontation and people determining change on behalf of others in that scenario, it will lead to a highly reticent work force in terms of the application of its own diligence in those industries. It has to be done basically in a democratic way so that there is a marriage of the aims, ideals and objectives of the State Governments and manufacturing companies and the way in which people want to organise themselves at workshop level. That includes the building industry, the Benny Carslakes, the Mick Tumbers and even the George Apaps of this world. They all have a place in organising—

The Hon. R.I. Lucas: They are all blemishes.

The Hon. T.G. ROBERTS: They are not all blemishes. They are all progressive in terms of organising their work forces. However, it must be done in consultation and carried out in a way that allows South Australia to take its place in the national scene. After some of the barriers to trade internationally—in Europe, America and Asia—are broken down, South Australia can take its place in the national scene and, hopefully contribute to that balance of trade turnabout that will allow all South Australians—indeed, all Australians—to share in the wealth of the country that is created by them.

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

SUPPLY BILL (No. 2)

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

The Hon. ANNE LEVY (Minister of Local Government): I move:

That this Bill be now read a second time.

It provides $1 070 million to enable the Public Service to carry out its normal functions until assent is received to the Appropriation Bill.

Honourable members will recall that it is usual for the Government to introduce two Supply Bills each year. The earlier Bill was for $750 million and was designed to cover expenditure for the first two months of the year. This Bill is for $1 070 million, which is expected to be sufficient to cover expenditure until early November, by which time debate on the Appropriation Bill is expected to be complete and assent received.

The amount of this Bill represents an increase of $75 million on the second Supply Bill for last year to cover wage and salary and other cost increases since that time.

Clause 1 is formal.

Clause 2 provides for the issue and application of up to $1 070 million.

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

CRIMINAL LAW (SENTENCING) ACT AMENDMENT BILL

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

The Hon. ANNE LEVY (Minister of Local Government): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The need for this Bill to amend section 12 of the Criminal Law (Sentencing) Act 1988 follows from the decision of the High Court delivered on 30 June 1989 in the matters of *Hoare and The Queen* and *Easton and The Queen.* It is necessary to look at the history of section 12 of the Criminal Law (Sentencing) Act 1988 to put the amendments in context. Section 12 re-enacts, with minor, immaterial, amendments the repealed section 302 of the Criminal Law Consolidation Act 1935.

Section 302 of the Criminal Law Consolidation Act, which came into operation on 8 December 1986, provided that a court, in fixing the term of a sentence of imprisonment, or in fixing or extending a non-parole period in respect of a sentence, shall have regard to any remission of sentence to which the prisoner may become entitled under the Correctional Services Act 1982. Under the Correctional Services Act a prisoner may earn a maximum of 15 days a month remission of sentence for good behaviour.

Section 302 of the Criminal Law Consolidation Act was enacted following concerns expressed by the Chief Justice and the Supreme Court judges that, since courts were precluded by law from taking into account the likelihood of an offender earning remission of sentence for good behaviour, the sentencing process was seriously distorted and the public faith in the integrity of the system of justice tended to be undermined when it was seen that the appropriate sentence and non-parole period devised by the court did not correspond with the punishment which the offender actually suffered.

The Supreme Court judges proposed that remissions for good behaviour should be abolished. This course was not adopted, and I shall return to the question of the abolition of remissions shortly. Instead, it was decided that the law should be amended to require the courts when fixing the appropriate sentence and non-parole period to take into account the likelihood that the sentence and non-parole period will be reduced administratively by the granting of good behaviour remissions, and section 302 was enacted to this end.

Section 302 was first considered by the Court of Criminal Appeal in *R v Dube and Knowles* (1987) 46 S.A.S.R. 118. The court construed the section as requiring a 'significant' or 'quite dramatic' increase in the level of sentences for crimes committed on or after 8 December 1986. In the course of his judgment (in which Bollen and Von Doussa JJ concurred) King C.J. said (at pages 121-122):

