LEGISLATIVE COUNCIL

Tuesday 14 August 1990

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

PAPERS TABLED

The following papers were laid on the table:

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

Disciplinary Appeals Tribunal—Report, 1989-90.

Supreme Court Act 1935—Report of the Judges of the Supreme Court of South Australia to the Attorney-General, 1989.

Firearms Act 1977—Regulations—Fees.

Superannuation Act 1988—Regulations—Non-cash Remuneration.

By the Minister of Local Government (Hon. Anne Levy)—

Crown Lands Act 1929—

Return of Surrenders Declined, 1989-90.

Return of Cancellation of Closer Settlement Land, 1989-90.

Discharged Soldiers Settlement Act 1934—Return pursuant to Section 30, 1989-90.

Local Government Finance Authority Act 1983—Regulations—Jallarah Homes Incorporated.

Corporation By-laws—Port Lincoln—No. 23—Garbage Containers.

District Council By-laws—Lacepede—No. 8—Animals and Birds.

Morgan—

No. 2—Caravans and Camping.

No. 3—Camping Reserves.

No. 4—Permits and Penalties.

QUESTIONS

PRIVACY LEGISLATION

The Hon. K.T. GRIFFIN: I seek leave to make an explanation before asking the Minister of Consumer Affairs a question about privacy legislation.

Leave granted.

The Hon. K.T. GRIFFIN: As the Minister will know, prior to the last Federal election the then Federal Minister for Consumer Affairs (Senator Bolkus) was seeking to foist on the business and professional community repressive legislation that limited severely the right of persons in business to make legitimate inquiries about a customer's credit record. The legislation Senator Bolkus proposed would have prevented insurance companies from having access to credit records in their attempts to detect fraudulent claims.

It would have prevented letting agents from having access to a check on prospective tenants. Others with a legitimate interest would not have been able to protect themselves from potential defaulters. Legislation, in the view of many people, could have brought a lot of commerce virtually to a standstill. While Senator Bolkus was prepared to make some amendments, these were largely of a cosmetic nature and did not address the substance of the complaints which had been made about the legislation.

What the Federal legislation would have done, and is still likely to do when passed, would be to override the South Australian Fair Trading Act in respect of credit reporting in many cases, and in other respects the Federal and State legislation would overlap while in other respects be incompatible. Alternatively, if the Minister was so inclined to follow the lead of the Federal Government then State legislation would have to be amended. My questions to the Minister are:

1. Has the Minister yet made any decision on the South Australian credit reporting provisions of the Fair Trading Act in the context of the proposed Federal legislation?

2. Has any discussion between the Federal Minister and the South Australian Minister on the interrelationship between the two regimes taken place? If so, what has been discussed and agreed?

3. Has the Minister insisted that the South Australian legislation is fair and reasonable and that Federal legislation ought to mirror South Australia's position?

The Hon. BARBARA WIESE: As the honourable member has indicated, the Federal Government did draft some legislation which was, in fact, introduced into Parliament. There was enormous opposition from various sectors of the business community against the provisions of the legislation and a number of amendments were made, although the legislation has not yet passed Federal Parliament. I understand that it is still intended to introduce that legislation into Federal Parliament. This is certainly of considerable concern to me because, as the honourable member has indicated, many of the provisions would be inconsistent with those provisions which have stood for a very long time in the South Australian legislation and which, I believe, have worked well and have worked with the support of the industry.

The matter was discussed recently at a recent meeting of the Standing Committee of Consumer Affairs Ministers (SCOCAM), which was held in Perth at the end of July. At that meeting all Ministers expressed their concerns about the terms of the proposed privacy legislation, even with the amendments that have been agreed to by the former Minister.

The Hon. K.T. Griffin: Including the present Federal Minister? You said 'all Ministers expressed their concerns'.

The Hon. BARBARA WIESE: The State Ministers expressed concern to the Federal Minister about the terms of the legislation and, in fact, carried a resolution calling on the Federal Minister to consult with the States before the terms of the final Bill are confirmed by the Federal Government. I have since followed up on that matter by writing to the Federal Minister confirming my strong view that there must be consultation on these issues before the Federal Government proceeds with any amendments to the privacy legislation. I have indicated that I believe that the South Australian legislation would provide a reasonable model. I have not yet received a reply from the Federal Minister but he certainly indicated at SCOCAM that he would be happy to comply with our request on consultation, and I expect that to take place in the near future.

ADELAIDE AIRPORT

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking the Minister of Tourism a question about extensions to the Adelaide Airport domestic terminal.

Leave granted.

The Hon. DIANA LAIDLAW: During recent discussions with representatives of the Federal Airports Corporation, I was aghast to note the outline of designs by Australian Airlines and Ansett for extensions to the Adelaide domestic terminal to accommodate extra flights. I acknowledge the need for both airlines to upgrade facilities for passengers, including the provision of covered walkways, and the benefit that new facilities will ultimately bring to South Aus-

tralia. However, it is apparent that neither airline has consulted the other about their upgrading plans, as their designs complement neither each other nor the current structures.

As members would be aware, the present structure is T-shaped, with a long rectangular middle section incorporating lounges and gates. To the left of this structure, Australian Airlines proposes to build a stubby narrow arm ending in a large shape that resembles a rotunda or space ship. To the right of the middle section, Ansett is going its own way by proposing to build a narrow semi-circular wing that swings around some distance from the existing structures while abutting such structures at both ends. The existing rectangular middle section will continue to protrude or poke out between these two new designs.

While I am not confident that I have described both designs accurately in architectural terms, to my layman's eyes the overall effect is a hideous hotch-potch. My colleague, the Hon. Peter Dunn, is not here, but he often interjects with expressions such as 'a dog's breakfast'. I am quite sure that he would describe this design in those terms.

The Hon. L.H. Davis: He's a pilot.

The Hon. DIANA LAIDLAW: Yes, he is a pilot. The Federal Airports Corporation informs me that it has no authority to require the plans to complement each other or the current structure; nor does it have authority to require that the airlines select exterior materials, including the choice of colour finishes which are the same, let alone which blend.

I express concern about these matters, as the Minister may have noted in recent days the result of refurbishing activity within the interior of the domestic terminal. Ansett is laying new carpet in its leased area to the right of the terminal. I understand Ansett suggested to Australian Airlines that a neutral colour be used at the border line between the two leased sections.

The Hon. Anne Levy: Perhaps they want gold and yellow.

The Hon. DIANA LAIDLAW: They may. Anything is a possibility, as the Minister will soon discover. This offer from Ansett was rejected by Australian Airlines. So, what we have at present is the interior space of the domestic terminal clearly divided straight down the middle of that long rectangular arm which incorporates the check-in and lounge areas by different coloured carpets, pattern designs and furniture styles.

I suspect that the contrasting interior decoration of the terminal may be South Australia's first taste of deregulation of the two airline policy, but what is going on at present should raise alarm bells at the hideous outcome we may have to live with when the airlines get around to upgrading the exterior shape and appearance of the terminal.

The Hon. K.T. Griffin: We may have a couple more airlines in it yet.

The Hon. DIANA LAIDLAW: We may, and the whole situation may get worse. Certainly, the plans on paper fill me with unease, and I cannot help but wonder why we in South Australia must put up with second best and why we cannot enjoy the pleasant uniformity of the exterior of structures such as the Tullamarine airport or the more recently constructed airports in Brisbane, Cairns and Townsville. Therefore, I ask the Minister:

1. Has she sighted the plans by Australian Airlines and Ansett for the extension of their facilities at the Adelaide domestic terminal to accommodate additional flights?

2. If not, will she undertake to do so?

3. In either instance, will she undertake to speak with representatives of both Australian Airlines and Ansett, and possibly even resort to speaking with the Federal Airports Corporation? I am not sure to whom the Minister speaks, but she may possibly contact the Federal Ministers of Transport and Tourism. In my view, something has to be done in an endeavour to gain their cooperation so that the proposed extensions to the Adelaide domestic terminal are not an eyesore but, rather, a quality structure that reinforces the State's efforts to provide quality in all our tourism products.

The Hon. BARBARA WIESE: I have not sighted the plans of the two airlines for their proposed extensions to the domestic terminal at West Beach. I am surprised to hear the response given to the honourable member by the officers of the Federal Airports Corporation with whom she spoke. Although they may not have specific legal authority to dictate to the two domestic airlines terms and policies for the upgrading of the respective parts of the terminal, I would have thought that the respective power relationships between the various bodies was such that the Federal Airports Corporation could at least have considerable influence over actions that were taken by the two airlines in determining future policy and practice for the use of their respective parts of the terminal. So, I am very surprised if the degree of cooperation that one expects to take place between the landlord and the users of the terminal is not occurring.

These issues have not previously been drawn to my attention, and I have not been consulted by any of the three bodies regarding any difficulties that may have existed about reaching agreement on these questions. There is absolutely no reason why they should consult with me on those questions. The airport is sited on Federal Government land, it is run by an independent Federal Government authority and the two airlines must work cooperatively with it.

I agree with the honourable member that it is certainly in our interests for the internal and external appearance of the terminal to be as aesthetically pleasing as it can be to visitors to our State. We would certainly want to project the very best image of the State that we can by the buildings through which visitors enter and depart.

The Hon. C.J. Sumner: Fraser built it.

The Hon. BARBARA WIESE: The honourable Minister interjects and reminds me that Fraser built it. Certainly, the former Liberal Governments at State and Federal levels worked together in determining what sort of international airport terminal we would have. We have certainly ended up with something that is not particularly attractive and, as I understand it, it was designed for Townsville, which at that stage was very much a regional airport and could not be considered as having a terminal that would be suited for a capital city, let alone an international gateway. However, we have learnt to live with that decision and, hopefully, before very much longer, the planning for the construction of a new international terminal will begin whereby we will thus have a much upgraded facility.

Returning to the problems with the domestic terminal (which, in fact, is a different issue), I will certainly make it my business to make some inquiries about exactly what is going on. I believe that it should be possible for the three authorities to sit down together and nut out some sort of reasonable scheme which will work in a complementary way and which can also be as aesthetically pleasing as is possible for an airport.

AIDS

The Hon. J.C. IRWIN: I seek leave to make a brief explanation before asking the Attorney-General a question on the subject of AIDS.

Leave granted.

The Hon. J.C. IRWIN: Members would be aware of a spate of news stories around the end of July emanating from Sydney and one from Mount Gambier regarding persons menacing others using syringes that may be filled with contaminated blood. The New South Wales Attorney-General (Mr Dowd) has announced that he plans to change the law following a spate of hold-ups and assaults by people using syringes in New South Wales. These attacks have now been experienced in prisons in South Australia.

One unfortunate Correctional Services Officer in New South Wales is awaiting medical results from being stabbed by a syringe. People are questioning how syringes are freely available in gaols and, with increasing incidents of inmate to inmate assaults, people, including inmates, are becoming more and more alarmed. Mr Dowd is reported to have said that there were problems where a person died of AIDS as a result of a deliberate and wilful attack. In New South Wales, for murder charges to be laid, the victim has to die within a year and a day of the attack. AIDS victims usually die more than a year after the attack and often from a related illness, not the disease itself.

The possibility of prisoners or wardens suing the Government for negligence has also been raised. A spokesman for the South Australian Attorney-General is reported to have said that the New South Wales proposals were being sought and would be forwarded to Mr Matthew Goode, who is acting as a consultant in a review of the criminal law in South Australia. My questions to the Attorney-General are:

1. How long does he expect the criminal law review will take?

2. What steps is the Government taking to rid the prisons of syringes to reduce the potential for the Government to be sued for negligence and to help protect both inmates and wardens?

3. In the Attorney-General's opinion, are the South Australian penalties heavy enough now, while we await a review, in relation to a person who threatens or attacks another with a syringe, brandishes one in a robbery or carries one with intent to commit an indictable offence?

The Hon. C.J. SUMNER: Almost certainly, in most of the circumstances outlined by the honourable member, criminal offences will have been committed, so it is not true to say that there is no criminal law covering the circumstances of people threatening others with syringes. Whether the law or the penalties are completely adequate is being examined in New South Wales and also in South Australia, where I have asked Mr Goode to examine the issues. I would anticipate a discussion paper being prepared and issued on that topic shortly. As to the second question, I can only refer that to the Minister of Correctional Services and bring back a reply.

DEMENTIA SUFFERERS

The Hon. CAROLYN PICKLES: I seek leave to make a brief explanation before asking the Minister representing the Minister of Health a question concerning the number of dementia sufferers in South Australia.

Leave granted.

The Hon. CAROLYN PICKLES: This week is Alzheimer's Awareness Week and, according to the Federal Minister for the Aged, Family and Health Services (Hon. Peter Staples), a rapid increase in the number of dementia sufferers is now the most pressing problem in the ageing Australian community. The number of Australians with dementia is rising at the rate of about 4 per cent per annum. State Director of the Alzheimer's Disease and Related Disorders Society (Mr Alan Nankivell) advised me that there are between 11 000 and 21 000 dementia sufferers in South Australia and that, according to recent projections, there will be about 38 000 South Australians with dementia in the year 2000.

At present, half of the 7 400 elderly people who occupy beds in nursing homes and hostels suffer from dementia, with current predictions that the figure will double. I note that, in 1983, the Federal Government spent $200 000 on dementia sufferers and, last year, spent $11 million, not counting subsidies to nursing homes. My questions are:

1. What research is being carried out in the causes of Alzheimer's Disease and other dementia related illnesses?

2. What amount of Federal and South Australian Government funds are expended in this research?

3. What plans are under way to deal with the critical rise in the number of dementia sufferers in South Australia?

4. What measures have the Federal and State Governments undertaken to deal with this serious and potentially crisis situation?

The Hon. BARBARA WIESE: I will refer the honourable member's question to my colleague in another place and bring back a reply.

BENEFICIAL FINANCE CORPORATION

The Hon. I. GILFILLAN: I seek leave to make a brief explanation before asking the Attorney-General a question relating to Beneficial Finance Corporation.

Leave granted.

The Hon. I. GILFILLAN: On 5 September last year I raised, amongst other matters, the issue of the State Bank's involvement in the financing of the Remm group's Myer project. At that time, I said that the State Bank was providing Remm with a $500 million loan facility for the project, which, when taken in conjunction with the bank's other financial exposure on a number of developments in Adelaide, I believed placed the bank in an uncomfortable financial position. Since then it has been well documented that Remm's loan facility with the State Bank has risen to beyond $570 million, with some estimates in the financial community suggesting to me that the loan is now in excess of $600 million.

At the same time, I highlighted the bank's $250 million investment in the East End Market project, a development that has been beset by planning problems which have stalled much of the project for many months. At the time the bank had an additional $50 million tied up with the Hooker Corporation, and $100 million in the Grenfell Australia Centre through its wholly owned subsidiary, Beneficial Finance Corporation. I believed then, as I do now, that the people of South Australia, as owner/shareholders in the State Bank, have a right to know the full extent of financial commitments by their bank and the risks involved in the bank's committing large amounts of its depositors' money.

At the time the Attorney-General was very hostile to any questioning of the financial operations of the State Bank and its subsidiaries. Shortly after that exchange in this Chamber I was sued by the State Bank in what I believe was a deliberate attempt to silence my concerns about the bank's operations leading up to the last State election.

On 11 October last year I placed on notice a large number of questions dealing with the State Bank's operations; I have not yet received a single answer to any one of them from the Government. Since then many of the concerns I raised have been substantiated. The Remm project ran into

lengthy delays, raising the question of its long-term viability, and its loan arrangement with the State Bank increased by tens of millions of dollars. The Hooker Corporation has struggled to deal with a series of crippling financial blows and, as is obvious from the media this morning, there are serious problems within Beneficial Finance Corporation.

Earlier this month two senior directors of Beneficial Finance Corporation departed. The Managing Director, John Baker, retired from the board after disagreements with other directors about the company's direction and performance, and senior executive, Eric Reichert, resigned under similar circumstances. Their actions within the corporation have since been severely criticised by its chairman,.David Simmons, as being too aggressive at a time when the property market was showing signs of weakening.

Yesterday, it was announced that Beneficial Finance Corporation reported a $21.5 million loss for the year to 30 June after bad debt provisions had doubled to more than $63 million. In addition, bad debts written off by the corporation more than doubled from $7 million to $17 million, and borrowing costs have spiralled by 45 per cent. My questions to the Attorney-General are:

1. In the light of the announced loss of Beneficial Finance Corporation and senior management departures, and to minimise damaging rumour and loss of confidence, does the Attorney now agree there must be more open and free provision of information regarding the financial operations of the people's bank, the State Bank, and its wholly owned subsidiary, Beneficial Finance Corporation?

2. Does the Attorney agree that the entire board of Beneficial Finance Corporation, which includes the group Managing Director of the State Bank, Tim Marcus-Clark, must shoulder the blame for Beneficial Finance Corporation's loss, not just two top executives who have summarily departed the scene?

The Hon. C.J. SUMNER: The bank and the subsidiary operate in the public arena and, as do other financial institutions, produce annual reports on their activities that are subjected to perusal by members of the public and by members of Parliament. I commend the reports of these institutions to the honourable member for any information he may wish to find out about them.

These institutions, State-owned as they are, are competing in a commercial environment and ought not to be placed at a disadvantage for so doing. So, the information provided is contained in annual reports, to which the honourable member has access. In addition, from time to time, questions are asked in the Parliament to which the Government responds if it feels that the information is not commercially confidential and could be made public.

So, there are means whereby the information is made available to the Parliament and to the public, and I commend those avenues to the honourable member. By his questioning the honourable member is, of course, picking on the State Bank and Beneficial Finance. It is interesting to note that most of the attacks in this area that come from members opposite or from the Hon. Mr Gilfillan do not mention the private banking sector in Australia where, of course, provisions now being made for bad debts have been very substantial in recent months.

It is known, particularly, that Westpac has had to make very substantial allowances for bad debts—but it is not on its own. Virtually all the private banks in Australia have found themselves in this situation because of a reduction—

The Hon. R.J. Ritson: It doesn't say much for Paul Keating.

The Hon. C.J. SUMNER: It may not say much for the banks. One could argue whether or not they got into an over-exposed position with some of the entrepreneurial activity that was occurring at the time. I think that the banks would now agree that they did get into an over-exposed position when the economy was very heated, when activity on the stock market was very bullish and when loans were being made which, as it turned out, it appears were beyond the capacity of some of those entrepreneurs to repay.

It is not a matter of the State Bank or Beneficial Finance standing out as being institutions that have been badly managed. Of course, in Western Australia and Victoria there are State-owned enterprises which are in a much worse position than South Australia's State Bank. Obviously, the State Bank has shared in the problems that the banking sector generally has undergone in Australia in recent months. However, if the State Bank and Beneficial Finance are to operate in the commercial arena, one would expect there to be similar effects on them as there have been on the private sector banks.

I ask members and the Hon. Mr Gilfillan, in particular, if he is interested, to look at the reports and statements by the private sector banks in recent times and see how they measure up against the State Bank's performance. The State Bank is still to produce its annual report. When that comes out, I am sure that the honourable member will have information upon which he can make further inquiries and, perhaps, ask further questions.

The Hon. I. GILFILLAN: Apart from the fact that the Attorney-General forgot the second part of my question, I ask as a supplementary question: in the regular briefings of the bank to the Premier, was the Government made aware of the pending disastrous results of Beneficial Finance as a wholly-owned subsidiary of the State Bank?

The Hon. C.J. SUMNER: I wouldn't know, Mr President.

EARTHMOVING CONTRACTORS

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Minister of Small Business a question about earthmoving contractors.

Leave granted.

The Hon. L.H. DAVIS: Earthmoving contractors are vital to the development of South Australia's infrastructure—roads and bridge construction, car parks, buildings and subdivisions. Earthmoving contractors are in a very competitive industry and, because of the large amounts necessarily invested in capital equipment, are highly vulnerable to any economic downturn. The industry association is called the Earthmoving Contractors Association of South Australia Incorporated.

It has 220 members who currently employ about 2 400 people. However, 18 months ago 3 000 persons were employed; that is, there has been a staggering 20 per cent reduction in labour just in that 18-month period. It is mainly construction workers (including very skilled and professional plant operators) who have been laid off, many of whom will be lost to the industry forever.

It is estimated that the investment value of plant and equipment in South Australia is at least $600 million to $700 million. Key people in the industry tell me that there has been a 25 per cent downturn in earthmoving contracts, particularly in civil construction. It follows, therefore, that a quarter of that $600 million to $700 million worth of plant is lying idle and unproductive. That is a shocking waste of capital and equipment, and a loss of skilled labour, according to key people in the industry.

They all say that this is the most savage downturn experienced by the industry in living memory. Even more unpalatable is the fact that there is general agreement in the industry that the prospects are not good for the current financial year, 1990-91. Is the Government aware of the plight of this important arm of small business? Have any adjustments been made to the 1990-91 State budget capital works program to take into account this factor and, more particularly, the fact that an ongoing asset maintenance program is vital if the State's taxpayers are not to feel an even greater financial burden in future years?

The Hon. BARBARA WIESE: What seems to be emerging from the honourable member's line of questioning since Parliament resumed a week or so ago is that each day we will have the latest bulletin from a particular industry or group within our economy that is experiencing a downturn in activity. I really do not think that it is particularly productive for us to go through every single category of business in South Australia in this way.

If we were to do that, I would ask the honourable member also to go through the categories of business in South Australia that are actually doing quite well and whose economic activity is remaining high.

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order! The honourable member will come to order. The Minister has the floor.

The Hon. BARBARA WIESE: If he bothered—

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order! The honourable member will come to order.

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order! Interjections will cease. The honourable Minister has the floor.

The Hon. BARBARA WIESE: All the independent economic studies that have been undertaken of the South Australian economy in recent times indicate that our economy generally is holding up much better than most other parts of Australia. In fact, the effects that are negative in our economy are patchy. There are many sectors of the economy that are still doing reasonably well.

The Hon. L.H. Davis: Tell us.

The Hon. BARBARA WIESE: Look at the tourism industry, for example, Mr Davis.

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: It is an industry that the honourable member should know something about because he is involved in it. A number of sectors of our economy are doing very well due to the policies of this State Government and the economic diversification that has taken place during the past decade. There are sectors of the manufacturing industry and of the industries that are now emerging as a result of the submarine and frigate contracts which indicate that there are sectors of our economy that are doing well. They will continue to do well despite a very severe downturn in those sectors and related sectors in other parts of Australia.

With regard to the State Government's forthcoming budget, the honourable member has been here long enough to know very well that it is not possible for any Minister of this Government to give any information about what may or may not be in the budget until the Treasurer brings it down later this month. The honourable member will have to be patient and see what is in the budget as it relates to our capital works program.

RECYCLED PAPER

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister of Local Government, representing the Minister for Environment and Planning, a question about recycled paper.

Leave granted.

The Hon. M.J. ELLIOTT: Late last year the sales tax on recycled paper was removed by the Federal Government. The logic behind that move was that by removing the 20 per cent sales tax recycled paper would cost about the same as ordinary white paper and this price would not discourage people from using the more environmentally sound product. Recently I made inquiries about the cost of photocopy paper and was told that the recycled paper costs $13.84 a ream, while ordinary white paper costs $8.50. Put simply, the recycled paper costs 63 per cent more, despite its sales tax free status.

It is worth noting that at the time of introduction the marginal difference in price was something like $1. Either the cost of producing recycled paper has skyrocketed, which is doubtful considering the glut of paper in Australia waiting to be recycled, or someone is making big bucks out of the public's growing concern for the environment. My questions are:

1. Is the Minister aware that such a large disparity in the price of recycled and non-recycled paper is being charged by Adelaide stationers?

2. Does the Minister agree that environmentally aware consumers are being ripped off?

3. Will the Minister consider any possibilities of intervention in this practice so that it does not continue?

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

TAFE COMPUTER COURSES

The Hon. R.I. LUCAS: I seek leave to make an explanation before asking the Minister of Local Government, representing the Minister of Employment and Further Education, a question about TAFE colleges.

Leave granted.

The Hon. R.I. LUCAS: A row has developed between the Adelaide College of TAFE and the TAFE College at Elizabeth over the Elizabeth college's plans to establish computer courses in the city square mile. I am advised that Elizabeth TAFE is planning to begin non-certificate, full fee, total cost recovery courses in computer studies in Currie Street from 3 September this year. The college would utilise Commonwealth facilities at Training Services Australia, using the college's laptop computers at that site. This location is only about 200 metres from the Adelaide College of TAFE in Currie Street, which also conducts a range of computer courses.

I gather that Elizabeth college sees the offering of these short courses as meeting a largely unmet demand, and complementing courses already offered by the college in several country areas. It also sees the extension of computer courses to Currie Street as a way of supplementing the college's revenue base, as the courses would be entirely on a user-pays basis. A lecturer at Elizabeth TAFE estimates the college could generate up to $250 000 a year—$125 000 of which could be directed back to Elizabeth college as additional funds—by undertaking such entrepreneurial courses either at Elizabeth, at employer's premises or at the Currie Street college.

As might be expected, there has been a furious reaction from staff at the Adelaide College of TAFE to what they see as an intrusion into their area. In fact, one staff member described the move to me rather colourfully as 'an act of treachery'. If there is a large unmet demand for such courses then there is clearly a need for TAFE to endeavour to meet that demand. However, there will clearly be significant problems if all TAFE colleges in Adelaide descend on the central business district and compete with each other in an uncoordinated way. It has been suggested to me that it should be possible to develop guidelines for such entrepreneurial activity without a row developing between colleges and their staff. My questions to the Minister are:

1. Will the Minister investigate this particular situation and ensure a speedy resolution to the dispute?

2. Will the Minister ensure that guidelines are developed urgently to ensure that all colleges are aware of what restrictions, if any, should apply to entrepreneurial activity by colleges?

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

FEDERAL FUNDING

The Hon. R.J. RITSON: I seek leave to make an explanation before asking the Minister of Local Government, representing the Minister of Employment and Further Education, a question about the allocation of Federal funding.

Leave granted.

The Hon. R.J. RITSON: I refer to the HEC scheme and the Federal funding that is tied to specific relief by way of remission of higher education contribution costs to post-graduate students. I am informed that the priorities laid down by the Federal Government involve the provision of this funding primarily to full-time students with a greater than 50 per cent research component in their post-graduate studies. I am also informed that there is a shift in enrolment patterns and, increasingly, mature-age students are enrolling for courses, and courses are being designed as such, without the research component. The universities believe themselves unable to assist these students because of the conditions of subsidy laid down by the Federal Government.

There are many mature age students, including teachers, seeking to upgrade their qualifications who find themselves discriminated against. I do not know whether the Government intended this to happen or whether it is unaware of the change in demand for types of post graduate courses. Will the Minister examine this question and consult with her Federal colleagues to have the Government conditions of this funding at least reviewed and report back to the Council on the situation that she finds?

The Hon. ANNE LEVY: I will certainly refer that question to my colleague in another place. I presume the honourable member expects him to consult with his Federal colleagues rather than me. I do not think it would be really appropriate for me to do so personally, but I will certainly report back to the Council as soon as my colleague in another place can provide me with the information on which to base a reply.

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

Leave granted.

The Hon. R.J. RITSON: I am sorry, but I still have the old habit of occasionally using 'he' or 'she' to mean both sexes.

ADELAIDE SYMPHONY ORCHESTRA

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking the Minister for the Arts a question about the Adelaide Symphony Orchestra.

Leave granted.

The Hon. DIANA LAIDLAW: I respect the fact that the Adelaide Symphony Orchestra is funded by the Federal Government and is the responsibility of the Australian Broadcasting Commission. However, I have been contacted by, and noted the concern of, the Friends of the ABC and members of the orchestra who are angry with an apparent unilateral decision by the General Manager, Mr Elwood, not to renew the contract of the Chief Conductor, Nicholas Braithwaite.

One of the 'friends' who rang me today indicated that the matters about which they are concerned are not being addressed by the General Manager or the ABC and that tension is growing, as are feelings of hostility. I am quoting from a friend of the orchestra who is senior in terms of holding office. I therefore ask the Minister:

1. Who is responsible for the appointment and reappointment of the Conductor of the Adelaide Symphony Orchestra?

2. Whose advice was sought prior to this appointment and is there any obligation to consult with members of the orchestra?

3. What is the proper procedure for the appointment of a conductor and was it followed in the case of the appointment of Nicholas Braithwaite?

4. Finally, whilst I appreciate that this matter is not under the Minister's direct responsibility, I believe it is of sufficient concern to South Australians generally, and particularly to those people who enjoy the work of the orchestra, to ask whether the Minister has contemplated intervening, or sought to intervene, and requesting that Mr Elwood, at the very least, convene a meeting with the Adelaide Symphony Orchestra Advisory Board to address the issues involved?

The Hon. ANNE LEVY: As the honourable member has indicated, I have no responsibilities whatsoever regarding the Adelaide Symphony Orchestra. As stated, the orchestra is funded primarily by the ABC through the Federal Government, and I have no responsibility in that area at all.

I have spoken to Mr Elwood regarding the present controversy. I could perhaps ask the ABC for replies to the questions asked by the honourable member, but it would be quite justified in not providing that information to me. I suggest that one of the honourable member's Federal colleagues should take up this matter with the Federal Minister. The appointment of the Conductor of the Adelaide Symphony Orchestra is not my responsibility; nor am I responsible for the advice to be sought, or the proper procedures involved and whether or not they were followed, for the appointment of the current Conductor.

However, I am happy to ask the ABC to provide me with answers to these questions, but I think it would be just as likely to supply them to the honourable member herself, who has exactly the same standing as I with regard to the ABC. If she wishes ministerial intervention, this matter should be taken up through a Federal Minister.

The Hon. DIANA LAIDLAW: I ask a supplementary question. As the Minister has indicated that she has had discussions with Mr Elwood, is she prepared to advise whether she has conveyed to Mr Elwood, as part of her responsibility as Minister for the Arts, that she is concerned with the controversy at the ABC and with any spillover that

that may have on its relationship with, for instance, State Opera, which is within the Minister's responsibility?

The Hon. ANNE LEVY: I did not raise at all with Mr Elwood the question of State Opera, as I have not been contacted by that organisation to the effect that it foresees any problems whatsoever. I would certainly be guided by State Opera in any matters concerning that organisation. With regard to the other matters raised, I spoke to Mr Elwood when he contacted me to keep me informed on the situation and I thanked him for that information.

STIRLING COUNCIL

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

Leave granted.