> The extent of the adjustment must be a matter of judgment in each case. What the judge must have regard to is that a prisoner may be credited with one-third remissions. Clearly the judge is not required or entitled to consider whether the individual prisoner is likely to behave well in prison and thereby earn the remissions. The mandate is to have regard to the objective existence of the remission provisions and their potential bearing upon the time which the prisoner will spend in prison. It is not certain, of course, that any particular prisoner will receive any particular period of remission. Commonsense and common experience in these courts, however, combine to indicate that in most cases the maximum or very nearly the maximum period of remissions will be credited.
>
> What I have said above is, I think, sufficient to indicate that the effect of the operation of the new section will be to increase the level of sentences significantly. As there is no certainty about the period of remission which any particular prisoner will earn, the judge is not obliged, in my opinion, to adjust a sentence which he would otherwise have imposed in any strictly mathematical fashion. Nevertheless the reality is that if it is desired that a prisoner spends six years in prison before parole, regard for the remission provisions is likely to lead to a non-parole period approaching nine years. The same considerations apply to a head sentence. It can be seen, therefore, that the effect of the new section on the level of sentencing will be quite dramatic and could in some cases result in as much as a 50 per cent increase in the sentence which would otherwise be awarded.

At the end of his judgment the Chief Justice (at page 124) spelt out the effect of what had been said about section 302:

> I think that it is desirable that the warning which is implicit in what I have said above should be made explicit. Crimes committed on or after 8 December 1986 will attract substantially heavier sentences than hitherto by reason of the removal of the legal fetters which previously existed. Sentences, especially for serious crimes, could in some instances increase by as much as 50 per cent.

The approach subsequently adopted by both sentencing judges and the Court of Criminal Appeal was generally to increase the level of head sentences for serious crimes committed on or after 8 December 1986 by up to 50 per cent over the levels applicable to crimes committed before that date.

The High Court in *Hoare and Easton* concluded that section 302 had been wrongly construed by the Court of Criminal Appeal. The High Court said that the section, in requiring a sentencing judge to 'have regard, in determining sentence or in fixing a non-parole period', to the fact (where applicable) that a prisoner may earn remissions up to the prescribed maximum by good behaviour while in custody, does not provide any basis for increasing what would otherwise be seen as the appropriate or proportionate head sentence or increasing the appropriate non-parole period. The court said that it may, in exceptional circumstances, tend to reduce the weight to be given to particular mitigating circumstances and will necessarily be relevant when considering the question of the practical effect of a given non-parole period against a given head sentence.

This interpretation of the section by the High Court has left little for the section to do and does not accord with Parliament's intention that courts should be allowed to increase sentences and non-parole periods to take account of the remissions a prisoner is likely to earn. If nothing is done the public perception will once again be that prisoners are receiving light sentences for serious crimes and the courts will be required to turn a blind eye to the fact that a prisoner is likely to receive remissions.

The proposed new section 12, subsections (2) and (3) will make it quite clear that the law as expounded by the Court of Criminal Appeal in *R v Dube and Knowles* is the law which is to be applied by sentencing authorities in the future, in relation to offences whether committed either before or after the amendment comes into operation. Subsection (3) also makes it clear that the law as expounded in *Dube and Knowles* applies to all sentences imposed since the judgment was delivered. There are good reasons for making the amendment retrospective.

The Government believes that those offenders who have been sentenced on the basis of the Court of Criminal Appeal's interpretation of section 302 (or section 12 of the Sentencing Act 1988) in *Dube and Knowles* were, despite the views of the High Court, sentenced as Parliament intended them to be sentenced. Section 302 was enacted on the basis that the law was that the sentencing authority could not increase a sentence or non-parole period to take account of the remissions a prisoner is likely to earn. The South Australian Supreme Court judges in their 1985 annual report said that a judge 'is precluded by law from taking into account the likelihood of good conduct remissions'.

It was clearly intended that this should be changed. This was made clear in the second reading speech when the amending Bill was introduced. It was then said:

> The intention of the original legislation was that the court would take into consideration the remissions a prisoner can earn on his or her non-parole period when determining sentences. However the courts have taken the view that the judge is precluded by law from taking into account the likelihood of good behaviour remissions during the sentencing process. The new Bill specifically addresses this problem and provides for an amendment to the Criminal Law Consolidation Act to empower judges to consider the effect of good behaviour remissions during the sentencing process.

This is a clear indication that Parliament intended to amend the law in the way the Court of Criminal Appeal subsequently interpreted it in *Dube and Knowles. Dube and Knowles* established the criteria by which future offenders would be sentenced. These criteria were well publicised and all offenders should have been aware of the basis on which they would be sentenced. The community at large was also entitled to expect that offenders would be, and continue to be, sentenced in accordance with the principles laid down in *Dube and Knowles.* They were the criteria on which the courts, police and corrections proceeded.