The Hon. J.C. IRWIN: Members will recall publicity in March and April of this year about the Minister of Local Government using taxpayers' funds to send out a 25 page information kit to ALP sub-branch members who live in the Stirling area. In late March, the Minister took a large advertisement in the *Hills Messenger* to put the Government's side of the loan argument, again at taxpayers' expense. Now, we hear that the Minister has written to all ratepayers in the Stirling area trying to explain the facts behind the $4 million bushfire loan.

I ask the Minister: who will pay for this exercise, which will cost between $8 000 and $10 000; how is it justified; and why does the Minister not have the courage to front up to the public meeting next Sunday, to which she and the Premier have been invited, and explain anything that needs to be explained further?

The Hon. ANNE LEVY: With regard to the first question posed by the honourable member, the package that was sent out in March or April was available to any resident of Stirling who requested it. Many residents who are not members of the ALP did so and were sent that package of information. There has been no suggestion of favouritism regarding residents of Stirling. All information is freely available and it has been sent promptly to anyone who has requested it, and I may say that there have been many requests.

With regard to the letter to the householder that is being delivered currently throughout the Stirling area, I understand that it was delivered yesterday to some people, to others today and that the remainder will receive it tomorrow. This arrangement was made with Australia Post as the most convenient means of delivering the letter to the ratepayers of Stirling. Of course, it is being paid for by the Government as it is a Government piece of information which is being made available to all residents of Stirling.

The letter comprises factual information that indicates to the residents of Stirling that the Administrator, at his own request, will cease his position on 31 August and that the suspended council will be reinstated. It informs the residents also that the Administrator has signed a debenture for a $4 million loan and that he has brought down a budget providing for an average rate increase of 8.5 per cent, which is very much in line with rate increases that are occurring in all metropolitan councils of Adelaide. It informs the residents also that the repayments on the loan for this financial year are included in the rate notices that have been sent out and that there has certainly not been a 22 per cent increase in rates which is required to repay the instalments on the loan. It further indicates certain budget items.

The PRESIDENT: Time for questions having expired, I call on the business of the day.

MINISTERIAL STATEMENT: CRIMINAL LAW REFORM

The Hon. C.J. SUMNER (Attorney-General): I seek leave to make a statement.

Leave granted.

The Hon. C.J. SUMNER:

1. Introduction:

Over the past 20 years, South Australian Governments have established a significant tradition of criminal justice reform. In some of these reforms, South Australia has led the field; in other areas, we have picked up significant ideas generated elsewhere and adapted them to our own needs. Reform has spanned the areas of criminal law, criminal procedure, crime prevention, criminal process reform, policing, corrections and sentencing, and more. We have every reason to be proud of our achievements, but we have no reason to rest on our laurels and think that the job is done.

In general, the 1970s was a decade of investigating major reform. The Government was seeking paths to major changes in the criminal justice system in response to the ever increasing pace of social change and the demands that it was making on an antiquated and creaking criminal justice system. The 1980s was a decade of innovation and the beginnings of implementation. It saw the gradual implementation of changes identified as necessary and desirable both as a response to particular social demands and imperatives and as a response to fundamental reconsideration of basic principles in particular areas.

In the 1990s and beyond, it is time to stand back and look at what we have achieved and what we have not achieved. It is a time to take stock of where we have gone and what we have not had time to do. Having done that, we must move forward. I have asked Mr Matthew Goode, a Senior Lecturer in Law at the University of Adelaide and a former Dean of the Faculty of Law, to begin that process. Mr Goode is a specialist in criminal justice reform, and his work is well-known in this State, interstate and overseas. This statement is a first stage in an agenda of reform for the 1990s and beyond. It will detail where we have been and what we have done. It will provide some examples of areas to which we still need to pay attention, and it will indicate and explore the larger issues of consolidation and codification which will emerge in the next decade.

2. The Criminal Law and Penal Methods Reform Committee (The Mitchell Committee): An Audit:

(a) Introduction:

On 14 December 1971, the then Attorney-General of South Australia, the Hon. L.J. King, QC, appointed the Hon. Justice Roma Mitchell, Professor Colin Howard, and Mr David Biles as the Criminal Law and Penal Methods Reform Committee of South Australia. This committee became known as the Mitchell committee. The committee produced five reports: 'Sentencing and Corrections' (July, 1973); 'Criminal Investigation' (July, 1974); 'Court Procedure and Evidence' (July, 1975); A Special Report on 'Rape and Other Sexual Offences' (March, 1976); and 'The Substantive Criminal Law' (July, 1977).

These reports contained 907 recommendations for change. The committee worked for nearly six years on a reform exercise of unprecedented scale and thoroughness. In the years since the committee last reported, many of its rec-

ommendations have been taken up. With South Australia approaching the twenty-first century, it is time to take stock of the criminal justice system now in place in this State in the light of the recommendations made by the Mitchell committee. What has been achieved? What is left to be done?

(b) Achievements:

Major Measures:

In December 1975, the then Attorney-General asked the committee to produce a special report on rape and other sexual offences. That special report was completed in March 1976. There was an intense community response on a variety of issues raised by the report and, in the end, the legislation introduced by the Government did not implement all the recommendations of the committee. Perhaps the issue which produced most controversy, certainly in Parliament, was the Government's proposal to abolish marital rape immunity in the face of the committee's recommendation for cautious restriction of the immunity. The result was a hybrid which is still with us. Nevertheless, the Criminal Law Consolidation Act Amendment Act 1976, the Evidence Act Amendment Act 1976 and the Justices Act Amendment Act 1976 was a major reform package which introduced much needed change to the area of law, evidence and procedure in relation to sexual offences.

Recommendation 62 of the committee's first report urged that further inquiry be made into the possibility of introducing interstate reciprocal imprisonment arrangements. The necessity for some arrangement to be made in this area was made to the Standing Committee of Attorneys-General in 1973, but it would require uniformity, and SCAG agreed to wait upon a report then under way in New South Wales, but it was not until 1982 that the Prisoners (Interstate Transfer) Act 1982 was passed.

Recommendations 172-178 of the committee's third report related to the competence and compellability of spouses in criminal proceedings. This area was addressed by the Evidence Act Amendment Act (No. 2) 1983. The Government of the day did not accept the committee's recommendations, in part because the law had changed since 1975, and in part because the recommendations were thought to be too cautious. The legislation was based on a Victorian model enacted in 1978.

Recommendations 32 and 33 of the committee's fourth report urged the abolition of the offence of suicide or attempted suicide and the enactment of detailed provisions dealing with suicide pacts and related issues. Recommendation 49 dealt with the crime of attempted manslaughter by recommending the transfer of a section from the Acts Interpretation Act to the Criminal Law Consolidation Act. The latter was done by the Criminal Law Consolidation Act Amendment Act 1981, but the Criminal Law Consolidation Act Amendment Act 1983 not only implemented the committee's recommendations relating to suicide, but it clarifies the position of attempted manslaughter as well.

Recommendation 35 of the committee's fourth report urged a further inquiry into the difficult problems faced by the law in a situation in which a person is all but dead but is being kept alive by life support systems. That inquiry occurred as a consequence of the introduction of a private member's Bill introduced by the now Minister of Transport, the Hon. Frank Blevins; there was a Legislative Council select committee inquiry into the issues in 1980; and the Natural Death Act passed in 1983.

Recommendation 36 of the committee's fourth report urged that there be no statutory definition of death. This was in part based on the committee's satisfaction with the Transplantation of Human Tissue Act 1974. The recommendation was overtaken by events. In 1983, the Government decided to implement the recommendations of report No. 7 of the Australian Law Reform Commission dealing with human tissue transplants. The result was the Transplantation and Anatomy Act 1983 and, consequentially, the Death (Definition) Act 1983.

The third report of the committee made no less than 24 recommendations in relation to the jury. The whole area was reviewed and many of the recommendations implemented by the Juries Act Amendment Act 1984.

The second report of the committee contained 16 recommendations detailing substantial reform of the system for handling public complaints against the police. This is a sensitive and controversial area, and the committee's recommendations were quickly overtaken by the far more detailed and specialist reports of the Australian Law Reform Commission. The result was the enactment in 1985 of the Police (Complaints and Disciplinary Proceedings) Act, which now provides a comprehensive code in that area.

The committee made a large number of recommendations concerning the Police Offences Act in both its second and fourth reports. The Police Offences Act Amendment Act 1985, and subsequent amendments such as the Summary Offences Act Amendment Act (No. 3) 1986 and the Summary Offences Act Amendment Act (No. 4) 1986, implemented approximately 35 committee recommendations including renaming the statute the Summary Offences Act, reforming the procedures to be used in questioning suspects, balancing the rights of accused persons and the law, and repealing a number of obsolete and useless offences. This was the first thorough legislative review of the Act for many years.

The third report of the committee contained 13 recommendations in relation to bail. Eight of them were picked up in the Bail Act 1985 and the Statutes Amendment (Bail) Act 1985 which codified and significantly reformed the bail system. The Act also addressed four recommendations in relation to bail contained in the committee's second report.

Recommendation 120 of the committee's first report asked for further investigation into criminal bankruptcy legislation. In 1973 it was simply impossible to predict that this area would turn into the major weapon of criminal investigation and enforcement that it has become. That recommendation was emphatically underlined with the enactment of the Crimes (Confiscation of Profits) Act 1986.

Recommendations 118 and 119 of the committee's first report urged the Government to create a comprehensive code for the compensation of victims of crime. The committee could hardly have foreseen the prominence that victims' issues would receive in the 1980s and its recommendations were implemented and then enlarged by legislation beginning with the Statutes Amendment (Victims of Crime) Act 1986.

The committee's fourth report contained seven recommendations relating to offences against the person and 17 recommendations concerning offences against property. These recommendations were picked up by the Criminal Law Consolidation Act Amendment Act 1986.

The fourth report of the committee made five recommendations in relation to trespassing offences. This area was dealt with by the Summary Offences Act Amendment Act (No. 2) 1986.

A large number of the recommendations made by the committee in its first report dealt with the subject of sentencing. In the intervening years, there has been a deal of legislation on sentencing due in part to its legal and political volatility. The last major legislative reform was the enactment of the Criminal Law (Sentencing) Act 1988. Review

of that legislation reveals that about 33 of the committee's recommendations have been implemented. In particular, the commitee's recommendation to establish a division system of penalties was implemented by the Statutes Amendment and Repeal (Sentencing) Act 1988. It should not pass notice that it was necessary for the committee to recommend the abolition of capital punishment. This was done by the Statutes Amendment (Abolition of Capital Punishment) Act 1976.

Recommendations 72-77 of the committee's third report outline the views of the committee in relation to pre-trial publicity. The committee took the view that the appropriate regime was one of automatic suppression in all cases until conviction. The issue has been and remains one of high controversy, and the current legislation goes in the other direction to that proposed by the committee: the latest legislation is the Evidence Act Amendment Act 1989.

Minor Measures:

Over the years since the committee finished its work, a number of its recommendations have been implemented either by specific Acts of Parliament, or, in passing, where another issue has been addressed. These are listed below. I seek leave to have the table inserted in *Hansard* without my reading it.

Leave granted.

Subject matter	Legislation	Report/ Proposal
Public intoxication	Police Offences Act Amendment Act (No. 3) 1976/Public Intoxication Act 1984	1/176, 177
Women on juries	Juries Act Amendment Act 1976	3/88
Power to arrest for interstate offences	Police Offences Act Amendment Act 1978	2/128
Computer evidence	Evidence Act Amendment Act 1979	3/169
Crown appeal on sentence	Criminal Law Consolidation Act Amendment Act 1979	1/17
Age of consent tattoo	Police Offences Act Amendment Act 1980	4/70
Attempt m/s attempt attempt	Criminal Law Consolidation Act Amendment Act 1981	4/49 4/251
Voir dire before jury empanelled	Criminal Law Consolidation Act Amendment Act (No. 2) 1981	3/108
Appeals to Supreme Court	Justices Act Amendment Act 1982	3/199, 3/201
Amend Evidence Act section 18vi *(b)*	Evidence Act Amendment Act 1983	3/121
Gross indecency/pornography	Statutes Amendment (Criminal Law Consolidation and Police Offences) Act 1983	4/292 4/303
Alibi notice	Criminal Law Consolidation Act Amendment Act (No. 2) 1984	2/107
Evidence/documents	Evidence Act Amendment Act 1984	3/159
Miscellaneous repeal and amendment	Statute Law Revision Act 1984	4/68 4/241
Unsworn statement	Evidence Act Amendment Act 1985	3/120
Age of consent, treatment	Consent to Medical and Dental Procedures Act 1985	4/69
Repeal section 49 SOA	Criminal Law Consolidation Act Amendment Act 1984	4/319
Vote for prisoners	Constitution Act Amendment Act 1988	1/74
Repeal loitering	Summary Offences Act Amendment Act 1988	4/286
Listening devices	Listening Devices Act Amendment Act 1989	2/137, 2/138

The Hon. C.J. SUMNER:

(c) Conclusion:

It can thus be seen that the committee's reports have had a major impact on the formation of criminal justice policy in South Australia. Very recently, Parliament has had before it a Bill to deal with the area of the expungement of criminal records. But this list does not present a fair or true picture. Many of the committee's recommendations were to leave things as they were, recommendations to be implemented by doing nothing. Futher, even where the committee's recommendations were not followed or were varied by legislation, the committee's discussion and recommendations provided an invaluable focus for debate and policy formulation. A more complete study of the fate of each of the recommendations of the Mitchell committee has been made by Mr Matthew Goode. I seek leave to table the document.

Leave granted.

The Hon. C.J. SUMNER:

3. The Future: Some Examples of Particular Areas In Which Reform is Required:

(a) Some Areas Requiring Reform—The Substantive Criminal Law:

Offences of Dishonesty: The Criminal Law Consolidation Act contains 81 sections dealing with such crimes as larceny, fraud, false pretences, embezzlement, robbery, burglary, piracy, and so on. The basic offence of larceny is based on the concept of a trespassory taking established in 1473. The foundational offences all resemble those established in England by about 1800, although the particular statutory form in which the provisions appear was determined by a series of reforming Bills passed in 1859 and consolidated into one piece of legislation in 1876. Very little has changed since 1876.

The Mitchell committee assessed the present state of the law in this area as follows:

> The defects of the present law are that it is unduly complex, lacks coherence in its basic elements and has not kept up to date with techniques of dishonesty. Undue complexity stems mainly from the fact that too many offences now cover the same ground. Superfluity generated unnecessary distinctions, as is now apparent . . . These distinctions are difficult enough for lawyers; for laymen they are an abyss of technicality. More particularly, the combination of piecemeal development with an excess of offences has produced a lack of coherence in respect of several basic requirements . . .

The case for the comprehensive reform of this area of law is overwhelming.

Forgery: Similar considerations apply to the 24 provisions which deal with forgery, except that the concepts and the provisions are somewhat less complex. The Chief Justice, in the annual report of the Supreme Court in 1988, has pointed out the fact that even trivial forgeries may attract a notional maximum of life imprisonment, which is both unjust and leads to procedural overkill. The Mitchell committee recommended a thorough overhaul of these provisions.

Offences of a Public Nature: There are some 29 'Offences of a Public Nature' in the Criminal Law Consolidation Act. They range from bribery, perjury and riots, on the one hand, to public lewdness on the other. In general, they all date from the Criminal Law Consolidation Act of 1876, and remain relatively untouched. However, some have their roots even earlier than that. Our current law relating to riots is in much the same form and substance as that introduced in 1714; the law on forcible entry dates back to 1382; the offence of rescuing a murderer to 1752, and so on. The Mitchell committee made a number of recommendations for the thorough reform in this area, particularly in relation to contempt and offences against the administration of justice. Contempt has also been the subject of a recent conprehensive report by the Australian Law Reform Commission.

Homicide: South Australia retains the common law in relation to homicide. There is some doubt as to whether those rules adequately reflect either general community perceptions about what is murder and what is manslaughter and what is neither, and there is also a strong theoretical view that those categories as they now exist are wrong. Recently, the High Court was forced to take the view that, while its opinion of the common law was ethically correct, that position was unworkable and had to be changed. The

result is that many will be found to be murderers on the basis of a law which the High Court thinks to be ethically wrong. The Mitchell committee made 20 recommendations for change in the law of homicide. A more recent discussion paper issued by the Victorian Law Reform Commission canvasses substantial reform; so too does a New Zealand Bill produced in 1989. There is a real case for change in this area.

General Principles: If a decision to codify the criminal law is made, one of the most important and complex consequences will be the need to express in statutory form the general principles of criminal responsibility which underlie the relationship between the citizen and the State and which define the nature and quality of the idea of 'criminal justice' in South Australia. There is a good argument that this should be done even if the decision to codify is not taken, for it is important that all members of the community have access to these principles. Currently, of course, they can be found only in legal texts, which are hardly either physically or formally accessible to more than an expert handful of people. The areas involved here are *(a)* the ancillary offences of conspiracy, attempt, incitement and complicity; *(b)* the principles of criminal responsibility, centrally concerned with the role of mistake; *(c)* the general defences, such as duress, necessity, self-defence, and so on. The Mitchell committee made over 50 recommendations in this area. There can be little doubt that reform is required—for example, the law relating to mental illness and the criminal process is still based on law enacted in 1800, is probably contrary to international conventions on civil rights to which Australia is signatory, and is so poor that it is usually ignored in practice.

(b) Areas Requiring Reform: Criminal Procedure:

Jurisdiction and Administration of the Court System: The 1980s saw a strong drive for reform based on issues such as access to the law, the cost of justice, and court calendar congestion. This will continue into the twenty-first century. It is clear that these concerns will not be alleviated by simply throwing more money into the court system. There must be a re-examination of such issues as the jurisdiction of the courts, the function of the committal hearing, the role of pre-trial conferences, the real need for trial by jury, and so on. These matters are already being addressed in a variety of ways, and the Government is committed to enacting reforms in all areas to achieve an efficient, economical, accessible, and just criminal justice system.

Powers to Search and Seize: While a large number of the Mitchell committee's recommendations were considered and enacted in relation to powers of arrest and detention for questioning in 1985, the 12 recommendations made by the committee on the subject of powers to search and seize have not been addressed. While the most visible (and controversial) area of search and seizure powers is that of the police, the Mitchell committee pointed out that powers to search and seize are granted to police and other persons by perhaps hundreds of regulatory statutes. Powers to search and seize in relation to a suspected offence against the Stamp Duties Act may be wider than those given to police in respect of a murder investigation. This area requires reform, consolidation and rationalisation.

(c) Areas Requiring Reform: Evidence in Criminal Cases:

The Mitchell committee made some 82 recommendations for the reform of the law of evidence in criminal cases. Hitherto, the area has not been considered as a whole. Reform that has taken place has been on an *ad hoc* basis, usually in response to concerns about a facet of another problem such as, for example, evidence in cases where child sexual abuse is alleged. In the meantime, the Australian Law Reform Commission has produced a massive and comprehensive review of the law of evidence, and the question of the coordinated implementation of its recommendations is now on the agenda of the standing Committee of Attorneys-General. This is a complex and enormous undertaking, but there can be no doubt that reform of the law of evidence is much needed and will be pursued within the framework of cooperation between the States and the Commonwealth.

4. The Future: A Program For The Twenty-First Century:

(a) Introduction:

There are movements for large scale reform of the criminal law all over the common law world. In England, the Law Commission has produced a draft Criminal Code, and has recently held a seminar for those who may be involved in the implementation of it. In Canada, the Canadian Law Reform Commission has published its complete redraft of that country's Criminal Code. In the United States, the Federal Attorney-General has recently announced the commitment of the Bush Government to the Federal Criminal Code project which has been stalled for twenty years. Last year, the then Attorney-General of New Zealand (now Prime Minister), released a criminal law amendment package which is one of the most far reaching reforms ever proposed in that country. In Australia, a committee chaired by Sir Harry Gibbs is working on a Commonwealth Criminal Code.

It is time that the criminal law of South Australia came under similar scrutiny. Since the Mitchell committee last reported in 1977, the landscape of the criminal justice system has changed, and will continue to change at rapid pace. This is as it should be, for the criminal justice system is an important statement of the relationship between citizen and State, and, as society changes, so should that statement of rights and duties, privileges and responsibilities. The issues of the 1970s may not be the issues of the new century. In 1977, it was hardly possible to foresee the explosion in information technology, the concentration on the care of victims of crime, the emergence of DNA technology, the creation of specialist police forces and non-police investigative bodies such as the National Crime Authority, and the growth in the areas of Commonwealth interest in criminal justice—to take some examples.

Despite a good deal of hard work by all involved in the criminal justice process much of the criminal justice system remains firmly based in the formative period of the nineteenth century. Our law on larceny and fraud is even older; it is based on a framework deriving from a judicial decision in 1473 and legislation in 1757. South Australia is one of the few places left in the common law world in which that is still the case. Some of these areas can and will be addressed by scrutiny of particular parts of the criminal law. What follows is a wider program for reform in the long term—ideas about the desirable overall structure of the criminal law which provide a context for specific reforms.

(b) Codification:

South Australian criminal law is based on English common law, brought by the original settlers at settlement. For historical reasons, common law was basically composed of the generalisation of individual decisions, supplemented, infrequently, by floridly worded cumbersome legislation, usually aimed at a specific problem. That legislative superstructure has broadened and become more comprehensive as the balance of constitutional and legal power shifted to the legislature, and as criminal justice policy became a vital component of political platforms. This has not always led to considered and rational reform of the criminal justice system, albeit that it has the constitutional advantage of democratic accountability which is not so in the case of judicial reform.

The 1990s seem to see a push to the codification of the criminal law in common law based legal systems—even in England, the home of the common law. The last great surge for codification came in the late nineteenth century, again all over the common law world, and it is this which explains the fact that Canada (1892), Western Australia (1902), Queensland (1901) and Tasmania (1924) all have a codified criminal law. The Northern Territory codified in the 1980s. The Mitchell committee recommended in favour of codification for South Australia. There is a significant movement to make the proposed Commonwealth Criminal Code a standard for the rest of Australia. The Standing Committee of Attorneys-General placed the issue on its agenda at its last meeting. Codification is now a serious issue for contemporary Australian criminal justice. The debate about codification, having been pursued for a century, is fairly well crystallised by now. It goes as follows:

Arguments Against Codification:

Codification of the criminal law rigidifies the criminal law so that it becomes incapable of gradual development in the light of practical experience. If one looks to the experience of those jurisdictions which had early codes one now finds that, 80 years later, they have become patchwork quilts of inconsistent and *ad hoc* amendments and now require a thorough overhaul to become relevant to the needs of modern society. In short, codification tends to freeze the dynamic nature of the criminal law at one moment in time.

Codification has unacceptable political/constitutional dimensions. It will reduce the role of the judiciary. It is a vote of lack of confidence in the common law which many regard as the bulwark of freedom in Australian society. Codification is too rigid, leaves insufficient room for judicial creativity, curtails the judicial role as a safeguard of equity and justice, and will be unresponsive to changing social reality.

It is unrealistic to expect a criminal code to be complete. It is impossible to put all criminal law into one statute. More, the attempt to do so will spark a rash of expensive and time-consuming litigation while everyone tries to work out what happened.

Arguments For Codification:

Society expects all of its citizens to know the law, especially the criminal law. Hence the rule that ignorance of the law is no excuse. But how can we seriously expect people to know that law, understand it, debate it, and contribute to its change, when it is scattered all over the statute book and hidden in hundreds of volumes of law reports? A code goes a long way to making the criminal law accessible to the citizens. They can buy the book and read it.

This will have considerable educative effects. As the Mitchell committee said, the law must be drafted in 'straightforward and comprehensible terms so that the ordinary man of average intelligence and education will be able to understand it . . .' This is particularly beneficial where, in contrast to the nineteenth century, a plurality of beliefs and the lack of a monolithic system or morality linked to the law means that religion and common morality are no longer sure guides to the criminal law—as it is now, or as it should be. Codification has the benefits of accessibility and public education, and this is vital when criminal justice policy is the subject of public debate.

The Mitchell committee also argued that a particular advantage of codification was the opportunity to eliminate or modernise the accretion of offences and ideas that have crept into the statute book over the years. Codification offers the opportunity to tailor the criminal law to the needs, desires and identity of the South Australian community now and for the future.

It has also been argued that codification offers obvious cost and efficiency gains. The argument is that the uncertainty and obscurity of the common law causes arguments in court, appeals, and general research time unnecessarily. Finally, it can be argued that codification conforms to constitutional or quasi-constitutional imperatives. It is argued that codification improves the idea that the law should be known in advance to those accused of violating it, it informs the political debate about its desirable form and content, and, as the English Law Commission argued, since the criminal law is arguably the most direct expression of the relationship between the State and its citizens, it is right as a matter of constitutional principle that the relationship should be clearly stated in a criminal code, the terms of which have been deliberated upon by a democratically elected legislature.

Assessment:

As with many arguments of principle, it is impossible to state that one side is clearly wrong and one side is clearly right. It is possible to say, though, that the arguments against codification can be accommodated if two major decisions are made. Both were clearly identified by the Mitchell committee, and neither were made by the jurisdictions in Australia which codified early in this century. The first deals with the fear that the code will become outdated quickly and fossilise the law at the date of enactment. It can be said in response that hardly a year goes past now without at least one criminal law Bill being placed before Parliament, but the Mitchell committee recommended the additional safeguard that machinery be established not only to codify the law but also to keep the code under constant review so as to prevent ossification. The second deals with the danger of a mass of litigation, the role of the courts and the legislature, and the retention of flexibility within a codified system. The manner in which the code is drafted is crucial. A balance must be struck between generalist to the point of uselessness on the one hand or succumbing to the temptation of legislating on every little matter on the other. The code should be a set of straightforward propositions of basic principles and offences in comprehensible language designed to clarify what is uncertain without strangling the process in a welter of detail. That is not what the early codes did.

Further, the Mitchell committee recommendation recognises codification as a committment to a process. A full code will not appear overnight. It must be done carefully and step by step with the aim of achieving a code in the future. A criminal code and the process of putting it in place has much to offer the South Australian community, and it is my current view that we should move toward it as part of the continual process of updating and reform of the criminal law.

Conclusion:

Our record to date has been impressive, but there is no cause for complacency. Having looked at the achievements of the past, we must look to the future, both in the long term and short term. This statement is a first step toward the reform agenda for the next century. More work has already been done. With this statement, I table discussion papers prepared by Mr Goode on Committals, Offence, Classification and the Jurisdiction of the Magistrates' Court; Offences of a Public Nature; and Mental Impairment and the Criminal Process. I also table a discussion paper based on proposals made by the Chief Magistrate concerning improvements which could be made to courts of summary jurisdiction. I seek leave to table these documents.

Leave granted.

The Hon. C.J. SUMNER: I stress that none of these papers represents the present position of the Government.

The discussion papers canvass options for reform, strengths and weaknesses, as discussion papers should. I would welcome the widest possible public discussion of their contents. Comments, criticisms and suggestions should be directed to Mr Matthew Goode, care of the Attorney-General's Department. Further, I have already announced through the media that the Government intends to move to set up a select committee to examine the law on self-defence. A discussion paper on this topic will be available shortly.

Criminal process reform is never-ending, because it is in some ways the ultimate statement of the relationship between the State and the community—and that relationship is constantly changing. The statement of that relationship and the means by which it is to be achieved are often controversial. The laws dealing with the criminal justice system must be relevant to the needs and aspirations of contemporary and future society, enhance the quality of justice, and encourage the criminal justice system to operate in an economical and efficient manner. These imperatives are difficult to satisfy, sometimes conflict, but, more often, they go hand in hand. I am sure that we will all pay them due attention as we put in place a program for the next decade.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 9 August. Page 159.)

The Hon. G. WEATHERILL: In supporting the motion, I wish to address the topic of State public sector employment. I worked in the State public sector for a period of 19 years, during which time I was employed in the E&WS Department as an emergency and district water man. I left the E&WS Department to work for the Australian Government Workers Association for a period of two years, and for the Federated Miscellaneous Workers Union for four years, representing the blue-collar workers in the E&WS Department and other State public sector areas.

During the time I have spent in this Parliament I have taken a keen interest in State public sector employment. It is with concern that I note the constant attacks on State public sector workers. Many of these attacks are ill-informed, damaging to the long-term interest of the State and should not be accepted. A strong and viable public sector is the aim of the ALP in Government. The public sector provides a service to the public which the private sector is either unwilling to provide or only willing to provide at an unacceptable cost.

It is my belief that the best means of defending the State public sector is to ensure that it is efficient in the eyes of the public. This can be achieved in two ways: first, by putting to rest the false propaganda about inefficiencies in the public sector. There should be a concentrated effort through public relations to lift the image of our public sector rather than to demoralise it. I quote from a budgetary submission by the United Trades and Labor Council for 1989-90 as follows:

> If the people of South Australia had more awareness of the positive aspects of the role of the public sector, we believe that the implementation of a more expansionary budgetary policy would be politically attractive and would counter the continually negative ideology promoted by New Right forces.

It can be achieved, secondly, by dealing with the inefficiency where it does exist. It remains vital that the following steps are taken:

1. Consultation within the relevant unions and members.
2. Retraining and/or redeployment as a first priority, with adequate compensation for inconvenience.
3. In cases of voluntary redundancy or retirement, an adequate severance payment be made, based on the employee's service. If the question of efficiency of the State public sector is approached from the basis of a commitment to the current employment levels, then conflict can be avoided.

It is my belief that the ALP in Government should never lose sight of the public sector's contribution to the social wage of individuals through its provision of services and its contribution of sufficient jobs to maintain as near as possible full employment. In my view, it would be regrettable if these goals were sacrificed because the community was not prepared to adequately finance the State public sector. In relation to restructuring in the State public sector, the figures show that there has been a significant reduction in the blue collar sector of the service. I refer to page 54 of the July 1988 Workforce Planning Committee Report, and seek leave to have it inserted in *Hansard* without my reading it.

Leave granted.

NUMBER OF DIFFERENT TYPES OF EMPLOYEES EMPLOYED IN SOUTH AUSTRALIAN ADMINISTRATIVE UNITS (1979-80 to 1986-87) EXPRESSED AS FULL-TIME EQUIVALENTS (1)

TYPE OF EMPLOYEE	YEAR ENDING 30 JUNE								
	1979	1980	1981	1982	1983	1984	1985	1986	1987
Government Management and Emloyment/Public Service Act Employees	13 803.0	13 627.1	13 562.9	13 347.3	13 539.6	13 787.2	14 134.0	14 470.3	14 521.4
Weekly Paid Employees	(2)	(2)	(2)	10 287.4	10 382.9	10 130.7	10 002.5	9 733.1	9 399.2
Other Employees	(2)	(2)	(2)	22 657.8	22 730.2	23 014.2	22 958.7	24 456.2	24 142.9
Total Employees in Administrative Units	(2)	49 518.2	47 814.5	46 292.5	46 652.7	46 932.1	47 095.1	48 660.6	48 003.5

(1) Source: Annual Reports of the Public Service Board and the Commissioner for Public Employment.
(2) Not available.