By making the amendment retrospective no injustice is being done as offenders were being sentenced in accordance with the principles by which they were intended to be sentenced. It is not an amendment which changes the rules of the game retrospectively as by, for example, increasing a penalty for an offence that has been committed before the increase in the penalty is enacted.

Subsections (4) and (5) provide the mechanism for dealing with offenders who have been sentenced since *Dube and Knowles* and the coming into operation of this amendment. The proposed new section 12 (4) will ensure that where those offenders have had their sentences or non-parole periods reduced on appeal the court will be able, on the

application of the Attorney-General, to re-sentence them on the basis that the interpretation of the law as expounded in *Dube and Knowles* was the law applying at the time their sentences were imposed. Proposed new subsection (5) ensures that appeals against sentences imposed since the High Court decision are not out of time. These provisions will not apply to the sentences of Hoare and Easton, the successful applicants in the High Court case. They will retain the benefit of their successful appeal to the High Court (subsection 6).

The amendment in this Bill to section 9 of the Act further clarifies the sentencing process. The amendment requires the sentencing authority to inform the offender of the minimum time that he or she will have to serve in prison. In other words the sentencing authority will have to set the head sentence and non-parole period and then calculate the maximum days which the prisoner can earn for remissions for good behaviour. The minimum term in prison can then be obtained by deducting the remission period from the head sentence and/or non-parole period.

It will, from now on, be clear to offenders and the community the precise effect of a sentence. The minimum term the offender must serve in prison if he is of good behaviour and obtains maximum remissions will be spelt out as will the maximum term the prisoner must serve if no remissions are earned.

As I mentioned earlier the Supreme Court judges suggested that the distortion in the sentencing process could be eliminated by abolishing remissions. The judges in recommending the abolition of remissions referred to the recommendations of the Criminal Law and Penal Methods Reform Committee (the Mitchell Committee).

The Mitchell Committee advanced several reasons for the abolition of remissions. Most importantly, the committee saw the operation of the system as an automatic award of remissions at the beginning of sentence. The practice has now changed and a maximum of 15 days remission is earned monthly—remissions are credited at the end of each month depending on the prisoner's behaviour and work performance.

Further, the current remissions system: has been responsibly used by prison managers; is a formal, legal and accountable system; and is well accepted by staff and prisoners. In the context of definite release dates the remissions system provides a key mechanism for the encouragement of good behaviour and application to work. In the absence of remissions there is a real probability that there would be a return to informal, illegal and ad hoc mechanisms of prisoner control of the kind discredited by the 1980-81 Clarkson Royal Commission.

The case for abolishing remissions has not been made out. The 1986 amendments removed the distortion from the sentencing process and courts had been sentencing in accordance with Parliament's intentions. This further amendment will ensure that this will continue and offenders and the public will be aware of the minimum sentence a prisoner must serve if he or she is of good behaviour.

Clause 1 is formal.

Clause 2 amends section 9 of the principal Act. This section deals with the information to be given by a court when it passes sentence on a defendant who is present in court. The proposed new paragraph *(c)* will require a court when it fixes a term of imprisonment or fixes or extends a non-parole period to inform the defendant of the minimum term that must be served in prison (assuming that maximum remissions are earned).

Clause 3 amends section 12 of the principal Act. New subsection (2) in effect reinstates the principles expressed by the Full Court in its judgment in *Dube and Knowles.* Subsection (3) provides that these principles are to be applied by courts of criminal jurisdiction in relation to offences committed before, on or after the date on which this amendment comes into operation. Subsections (4) and (5) make possible a judicial review of sentences imposed in the period between the handing down of the High Court's decision in *Hoare and Easton* and the reinstatement of the earlier principles. Subsection (6) qualifies the provisions which allow for the retrospective operation of the principles reinstated by the Bill. It provides that the reinstated principles are not to affect sentences given in the cases of *Hoare and Easton* or in relation to offences committed before 8 December 1986 (that is the date on which section 302 came into operation).

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

ADJOURNMENT

At 9.13 p.m. the Council adjourned until Thursday 17 August at 2.15 p.m.