The Hon. G. WEATHERILL: Our society has a responsibility to provide employment, and the public sector plays a vital role. It is essential, therefore, that opportunities are available and maintained for people to be properly trained and provided with appropriate apprenticeships. We must ensure that we have an adequate and competently skilled work force as a basic support within the public sector. We must not forget how much we rely on blue collar workers and realise their value.

My concern is that blue collar workers may be expected to bear the burden of any restructuring in the State public sector. It appears to me that much of the talk about the

blue collar sector and so-called inefficiencies is very wrong. Part of the myth, I believe, arises from the high public profile of such workers. As a worker in the Department of Road Transport in the middle of a large highway, you are on view the whole of the day. Each time you stop for a break or lean on a shovel, hundreds of people look at you and think to themselves 'My taxes are paying for this.' I wonder how many people do work non-stop every moment of the day.

One wonders what would happen if an office worker in the private sector had his desk put in the middle of Anzac Highway and every time he leaned back to take a breather he was noticed. I will be closely monitoring the situation to ensure that so-called efficiency drives are directed equally at all sectors. I am further concerned by the increase in the use of private contractors in the public sector. Instead of ensuring that we can cater adequately with our own public sector employees, we are continually eroding our workforce.

The consequence is that we have to contract to the private sector at a much higher cost to the taxpayer. This is false economy. It is my view that use of public sector employees ought to be maximised at all opportunities. I consider it is unfair for less secure forms of employment with worse conditions of employment to be favoured just because in the short term they are cheaper. If this mentality is accepted, the public sector workers will be forced into an auction with the private sector workers to see who can give away the most to retain a share of the work.

Having said that, it is my strong belief that there is no good reason why the Government sector should be any less efficient than the private sector. During my time as a worker in the State Government and as a union official, I saw many examples of private sector work inefficiencies. I support a strong, efficient public sector which provides services, treats workers fairly and provides employment.

The Hon. M.J. ELLIOTT: I rise to support the motion and, in doing so, thank His Excellency for his opening speech. This session of Parliament promises to be an interesting one, particularly if the Premier, following the rebuff that his Government received at the last election, keeps his promise of more 'light and flair'. It could be debated that 'light and flair' are not quite what the State desperately needs. In my Address in Reply speech I plan to concentrate on the issue of democratic government, an issue which concerns me both as a parliamentarian, representing the varying interests of the people of South Australia, and as a private citizen in a democratic country.

The basic values we ascribe to democracy—freedom, participation, equality and individuality—are, in practice, more often than not the exception rather than the rule. In our modern setting, these values are often sacrificed to what are considered more important and imperative considerations. In South Australia the right of freedom of speech is denied public servants covered by the GME Act. Consultation occurs after major decisions are made by Government and not before. Those with money are more equal in the face of the law than those without. The flow of information is rigorously controlled by Government departments. I intend to deal with all of these issues here because they are all related to freedom of information—something which will be debated in this parliamentary session.

The operation of our modern parliamentary system of government is largely to blame for the abandonment of basic democratic principles. Governments are increasingly run by a small inner clique, where decisions are taken and policy directions decided outside the constraints of public opinion or Party policy. The role of Government is often viewed this way: that the election of the Government of the day provides it with a mandate from the masses to govern. This means that control of the State in the present and decisions affecting its future are placed entirely in the hands of the Executive which functions without recourse to public debate. This is the model which has been adopted by the present Bannon Labor Government. It believes that it has the trust of the electorate and is therefore functioning as an extension of the will of the people.

Premier Bannon is essentially trying to follow the example set by Thomas Playford, who ran the State from the top with the aid of a few public servants. However, by the time Mr Bannon became a leader of student politics in the 1960s Mr Playford's paternalistic methods were already outdated in a State with an electorate which was becoming increasingly aware of the effect of political decisions on their lives. Yet, the Playford model is the one that the present Premier has chosen to copy in his desire to also be remembered as a 'man of vision' with his mark left on the State.

Although it is the legitimately elected Government of South Australia, the Bannon Government, purely on numbers, cannot claim a mandate to rule. When people vote, they rarely do so because they agree with the complete package one Party or another has put forward. More often than not it will be a compromise vote after weighing up the good and bad, in their eyes, of each Party. Therefore, a Government will be elected with some policies which are unpopular generally with the electorate but, because of other considerations, the majority of people will support the Government. Not only are some policies unpopular, some are on the proverbial hidden agenda, while others materialise during the term of office.

At the last State election it could be argued that no one Party won Government: 40.1 per cent of South Australian voters had the ALP as their first choice, 44.2 per cent chose the Liberal Party, 10.3 per cent chose the Democrats, and 5.4 per cent voted for other candidates. In no way can it be claimed that the people of South Australia put their entire trust in the Labor Party to pursue its policies without further consultation or debate or that any decision made by the Government's inner circle has the backing of the public.

Our present electoral system with its single-member electorates cannot claim to represent all the beliefs and interests of the population. Proportional representation would offer more choices and the final make-up of Parliament would more closely represent the wishes of the population.

In South Australia there is concern that the development decisions which are driving the future of the State are not being made by Parliament, or even by Cabinet as a whole. They are being made by a few senior Cabinet Ministers in conjunction with a few senior administrators from within the Premier's Department acting on the advice of a special ideas team. The Special Projects Unit and Major Projects Steering Committee over the past few years have been involved in a number of major projects, such as the East End Market redevelopment, development of tourist facilities in national parks including the Wilpena development, the Myer redevelopment, the Sellicks Beach marina, the Mount Lofty development and Jubilee Point—and the list goes on.

It is worth noting the degree of public resistance that was created by some of those and how much effort was put in by the Government in the promotion of those projects. Many of them were, indeed, from the beginning half-baked ideas that should never have seen the light of day and yet a great deal of promotion was given to them by the Government's Special Projects Unit. Few of those projects have

been free of controversy, financial problems and allegations of deals between the Government, private enterprise or unions. They have swallowed up massive amounts of money and energy in being sold to the public. I think that word 'sold' is important.

The latest project on the list is, of course, the multifunction polis. The virtue or otherwise of the MFP is not relevant to the issues that I am canvassing today. What is relevant is the process by which South Australia has acquired the project and the method employed by the Government to 'sell' it to the public. These issues go beyond whether or not an MFP should be built at Gillman—the MFP is merely a working example of what I consider the flaws in our supposedly democratic State.

The basis for the early push for the MFP project was a survey which suggested widespread support among Adelaideans for the futuristic city. However, that support was an illusion created through careful manipulation of survey results. The ANOP survey took a sample of 1 200 adults in Adelaide. However, the final presentation of data included results gained from only 49 per cent of the sample: 588 people. The implication of what can only have been a deliberate move not to present all the findings is enormous, given the nature of the MFP concept and the fact that Adelaide's population is approximately one million.

The most disturbing aspect of Premier Bannon's claim of support is the 71 per cent figure that the Premier used to indicate that the majority of South Australians would either welcome the MFP or be interested in finding out more. This is a classic example of how statistics can be used to back up any previously desired outcome. The survey found that of the 49 per cent of the published sample only 32 per cent, or 188 people, supported the MFP, while the remaining 68 per cent were either against it or undecided. This is another way of looking at the same statistics. What the other half of the sample had to say is anyone's guess because I do not think that information is available.

Now that the development of the MFP concept has been awarded to South Australia, we have entered into a period of consultation. The dictionary definition of 'consult' is 'to seek information or advice'. When the Government says it will consult, I would have expected that to mean that the people would be asked for information and advice.

The reality, however, is that it is the Government which provides the advice and information in carefully controlled doses. The usual scenario of public consultation under the Bannon model is as follows: public meetings are held. At the meeting, a Government representative outlines whatever it is the meeting is about and then there is an opportunity to ask questions. The meetings are held largely on the Government's terms and lack any opportunity for detailed discussion and debate. Questions and answers are not a two-way form of conversation while the control of the meeting is in the hands of the Government, and the Government, in answering the questions, has the last word. There is no opportunity for ideas to be pursued and points of view clarified and argued through. The usual thing is that each person gets to ask one question, is given an answer, and that is the end of it—there is no working through of an idea.

At a recent forum on the multifunction polis, the head of MFP-Adelaide was asked about the results of recent soil samples from the Gillman site. They had been sought by interested members of the public. His answer was that they could not be released because they were intellectual property. The Government, as the sole custodian of information, has the ability to use and abuse the power that information provides. The excuse of 'intellectual property' is one which needs to be put to the test of freedom of information legislation. It is a dangerous precedent holding interesting ramifications for future Government consultation. The withholding of information gives an entirely new perspective and meaning to the word 'consult'. How can South Australians be consulted about, or even expect to support, a project, when they are told they cannot have information which is possibly (in fact, almost certainly) relevant to the viability of the project, both economically and environmentally? How can the Government be sincere about wanting to consult with the public when the fundamental questions of 'Do we want an MFP?' and, if so, 'Where should it be?' were answered long before anyone asked the public anything.

The debate on location is largely being stifled by the Government's insistance that Gillman is the only possible location. Little data backing up that decision, beyond the fact that the Gillman land is empty and considered worthless in its present state, is provided. It is essentally backwards consultation, where the major fundamental questions are already answered. A similar process was employed for the Jubilee Point development.

In the dictionary in John Bannon's office, 'consult' must mean 'to seek approval for a decision aready taken, to regulate information concerning the decision'—a far cry from the definition of 'seeking information or advice' that I found in my dictionary. Consultation under the broad Bannon definition also includes inviting written submissions on whatever is being proposed.

It is worth looking at what happens under the current environmental impact statement process, where people are invited to make written submissions about a proposed development. This is an admirable concession to democratic participation, but the reality is that it is a waste of time.

After the limited time allowed the public to read the document, submissions are sent in. They are then given to the proponents of the project, and the public has no further input.

The proponents examine the public submissions and decide what the public is saying; they interpret it. When they finally put out their supplement to the draft EIS, they summarise their interpretation of the public's complaints. They decide what the complaints and concerns are and address them as they see fit. But this is not a two-way consultation process where ideas are fully explored and contentious points argued through.

This process has been frustrating many people for years. Volunteer and interest groups spend weeks of time and limited resources preparing submissions which are merely passed over. This pattern is repeated every time a major development is subject to an EIS, and it is a pattern which also disadvantages some developers. The frustration with the process is reflected in attitudes to development.

In 1984, the Minister for Environment and Planning set up a committee to review the environmental impact assessment process. I understand that a draft report was completed 12 months later and a final report in late 1986. It was never released and nothing has been done about the process. We still have the same EIS process with all the flawed consultation, yet there have been very clear recommendations for improvement.

The same frustrations experienced by contributors to the EIS process are felt every time the Government encourages written submissions during other 'consultative processes'. While consultatively justifying its decisions, the Bannon Government plays games. These are not only games where relevant data becomes intellectual property unable to be publicly revealed, or games where English words acquire

entirely new meanings, but also games of overt manipulation of both facts and opinion.

The Bannon PR machine decided that it would use allegations of racism as a way of beating down not only criticism of the MFP concept but also any questioning of it. Following the announcement of Gillman as the preferred site for the multifunction polis, a Government Minister privately warned people, who were asking questions about the MFP on environmental matters, that they would be branded with a racist slur. I was told about that warning at the time. Within one week the Premier treated the ALP conference to a sound attack on racism. His address was afforded widespread media attention. He was setting the stage for the misrepresentation of queries and concerns which would surround the multifunction polis.

The Government's willingness to distort arguments and divert questions has been an interesting feature of the MFP saga. Any criticism of the concept has been branded as ill-informed or racism yet, watching the trickle of information from the Premier's Department about the project, it is hardly surprising that no one is well-informed.

Whilst seeking information personally, I attended two information sessions on the MFP concept: one addressed by Colin Neave head of the MFP project, and the other by Bruce Guerin, Director-General of the Premier's Department. I went seeking information on which to consider rationally the whole MFP proposal but what I got was two conflicting conceptual presentations. Despite the overhead transparencies and salesman-like spiel, many questions have remained unanswered.

It is unfortunate that the South Australian media lacks the time and resources to be the analytical fourth estate considered necessary in a true democracy. Adelaide's political journalists are vastly outnumbered by the Government's PR team. They are also at a grave disadvantage having to rely on the Government for information. It is hoped that the proposed freedom of information legislation will remedy that to some extent.

One piece of legislation that urgently needs amending before it is acceptable in a State claiming to be a democracy is the Government Management and Employment Act. Government employees should have the right to speak freely as individuals, except in narrowly prescribed circumstances, yet, section 67c *(h)* of the GME Act refers to an employee who, except as authorised under the regulations, discloses information gained in the employee's official capacity, or comments on any matter, or business affecting the Public Service. Regulation 117 of 1986, 21 (1) *(c)* (i) provides:

> If the disclosure or comment is of such a nature or made in such circumstances as to create no reasonably foreseeable possibility of prejudice to the Government in the conduct of its policies . . .

An important question is raised here: does the Public Service belong to, and work for, the public or the Government? Quite clearly, it is implied in the regulation that it works for the Government.

The first responsibility of the Public Service should be to the people of the State, not to the Government of the day whose policies and management of the State may be rejected at the next election. The most fundamental and important fact to remember here is that the public does have a right to know what the Government is planning and on what basis its decisions are made. The electorate vote in, and can vote out, the Government of the day. It is their collective future which is affected by the decisions made by that Government based on the advice and research of the Public Service.

The question is also begged: when is a public servant no longer a servant and merely a member of the voting public? Does the public servant have to sacrifice all personal interests and beliefs to the altar of the GME Act? The number of unreleased reports and other information which are 'leaked' to the media and opposition Parties from time to time points to the fact that there are a great many individuals with consciences within the Public Service who are frustrated at the lack of action or honesty from Governments.

Here I refer to public servants who reveal secret Government plans or information in the belief that it is wrong and is, or will be, harmful to the community at large. I do not include people who use Government information simply for financial gain, political or vindictive reasons. Often the release of information is done against self-interest. Whistleblowers risk their jobs, security and well-being because they act in what they believe are the best interests of the public.

The information of a conscientious public servant and the publicity it receives in part spurred the Government into action on marine pollution. His information focussed attention not only on the need for legislation to protect the marine environment but also on the way that legislation should operate. This man's actions were non-Party-political. They divulged no commercial secrets, and he stood to gain nothing personally other than the knowledge that a serious problem was finally to be rectified. Yet, to the Government's disgrace, this man is now facing court action under the GME Act.

Public servants should no longer be docile administrators, bound by a hierarchical structure which arrived on the *Buffalo*. The notion of obeying without question is out of place in the modern world, just as the values we ascribe to democracy stand opposed to the traditional notion of bureaucracy. The general population has become more active politically, and particularly most recently in environmental issues. The demand for information and scrutiny of Government decisions has also been increased.

To combat this, the Public Service is being covertly politicised. The promotion appeals system has been seriously weakened by the GME Act, so that many positions have been removed from the appeals process. There are also moves to increase the number of positions to which promotion appeals will no longer apply. Without any recourse available to any effective appeal process, the way is open for political appointments to both high (which has been going on for some time) and now mid level positions in the Public Service.

The question of information is really a question about power, because information is power. Governments want to hold on to power, so they keep vital information to themselves. Information in the hands of the public is perceived as a threat to power because it leads to decisions being questioned. As our system currently operates, if anything goes wrong, it is the Govenment's fault. It is in its interest for nothing to appear to go wrong so its power remains unchallenged. Mistakes and problems are covered up and the Government closes ranks around itself and the Public Service, which knows about the problems.

Secrets protect the Government and keep it powerful but it is the State and democracy which suffers. If, through a process of open and consultative Government, accountability is shared among the elected representatives, the Public Service and, importantly, electors, secrecy would become redundant.

After being promised for eight years, the debate of freedom of information legislation will finally occur during this session of Parliament. Hopefully, at this time it will be debated to conclusion. This Council has supported a private member's Bill on, I think, four occasions.

The primary aim of the legislation, as the Democrats see it, is to ensure the proper functioning of democratic government and the enhancement of civil liberties. The need for FOI goes beyond the right of individuals to see what is kept by the Government in personal files. I hope that, once South Australia has effective FOI legislation in operation, the 'watchdog' bodies of society—the media, activists, et cetera—will make full use of it. Without access to information, the public are, as in the case of the MFP soil tests, left to the mercy of what the Government considers is necessary to be released.

The ability to cover up information allows for bad decision-making and the very problems created continue to fester, because they remain hidden. The operation of FOI legislation requires a change in the perceived role of Government, from the paternalistic the-Government-knows-what's-best attitude to one where the public is an integral part of the governing of the State.

It calls for the public to be fully informed throughout the decision-making process—a vital component of a true democracy. FOI provides the avenue through which that can be partly achieved; it will not in itself facilitate democracy. It is a basic requirement of a participatory democracy that individuals have the power not only to vote but also to ensure that the laws made by their representatives in Parliament are upheld. I have some concern about the way in which laws are upheld in the State at present in two areas.

There is a growing view in many legal circles that there is a need to widen standing in the courts, that is, to make legal processes available to more people. Under the current system a financial interest in a matter must be proven before a court challenge can be made against, for example, a proposed development. Concern about the environment, public health or maintenance of a particular lifestyle are not recognised as imporant enough to grant a person standing in our courts.

The issue of third party standing is something I have tried to get this Government to take seriously but to no avail. A 1987 report, which is gathering dust in the Attorney-General's office, recommended the expansion of *locus standi*, that is, third party standing, in environmental matters. The Government has done nothing. Access to the courts, and therefore to justice, is also effectively denied to many groups by the prohibitive costs involved in legal proceedings.

Although the provision may be in legislation for interested members of the public to enforce the law, as is the case with the Planning Act, often lengthy proceedings and appeals against large companies drain the resources of residents groups. This is certainly the case for a group of residents from Coffin Bay who are challenging a development planned for Kellidie Peninsula. Despite the Planning Appeals Tribunal finding in the residents' favor on two occasions, the group has been ordered to pay the costs of the developer's appeal to the Supreme Court. That happened after the first ruling in their favour. They obtained a second ruling in their favour, but the developer is about to go to the Supreme Court yet again. Quite frankly, the financial power of the developer as against that of the small person will lead to their having to back off whether they are right or wrong. They have been found to be right on two occasions in the Planning Appeals Tribunal.

True democracy encompasses more than the ability to vote once every three or four years. The values of participation, individuality, freedom and equality must be facilitated in any democratic process. The charade of consultation must be replaced by an open and fair system where the public is used as a resource of the State Government, participating when decisions are required. The gag on public servants must be removed so that those employed by the public as public servants have the freedom to serve those by whom their salary is paid. Public servants should have restored to them their basic right of freedom of speech.

The public must also have the ability to participate through the legal system in deciding what future direction their home State will be. The interests of the general public in the eyes of the law must be afforded the same weight as the investment of a corporation. Unless the problems I have raised here are addressed, the Government will find, and indeed is already finding, itself facing growing public opposition. The nations of Eastern Europe are moving towards more democratic government. If South Australia does not change its processes, it will stagnate as a semi-democratic backwater rather than be the progressive State that it once was.

The Hon. L.H. DAVIS: I support the motion for the adoption of Address in Reply. I thank His Excellency for delivering the address on behalf of the Government and I look forward to this session which has just commenced. I must say that it is a particularly difficult economic time—a time from which neither a Federal nor State Labor Government can resile, because, at both Federal and State levels Labor Governments have been in power, in the case of the South Australian Government for nearly eight years, and in the case of the Hawke Labor Government for well over seven years.

I want to address my remarks to the South Australian Timber Corporation and the allied organisation, the Department of Woods and Forests. Many people would believe that, following the Legislative Council select committee inquiry into the effectiveness and efficiency of the operations of Satco, the problems of Satco would have been put to rest, but this afternoon I want to indicate that that is far from the case; in fact, the problems of Satco are still with us today. It can be argued that the problems of 1990 are even greater than those faced nearly three years ago in 1987 when the Legislative Council agreed to establish a select committee.

As the person who moved the motion to establish the select committee, I can well remember the arguments that I raised at that time. I made the point that the South Australian Timber Corporation, which had been established by an Act of Parliament in 1979, had not yet made a profit in what was then eight years of trading. Indeed, there has been only one year in which the South Australian Timber Corporation has made a profit, and that was in 1988-89.

That was a marginal profit, arguably a profit which is as much a product of creative accounting as it is of trading. It is also worth bearing in mind that 1988-89 was the most buoyant year for the building industry in the 1980s. I reminded the Council that the South Australian Timber Corporation had general objectives set up in that Act of Parliament, as follows: to promote the appropriate utilisation of the State's forest resources; to make economic investments alone or in joint venture which achieve forest utilisation in the manner beneficial to the State's economy and employment opportunities; to catalyse the development of new industries or sustain existing industries based on forest products or related commodities in accordance with the corporation's investment guidelines; to investigate and secure export markets for forest products or related commodities where domestic markets are inadequate or non-existent; to provide consultant services within Australia and overseas consistent with the expertise available to the corporation; and to promote, where possible, expansion of forest areas particularly in the South-East region of the State.

They are all high-minded and very desirable objectives, taken at face value; but how short the South Australian Timber Corporation has fallen of those objectives is revealed when one looks at the sorry plight of the corporation.

I will detail some of the worst areas of the corporation as at August 1990 and I will elaborate on some of those areas. To do justice to this topic would require a very long time but I want to try to confine my remarks to what I see as some of the more pertinent points. The public at large recognises the total failure of the Government in its decision to invest in the Greymouth plywood operation located in the South Island of New Zealand. In addition, the recent publicity given to the closure of the Williamstown mill is recognised by the public as another negative aspect of Satco.

Today I want to argue and develop an irrefutable case for the proposition that everything the South Australian Timber Corporation has touched has been a disaster or has certainly fallen well short of what has been achieved by its private sector counterparts in terms of the efficiency and effectiveness of its operation, and the development of capital investment within budget and within the time frame set down. I argue that the Bannon Labor Government has failed Satco workers and South Australian taxpayers.

I am very conscious that, in the South-East of South Australia, in particular, and some areas in the Adelaide Hills, this work has been a very important source of employment and production for many thousands of people over a long period. I am also very conscious of the proud record of the Department of Woods and Forests since its establishment in the last quarter of the nineteenth century. I say unreservedly that the department has been a leader in the development of *pinus radiata*. It has been a very good and competent forester but, once it developed a commercial arm with sawmilling operations and the establishment of the statutory authority, the South Australian Timber Corporation, which had a common leadership with the Department of Woods and Forests, the many workers of the department and the corporation, together with the taxpayers of South Australia, learnt to their cost that the public sector simply could not compete with the private sector in commercial operations.

Premier Bannon, the Ministers of Forests over the past five years (Hon. Roy Abbott and Hon. John Klunder) and the top management of the South Australian Timber Corporation have to accept the blame for the appalling financial failure of the corporation in recent years. Without doubt, Satco would be a finalist in any competition for the worst managed company in South Australia. In spite of a Legislative Council select committee, which drew attention to Satco's shortcomings, the financial failures and mismanagement have continued through to the present.

The one thing that can be said about that select committee—established on my motion in October 1987, and reporting to this Chamber in April 1989—was that it brought down a bipartisan report. The Labor Party members, the Australian Democrat member and the Liberal Party members were unanimous in their condemnation of Satco's management and the abject failure to handle its affairs properly on so many fronts. Not one Government member disagreed with the thrust of the select committee's report. It was a very harsh, condemnatory report of Satco.

Notwithstanding the fact that the report was delivered about 18 months ago, it seems nothing has happened. The financial failure and mismanagement have continued. Satco has lost its way. It can be argued that the Government cannot see the wood for the trees. In recent years the business planning, financial management and judgment of the Government and the Satco leadership have been naive at best, and reckless and unprofessional at worst. I venture to say that, if the decisions taken, the results obtained and the failures paraded by Satco and apparently acquiesced in and backed by the South Australian Government were in the province of the private sector, questions would be asked by very angry shareholders.

The mishandling of Satco's financial affairs and the millions and millions of dollars lost to South Australian taxpayers amounts to a financial scandal. It is not an exaggeration to say that Satco's losses are a financial scandal. The Bannon Government and the two Ministers of Forests (Messrs Abbott and Klunder) have a lot to answer for over the past five years. Let me catalogue some of these failures. It could be argued that the list of failures would win an entry in the Guinness Book of Records under the worst—or should that be 'best'—business failures in the least possible time. Let us just consider the following.

First, the State Government committed itself to Satco's new, high technology scrimber proposal in 1986. The original submission to Cabinet in 1985 indicated that an investment of $12 million would be required. In 1986, that was amended to $16 million and then to $20 million with a start-up date for scrimber of mid 1988. Cabinet agreed to that in 1986. Scrimber has not yet commenced. The cost, including capitalised interest, must be close to $55 million. We should note that the interest accrued on borrowings relating to the corporation's investment in scrimber will be capitalised to the date of the commissioning of the plant.

Premier Bannon swanned down to Mount Gambier to open the plant in the last week before the 1989 election, but it was what one could describe as a poor man's, Clayton's opening. It was a fiasco to call it an opening because there was not one moving piece of equipment on the premises. The Premier opened a stationary plant and, nine months later, it is still not moving.

In December 1985, the South Australian Government acquiesced in the purchase of an uneconomic plywood mill in Greymouth on New Zealand's south island on the basis of unaudited accounts, and in spite of a strong note of caution from an investigating accountant. It is worth remembering that Mr Geoffrey Sanderson, a Chief Executive Officer for IPL (a subsidiary of Satco), a very close acquaintance of Mr Peter South, Chief Executive Officer of Satco, and the Chief Executive Officer of the Department of Woods and Forests, had, in fact, been a director of the company which had ownership of the Greymouth plant until just 12 or 13 months before the South Australian Government started negotiations to take a 70 per cent interest in that Greymouth mill. One would have thought that he would have knowledge of the inadequacies of the plant, of the fact that the plant was so old, the equipment was inadequate, the location was appalling, the cost of timber was high, the plant was not competitive with its north island counterparts, and the raw material was coming from Nelson, 290 kms away, and was going out over the mountains to Christchurch.

It could not have been a less favourable investment. It was the sort of investment you would not have wished even on your worst enemy, yet the South Australian Government bought it. In doing so perhaps it made Commonwealth history by becoming the first Government to be a social welfare provider to a country across the sea. Not surprisingly, after taking into account financial and other costs it has never made a trading profit.

The State Government is now trying to sell Greymouth. Just who will be silly enought to be as silly as the South Australian Government? Quite clearly Greymouth does not have a buyer, or if a buyer is found it will be sold for a

give-away price—a couple of pairs of John Bannon's running shorts perhaps, or something of that order. It really is a financial scandal; no more, no less. The blatant attempts to cover up the truth of what was happening were there for all members of the select committee to see—the memory, lossess and the fudging of answers by key players was nothing short of disgraceful.

But the catalogue of disasters continues. In 1979, the South Australian Timber Corporation, acquired a 50 per cent interest in Shepherdson and Mewett Pty Ltd at Williamstown, and then moved to full ownership. It was always a marginal operation which certainly did much better when there had been private sector involvement. In 1987, Shepherdsen and Mewett, by then fully owned by Satco, purchased a sawmill from Sweden which was never installed. There was quite a junket, in which the General Manager was involved, in going over to Sweden and purchasing this second-hand mill for a cost of $688 000.

The Hon. R.J. Ritson: Was that for the airfare as well?

The Hon. L.H. DAVIS: I have not included the airfares and the entertainment expenses; that is just for the plant and freight. Of course, once it was brought back it had to be stored at a cost of $2 200 per month, which has cost $82 000. It is still in storage. It is now three years later and it had never been installed. The scandalous thing was that the Satco board never approved the purchase of the second-hand sawmill—so much for managerial expertise and control in respect of a Government trading operation.

In 1988—not to be outdone—Shepherdson and Mewett proceeded to purchase a debarker for $48 000 but that was never used. One could think of some useful uses for that debarker in the present circumstances. Again in 1988 a moulder and chipper bin was purchased for $65 000 but was never used. In 1988 the board agreed to a new kiln being commissioned at a cost of about $350 000. A contract was entered into for that kiln, but the contract was then cancelled and another kiln was ordered from another supplier in 1989. The cost of that new kiln was again about $350 000 but there was a legal claim for the cancellation of the first kiln, and, again in 1989, an out-of-court settlement cost another $63 000.

In that period from December 1986 to the end of 1989, the General Manager (Mr Gray) was still in a full-time position, although it had been said that at the end of December 1986 he was going to retire. But his retirement kept getting moved on, for some mysterious reason, every six months or so, until at the beginning of 1990 the General Manager decided he would work for a full-time salary, but on a part-time basis, from his shack at Port Vincent. That is the sort of effectiveness and efficiency of operation that we see in the South Australian Timber Corporation in 1990.

And where the hell was the Government in all of this? Where were the Minister of Forests, Mr Klunder, and the Premier, Mr Bannon, when a South Australian Timber Corporation select committee had said, 'Satco needs to be watched, it is wasting taxpayers' money, and is not effective and efficient'. It reports in April 1989 yet still in January 1990 we have this sort of nonsense going on. That is disgraceful; it is quite unacceptable.

Let us continue with this parade of financial disasters that, perhaps, set in comedy, would rank a full hour on one of our commercial television stations. In 1986-87, Mr Geoffrey Sanderson, a key figure in Satco's decisions to acquire an interest in Greymouth, as Chief Executive of IPL (NZ) (which is a subsidiary of Satco) announced that Satco's plans to produce a radical new plywood-bodied car in the South-East were at an advanced stage. The Government was now going to build plywood cars. How exciting; how adventurous; how stupid! Mr Sanderson said the car (known as Africar) would be built either at Murray Bridge or Nangwarry, and up to 5 000 cars would be built each year. We will come back to that little saga in a moment because that in itself is worthy of a television mini-series.

The Mount Gambier wood room, being built at a cost of $4.3 million, was due for completion in June 1989. That will provide for the scrimber operation, which I have already talked about. About 40 per cent of the product out of this wood room would go towards scrimber, and the balance would either be used as round wood for fence posts and the like, or chipping for the Apcel paper plant. Remember, it was due for completion in June 1989. Of course, approval for that project was given by the Public Works Standing Committee, and now it is running more than 12 months behind schedule.

Let us move on in this chronology of disasters which costs both you and me as taxpayers of South Australia. The Nangwarry green mill upgrade was due for completion in March 1990 at, again, a cost of over six million dollars. It was due for completion in March 1990 but it is well short of completion. I am told that the automatic sorter/stacker will not be operational until September 1990. Until then, the timber will have to be manually handled, and the resaw operation is just being completed. So, with just those latest ventures in this calendar year of 1990, the fact that the Mount Gambier wood room and the Nangwarry green mill upgrade are so far behind schedule is costing taxpayers money.

I now refer to the grand overseas trip in 1987 of Messrs South and Sanderson to establish export markets for sawn lumber, LVL and plywood and to investigate the Africar and other matters of interest. I will read excerpts from that exciting travelogue. We can also refer to the 'Rolls Royce' factory storage operation of the South Australian Timber Corporation in Melbourne, at Laverton, which the select committee inspected—a huge operation which was costing much more than was necessary.

Evidence was given to the select committee that, for a period of time, the Department of Woods and Forests and the South Australian Timber Corporation actually competed against each other, selling the same product—an example of the left hand not knowing what the right hand was doing. Of course, we can go back in time to the $200 000-plus loss of the Punalur Paper Mills and the repeated promises, which were matched by repeated failures, of Ecology Management, which has now disappeared from Satco's list of failures because it was closed down.

So, we are left with virtually no real success stories out of Satco although, to be fair, the laminated veneer lumber operation (which is only a very small part of Satco) has had some success, and MGPI Trading, as it was then known, has also had modest success although, in strictly commercial terms, it is certainly not a stunning financial success.

One can see that there is not much for the Government to be excited about when it comes to Satco. More particularly, as I have said, the timber workers, employees of both the Department of Woods and Forests and the South Australian Timber Corporation, particularly in the South-East, have every right to be cross with the leadership of Satco and the Department of Woods and Forests and, more particularly, to be cross with the total failure of leadership and direction by the Bannon Government.

This lack of effectiveness and efficiency in the operations of both the department and Satco (the statutory corporation, the commercial arm) ultimately affects the employment opportunities and the level of employment in that impor-

tant industry which is, of course, primarily located in the South-East of South Australia.

Let us now consider some of the failures. First, I want to examine the South Australian Timber Corporation's scrimber operation. I mentioned that it was first talked about by Satco in 1985, when the initial cost was $12 million. By the time Cabinet gave it final approval at the end of 1986, the cost had blown out to close to $20 million. I accept that was the figure at the time. It is worth remembering that, when the South Australian Government made a commitment to scrimber, it was doing so at a time when it had already made a huge commitment to the Greymouth plywood operation. It had one operation offshore which was causing enormous problems, although the Government was not aware of it at that time. In fact, it was left to the Auditor-General to reveal the sad truth of the Greymouth fiasco. The Government naively made the decision to proceed with scrimber without, apparently, ascertaining that no-one in the private sector believed that the scrimber technology was viable.

The Government made that decision to proceed with scrimber notwithstanding the fact that the South Australian Timber Corporation had no capital base and was simply debt funded. The then Auditor-General (Tom Sheridan), the only real hero in this affair, had constantly made the point that the South Australian Timber Corporation could not be regarded as a serious commercial operation if it was not going to be financially structured in a similar fashion to its private sector counterparts.

I guess that decision reflects the naivety of the Bannon Labor Government. Not one person on the front bench has ever been in small business. Not one person understands what makes a small business tick and how to face the breeze and feel the heat and the pressures in the commercial sector. This certainly shows in the results of Satco.

The Government started off with a $20 million estimate for scrimber. Very quickly, that blew out to an estimate of $32 million. In one of the last documents the Satco select committee received, on 9 March 1989, which is not all that long ago, we were told that scrimber was expected to be launched in July 1989 and that the cost of scrimber was expected to be $30.6 million. We were told that in March 1989, yet here we are in August 1990 and scrimber has yet to start—and the start up costs including capitalised interest must be close to $55 million.

I quote from the evidence a letter from Mr D.N. Curtis, Finance Executive of Satco, dated 9 March, as follows:

> Based upon their own research, a major United States timber producer has decided to invest in the scrimber process as they expect scrimber to capture a greater share of the United States market than parallam.

Parallam is a reconstituted timber product not dissimilar to scrimber. There we have it in black and white: a major United States timber producer had decided to invest in the scrimber process. That simply has not happened. There has been much talk and, if one can make this observation, a lot of misleading information given about the support for the scrimber process.

In fact, sadly, the answer is that, of course, the technology is yet to be proven. In March 1989 they were talking about scrimber starting in July 1989. When the project went to Cabinet in November 1986, they were going to proceed with the development of a full-scale scrimber production plant for an estimated $20 million cost and they were expecting a formal start-up sometime in mid-1988. That eventually was pushed out to become late 1988. So we had this moveable feast in that the scrimber operation kept being delayed. I do not want to dwell on that because it has already received a lot of publicity.

However, what I do want to say is that back in September 1987, at the time when we moved for the select committee, I expressed concern about the scrimber technology process. I expressed real reservations about its ability to work and I made the point then that many people, including timber engineers, regarded it as a doubtful and perhaps even outdated technology. The point is that when we are talking about reconstituted wood products, engineered products, it is necessary, of course, for those panels and beams to be of uniform quality. The real challenge in any reconstituted wood product is to get consistency so that it will comply with building standards. Everyone accepts that it is an exciting technology but that it is going to be extremely difficult to succeed in this area, that is, to come up with a product that is of consistent, uniform quality of a particular density.

Specific density of wood products is a good measure of the strength properties and it will always be difficult to get a reconstituted wood product with that consistency. It requires expensive binding. Glue for binding is expensive, and another problem which scrimber will have, I believe, is that the moisture content in wood varies between summer and winter. So to scrim summer wood will be more difficult because it will be more brittle as it lacks moisture content. The ability to control the cost of production will always be difficult. Having said that, I want to make quite clear that I hope that this technology succeeds, but we are at the misery end of the spectrum, in that we have already committed $55 million to a project that the Liberal Party warned against three years ago, believing that it was not the role of Government to be in high risk technology, and now, sadly, our warning has come home to haunt the Government.

I now turn to the plywood operation in New Zealand. A lot has been said about this, but the point that has been made clearly by Peat Marwick Mitchell and by the Auditor-General is that without South Australian Government support this project, almost from day one, has been technically bankrupt. It has never been viable, from day one. That says something about the skill of the Satco negotiators, the naivety of the Satco negotiators, in particular given that one of the three key people involved in this, Mr Geoffrey Sanderson, had been a director of the private company that had the major interest in the Greymouth operation. He had been to the mill, he knew the mill and he was familiar with its limitations. Yet, the naivety of the Satco board overwhelmed all reasonable economic considerations and, of course, one has to say that the naivety of the Labor Cabinet comes again into focus: this mill should never have been bought.

I cannot really see how that situation will ever correct itself. Peat Marwick, in its report of April 1987, said that the job of assessing the current financial position of the Greymouth operation was made difficult by the incomplete state and condition of the accounting records. It said that the last set of financial statements prepared was of October 1986, that the company had not produced a company operating report and was only just beginning to implement a crediting system.

In other words, the Government took over a company which it very quickly must have realised was a wooden lemon. Yet, 15 months further on it had done nothing to correct the inadequacy of the financial records. That is scandalous. It is totally unacceptable and, as a result, I predict that if this is sold, and it would be for a peppercorn, or if it is simply closed down and mothballed, as I believe it will be in time, there will be no change out of $20 million of South Australian taxpayers' money. In fact, that might be a modest figure. That, in four years flat, is a hideous result. There can be no excuses at all for it. The sadness is,

of course, that it has raised the hopes and expectations of people in the Greymouth plant who have worked at that plant, often as I understand for very low wages. The only person who emerges with any credit at all out of the Greymouth fiasco is the Auditor-General, followed closely, I might add, by a very determined and dogged Liberal Opposition which drew attention to the matter perhaps even before the Government was aware of the difficulties in relation to Greymouth.

I have discussed the Shepherdson and Mewett plant at Williamstown and that, of course, is of current interest. I believe that the fiasco there with the purchase of a mill that has never been used, the mulcher, the de-barker and all the other equipment, is really very much emphasising the fact that Satco operations can be best characterised as a Gilbert and Sullivan production in a forest setting.

The Hon. R.J. Ritson: Without the music.

The Hon. L.H. DAVIS: Yes. If there was music it would be very discordant and the singers would be barking.

The Hon. R.J. Ritson: Up the wrong tree.

The Hon. L.H. DAVIS: Yes, up the wrong tree! Let us consider the Africar because, of all the projects for which the Government has claimed credit, there is none more deserving than the Africar. This is one of those delicious stories that you have to listen to carefully. I am going to read it twice, because the first time members will not believe it. We are taken back in time to 18 November 1986, to an august publication called the *Advertiser* and a heading 'South-East timber may be used for radical plywood car'. The article states:

South-East plywood could be used to build a radical new car if tests in England prove successful. The chief executive officer of the timber firm, International Panel and Lumber, Australia Limited, Mr Geoff Sanderson—

Incidentally, International Panel and Lumber was a fully owned subsidiary of Satco—

said yesterday that a shipment of plywood produced at the company's plant at Nangwarry, near Mount Gambier, had been flown to England for testing for suitability for use in building the Africar.

He described Africar as a jeep-like motor car with the entire body and chassis made from plywood. It was designed to be robust and reliable, but at the same time of a simple design that could be repaired and maintained with primitive equipment in Third World countries. If the Nangwarry product is accepted, pinus radiata plywood from the South-East could be used in the expected production of more than 5 000 cars a year.

These are Government-made cars. One could imagine the Minister of Tourism launching the first Africar, driving a plywood car off the production line with 'SA Great' embellished on the side. The article continues:

Mr Sanderson said tests of the type of plywood under consideration had consistently exceeded the stated requirements of the Africar's makers. The product was a super-strong plywood capable of taking great stress loading.

There is plenty of stress in this story—I can tell the Council that. Mr Sanderson stated further:

After the car body and chassis had been built, the whole assembly would be soaked in epoxy resin to give added strength.

That article was followed closely by a story on 19 November 1986, again in the *Advertiser*, headed 'Radical wooden car may be produced by South-East firm'. The article, accompanied by photographs, reads as follows:

Plans to produce a radical new plywood-bodied car in the South-East of South Australia are at an advanced stage. The Africar, aimed at the Third World market, has been designed by African International in Lancaster, England, and could be built in Murray Bridge or Nangwarry. A Nangwarry-based plywood manufacturer, International Panel and Lumber—

this firm is owned by the taxpayers of South Australia—

is studying the possibility of building the vehicles in South Australia so they can be used in the outback and exported to South Pacific countries.

This could have been another junket for the Minister of Tourism. She could have travelled with these plywood cars, but sadly, as we will find out, this was not to be. The article states further:

IPL's Chief Executive Officer, Mr Geoff Sanderson, said yesterday that, if the results of those studies were satisfactory, up to 5 000 of the cars, with all wooden body and chassis could be built each year in South Australia.

It probably would have been a good idea to have shares in the Flick Man because, 'with one flick', they may well have been gone. I am not sure whether they were white ant-proof—obviously, they would have had to be kept moving. It is further stated:

Its projected cost is not yet available. All body and chassis components of the Africar are made from specially prepared super-strong plywood. The assembled body and chassis are coated with an epoxy resin to further strengthen the structure. The car, designed by former television producer, Mr Tony Howarth—

I think he produced comedy shows—

is robust, light and easy to maintain. It has permanent four-wheel drive with the drive emphasis on the front wheels to enhance handling. Africar has a range of six or four-cylinder diesel or petrol motors producing 33 to 82 kilowatts of power. The unconventional engine features horizontally opposed cylinders and is modular, so a six-cylinder version is produced by adding extra cylinders and components to the four-cylinder engine, rather than having two separate production lines.

It is a relief to know that. The article continues:

A factory about to be commissioned in England is expected to produce 1 000 of the cars by June next year. IPL—

that is, the taxpayers' company—

holds the sole South Pacific manufacturing rights for Africar. 'We believe the chances that the car will be built here are pretty good, but there are a lot of feasibility studies that need to be done,' Mr Sanderson said. A prototype motor is due here by Christmas and three prototype cars are coming by the middle of next year. 'Whether and when we proceed with manufacture here depends on cost comparisons.' Mr Sanderson said the company was looking at sites at Murray Bridge and Nangwarry. IPL already had extensive manufacturing facilities at Nangwarry but a new plant may be built at Murray Bridge closer to transport and port facilities. Africar also had advantages for the rugged conditions of outback Australia and for military use. 'It is half the weight of conventional cars', Mr Sanderson said. 'That is very important for military use when you are looking at dropping them out of aeroplanes.'

This is not a skit from 'Comedy Capers', this is an article from the *Advertiser* and it is the taxpayers' representative on the IPL board speaking. The article states further:

He said that in the outback the car's ruggedness and ability to be repaired with basic tools, combined with the fact that it was not susceptible to rust gave it the edge over other cars. He said that, because of the flexibility of plywood, IPL would be able to supply a variety of body formats without major tooling problems. Plywood manufactured by his company already was being investigated by the English manufacturer for world-wide use in Africar. If the South Australian plywood proved suitable it could replace African material now being used.

I looked carefully at the date of this article because my first thought was that it could have been 1 April but, no, it was 19 November. Having seen two articles about the Africar on successive days in the *Advertiser*, one would have thought that the then Minister of Forests (Mr Abbott)—or was it Mr Klunder—would have done something about it by saying, 'The Africar is a bit over the top; I think we should perhaps put the plywood panels for the car on the back burner.' But, no, on 27 March 1987, IPL, with, obviously, the full backing of the Bannon Government, was at it again, this time with the headline 'June debut for Africar, but SA plans delayed'. The article reads:

The plywood bodied, British designed Africar, which could be manufactured in South Australia, will have its world-wide debut in June this year. The car will be manufactured by Africar International at a plant in Lancaster, England, and at other plants established through franchise agreements in 34 other countries. However, plans to begin South Australian production in 1988 have been delayed. Mr Geoff Sanderson, the Chief Executive Officer of International Panel and Lumber, the company which

has secured the manufacturing rights, said in Melbourne it was expected to have a prototype model in Australia for testing in June or July [1987]. 'Until we do this, we won't be making much noise, although our intention is to fully manufacture the car in South Australia, but this is some way down the line. We need to do a lot of work with the prototype to test its suitability to local conditions and compliance with the Australian design rules, and then we need a survey period before we commit ourselves to manufacturing,' Mr Sanderson said. Last year it was announced IPL was considering building the vehicle either in Nangwarry, in the South-East, or at Murray Bridge. Mr Sanderson said yesterday the choice still had not been made. The Africar is a four-wheel drive vehicle whose body and chassis is made from plywood reinforced plastic using modern chemical bonding techniques. Structural foam is also used as well as steel and aluminium reinforced laminates with separate steel sub-frames.

There we have it in glorious print.

The Hon. R.J. Ritson: Is it amphibious?

The Hon. L.H. DAVIS: If it was amphibious, I believe it has sunk without trace. There was the South Australian Timber Corporation, with all hell breaking loose at Greymouth, with a monster it had not dreamed of, although any other reasonable person, including John Heard (the accountant) and the Auditor-General, immediately saw the problems and the chronic financial difficulties of the Greymouth plant. There they were with scrimber, an untried, untested and horribly expensive time-consuming technology, and in that very same period of time they are launching into Africar. So, the South Australian Government becomes arguably the first Government in the Commonwealth to produce Government cars. That is just amazing. I am pleased to acknowledge that with no further news on the Africar project for the past three years it seems we are now 'Out of Africar'.

The last matter that I want to raise relates to the naivety and the fairyland approach to management of the South Australian Timber Corporation by Mr Peter South and Mr Geoff Sanderson. I have here something which the Chairman of the South Australian Timber Corporation select committee will well recognise, and that is a thickly bound volume of evidence. I refer to the report on overseas travel in February-March 1987 by Mr Peter South and Mr Geoff Sanderson. They are good friends and business colleagues, but they have cost the South Australian taxpayers millions of dollars, with a little help from the Government. During February and March 1987 they went on a trip with the following objectives:

To establish exports markets for products of Woods and Forests Department (sawn lumber) and South Australian Timber Corporation (primarily laminated veneer lumber and plywood).

If appropriate, to appoint distributors in the United States and to identify appropriate market sectors. To consolidate the arrangements with the American Plywood Association for accreditation of certain products and review contract of liaison consultants Jacob Ash and Lloyd Roberts. Assess progress of technology and market development of timber engineered building systems in overseas countries, particularly with regard to LVL and plywood.

To review progress in regard to Satco's investment in the Africar project.

To finalise contract for manufacture of scrimber press.

To research latest equipment technology relating to plywood manufacture in Europe and United States.

Let me highlight some of these points. I refer to page 16 of the report on overseas travel that was submitted by Mr South. In Lancaster, England, they visited the Africar project. The report states:

. . . and discussed progress against the expected schedule as told to us last 20 September. The project has lagged due to lack of funding but recently they have raised £500 000—

which in those days would, I think, still have been about $A1 million—

which will enable them to proceed more rapidly. The prototype engine is supposed to be complete except for the transfer case and we were assured this would be completed ready for trialling by April. It will be some time, however, before our own engine will be completed as there will be quite a long time span before production tooling is developed. A complete set of engine drawings will be sent to us in the next few weeks.

So, never let it be said that the South Australian Timber Corporation was not serious about Africar. It was actually having the damn engine drawings sent out. The report continues:

They have developed the main body jig to allow for a separate chassis stage as required by the Australian authorities, and a sequence of pictures were recorded showing build up of the floorpan. Again, drawings will be sent to us as soon as possible. Building of the cars will commence in April as first deliveries are still expected in June. The contractual agreement has already been sent in draft form for our comment and they have promised to tidy this up quickly.

Considerable discussion took place on the supply of plywood from Australia and GAS promised to look at supply of 'near clear' grade from New Zealand in an attempt to meet competitive prices from alternative suppliers. They are most keen to use our plywood as the properties are particularly suitable for working with epoxy resin. We were promised that we would be continually updated and kept informed on all aspects of the project, including handover of the factory, which is supposed to take place in April.

The only other point I want to make relates to the summary of this report, which states:

It is clear that potential exists in the USA and Europe for high quality appearance grade plywood and timber as well as LVL. In all cases price is a major consideration and further investigation will be needed to pitch prices at appropriate market opportunities. It will also be necessary to adapt our Australian grading concepts to suit the requirements of the selected market areas . . . The selection of appropriate distributors in all areas will depend on performance and ability displayed during the survey period.

Read in its entirety, that report is an exercise in naivety; it is fairyland economics.

I have discussed this matter with several people in the private sector, and no-one seriously believes that the South Australian Timber Corporation could forge for itself a place in the timber markets of the world. Indeed, a trial shipment of timbers to the United States, which is referred to in this report, was undertaken in 1986-87. There was a very large but undisclosed loss on that contract so, at the leadership of the South Australian Timber Corporation, we had unguided missiles picking up ideas at random, including a plywood car, a high technology project and a failing plywood mill in the South Island of New Zealand. This was all done under the name of economic rationality, aided and abetted by a very lethargic and naive Labor Government.

These actions will haunt the Government in this term of office because, as I have mentioned, all aspects of the South Australian Timber Corporation have, during the past five years, quite rightly attracted unfavourable attention. Even though the South Australian Timber Corporation select committee of the Legislative Council reported in a very critical fashion, the Minister of Forests and the Premier of South Australia seem unable or unwilling to rein in this continuous haemorrhage of taxpayers' funds.

I can only think that the fact that they have removed the word 'Woods' from the title of Minister of Woods and Forests, so that Mr Klunder is now known only as the Minister of Forests, indicates to me at least, and I am sure to the community at large, that the South Australian Government cannot see the wood for the trees with respect to its oversight of the South Australian Timber Corporation and, also, the Department of Woods and Forests.

The Hon. R.R. ROBERTS: I also would like to thank the Governor for his contribution at the opening of Parliament. In my contribution today I want to touch on only two things that were mentioned in that speech. I mention first His Excellency's reference to the marine environment legislation, which I am pleased to see is being reintroduced at this session of Parliament.

I will reiterate some of the remarks that I made when the Bill failed to pass during the last session of Parliament. Some members of the Liberal Party attempted to frustrate the passage of that Bill. I hesitate to mention his name, because he is not in the Chamber, but Mr Martin Cameron moved an amendment which, for some strange reason, was never denied by the Liberal Party. One can only contemplate that it was perhaps because it cannot control the Hon. Martin Cameron, or it was feeling particularly sorry about the fact that it had put the skids under him, to use the political vernacular.

The other move that frustrated the legislation was the insistence by the Democrats on setting up another committee in addition to that which was already in place, and I refer to the Environmental Protection Committee. I thought that insistence was somewhat strange, bearing in mind that the Democrats often attack this Government for duplicating and extending committee systems. However, on this occasion, they saw it necessary to incorporate another committee, which indeed had the effect of frustrating the legislation.

Following the defeat of that Bill, we went into recess when, in my home town of Port Pirie, we had a visit from the Greenpeace ship. In the past, Greenpeace members have had a particularly good record in relation to environmental issues. I understand that they were invited to discuss the marine legislation when they came to South Australia, but initially chose to decline that offer.

Greenpeace paid a surprise visit at 2 o'clock in the morning but, as I noticed from the footage, it happened to have a TV camera waiting onshore and one in the boat to ensure that they got ultimate exposure in this exercise of self-congratulation. It is strange that the Greenpeace people went to all the effort of sneaking around and coming in the back door when they could have come in the front gate and got exactly what information they wanted. Had they availed themselves of that opportunity, they would have seen what I believe to be one of the best examples of cooperation in handling pollution problems that has been undertaken in this State and probably Australia.

Greenpeace would have discovered that, on 10 August 1987, the environmental and economic improvement plan was presented, announcing a change in technology at Pasminco Metals-BHAS, which is often accused of being involved in pollution-causing activities. On that date, a statement was released announcing a $50 million upgrading of the means of producing lead and other products at Port Pirie. In conjunction with that, discussions were initiated between the trade union movement, on behalf of the work force at BHAS, the company and numerous Government departments involved with the environment. Those discussions resulted in the development of a statement of understanding, which encompassed the need to ensure a safe workplace, a safe community and a safe marine environment.

Following the recognition of the desirability of such a course of action, the statement of specific undertaking was developed, resulting in the setting up of numerous committees within BHAS to examine the workplace and to provide a safe working environment. If Greenpeace had taken the trouble to seek that information, it would have seen reference to the cohort study on the lead decontamination program, which commenced in 1979 in Port Pirie, involving the South Australian Government—a Labor Government, I might add. Greenpeace would have found out that, as at June 1990, $14 838 191 had been expended in Port Pirie, with contributions from the Health Commission, Sacon, the Department of Environment and Planning, DCW, the Education Department and the Port Pirie development committee, through the arm of State Development. In addition, Sacon contributed to the decontamination of existing buildings and the urban renewal of Port Pirie to the extent of $8 845 679. That has gone a long way to re-establishing the city of Port Pirie.

I have also found out that, whilst Greenpeace members were skiing across Spencer Gulf on this mission of mercy, discussions were taking place on the subject in which they were interested. I have in front of me a document, which was released on 17 July, dealing with a $12 million to $15 million five year project aimed specifically at the marine environment. Stage 1, which will cost $2.95 million, was approved in April 1990 and involves the construction of a thickener and water treatment plant to handle lead sinter plant waste waters. It will be completed in June 1991.

Stage 2, which will cost $2.5 million, will be submitted to the board for approval this month. I am confident that it will be approved. It involves a series of six projects covering areas in the two zinc plants and includes a substantial upgrade of the final sedimentation pond. That will be completed next year. Stage 3 will cost $2.4 million and will involve the installation of a new high rate thickener and water treatment plant in the slag fuming plant. That will be completed in 1992. With the completion of these three projects in the next two years, it is predicted that waste water will meet the criteria for heavy metals set down in the Government White Paper. That paper was the basis for the marine protection legislation, which was introduced but not passed, in the last session. These three stages will reduce the zinc levels by 80 per cent from their present levels.

Despite that legislative setback, the Bannon Government, through a series of initiatives in Port Pirie and with the cooperation of the work force and the companies, by sitting down and talking through the issues, has acted very responsibly with respect to the environment, particularly marine pollution. The Bannon Government has a good record in relation to the environment and has set about a number of initiatives in the past few years with respect to occupational health and safety and WorkCover, ensuring that people who work in sensitive industries do so in a safe and reasonable environment.

With that history, I put to the Council that Port Pirie is information wealthy when it comes to dealing with and resolving past problems while planning for the future with industries that have been of some concern. For example, discussions are taking place to feature Port Pirie on the television program *Beyond 2000*, using it as a model to provide information on future planning and the environment. The information that has been gathered since 1979 with respect to sensitive industries and the requirements for safe working environments will be used in the planning of the multifunction polis. I have no doubt of the benefits to South Australia of the MFP.

Members in this Chamber recognise my affinity with country areas and, as I move around the country, I take note of the comments of country people and how they view the popular subjects of the day. I will make a comment about the multifunction polis based on some of those opinions. It is fair to say that most people in South Australia believe that the multifunction polis will be beneficial to them in some form or another. However, I have been asked to raise in this forum the concerns of some people, and I urge the people involved in State development and planning processes to take account of these concerns.

People are concerned that the multifunction polis will house in the heart of Adelaide the same number of people as in the five electorates of Flinders, Whyalla, Stuart, Eyre

and Custance. People are also concerned about the future development of the State and the maintenance of services in country areas. They are also concerned about the drift away from country areas to the city. I am frequently confronted by people who are concerned for the maintenance of what Adelaide people consider acceptable levels of service. Earlier today another member expressed concern about the running down of Government departments and the subsequent effect on people in the metropolitan area. I can assure members that there is almost a scream from country areas that, when there are reductions in or restructuring of Government departments, we should study the effect of such rationalisation in local rural communities.

The example they gave me was that, if three people are taken out of a Government department in a very small town, three jobs are taken away and the effect can be devastating on a local community. On behalf of my constituents in the country, I ask that people planning the multifunction polis take into account these concerns.

They are the two areas I wish to address as they are directly associated with the Governor's speech. I will make my contribution on this occasion very short and conclude on that note.

The Hon. J.C. IRWIN: I, too, support the motion. Again, I have pleasure in enunciating my loyalty to Her Majesty the Queen, and I thank His Excellency for his address. It did not go unnoticed by all here that His Excellency's address was the last one that he would give in this Chamber after almost eight years as Governor of South Australia. I know I join others in saying that he was a most distinguished person in his career up until the time he became Governor and he has done nothing but increase that distinction since his appointment. Obviously, he has obtained the love and affection of the people of this State. That does not necessarily happen to every Governor, but it is a credit to him that, without any doubt at all, when he leaves his position as Governor he will leave with that acknowledged love and affection from the many people who have met him and Lady Dunstan in their tours around South Australia and their constant contact with people of this State.

After a long winter break one tends to store up a huge number of issues that should be questioned. Of course, the proper place to do that questioning is in the Parliament itself and not just through the media. However, we are left with little alternative but to use the media to question the Government, or to raise issues as they arise daily, while Parliament is not sitting. I believe it is a disgrace to sit for so few days between February and August of this year. In fact, we have sat for 17 days out of 181 days. I know I join others in suggesting that the time between sitting days is far too long.

The Government talks about entering one of the most innovative phases of its development, and that we will be witnessing advances which will set this State on an exciting course in the future. However, we are told that the initiatives must be set against a pattern of difficult national and international economic conditions. State and Federal Governments fiddle while this State and this country burn. We have just come through a lengthy phase where international commodity prices and economic conditions have never been better, yet this country is in an even worse position and a greater mess than it was in five years ago.

National debt is trending ever upwards. We condition the press to say every month, 'Aren't we doing well? Our monthly debt this month was only $1.5 billion' or some variation of that. If it was my family or any other member's family that was suffering that sort of debt every month, they would be declared bankrupt without very much fuss. Inflation is increasing, interest rates are too high, and they are all above the OECD averages.

We now have international conditions different from those applying a couple of years ago, and they are certainly difficult. I put it to members that we will suffer even more. What is this exciting course the Premier talks about: more expensive dreams; more pie in the sky projects? We cannot get a Marineland development off the ground. We cannot get a marina going in South Australia. We cannot get a tannery. We cannot get a mechanical shearing device into fruition. We cannot get off the ground a super-pig project with the world's most advanced gene technology.

The Hon. Barbara Wiese: We can't do anything without criticism from you.

The Hon. J.C. IRWIN: I am just criticising what you have not done. All those things are on the board; it is not just criticism from the Opposition. The ball is in your court; you are the Government. We are told that we will be the clever people. Remember the Prime Minister announcing plans before and during the last election to increase scientific research? What a joke! What a con! The Prime Minister and his Federal Government have done more to run down the sciences in this country than any other Government.

The State and Federal Governments have, in tandem, had eight years to resurrect secondary industry in this country, and we are being told about the exciting course ahead. Perhaps the Premier means more casinos, more Grand Prix, more festivals—that was the exciting path of yesterday. But is there a sustained improvement in South Australia's economy from those things that we were told were going to resurrect us and get us out of all the trouble? There has not been.

They are all justified by the now famous mandatory multiplier factor. No matter what capital we sink into it, no matter what losses we sustain, we still have a warm inner glow about that multiplier. It is the answer to everything. How about doing a few sums about getting real growth in secondary industry and its multiplier? How about putting the same dollars into real things such as agriculture, value-adding to agricultural products, and doing the same on that multiplier and benefit. I hope soon to be able to provide the benefit of research that I am doing on this subject and show how this State can make some real progress if it wants to, and if it has the political will to do so. Perhaps we are all numbed by the glitzy, ritzy things that are around and living in some dreamworld, and hoping like hell everything will turn up rosy.

I have already said that for every dollar of labour in primary industry there is a $4.58 return, and for the same dollar in secondary industry at the moment the return is 51c. Any blind Freddy can understand that there is a difference between $4.58 for a dollar return on labour as against 51c. I did those figures a couple of years ago. I have just upgraded them, and find that there has been no difference over the past two years.

Recently, I was amazed to learn that, while the commendable land care program has been given increased staff, the Department of Agriculture is cutting back on its staff. What is going on, and where are the priorities? The propaganda being put into the schools by probably well-meaning people emanating from this land care program is alarming to say the least. Another generation of children will be hoodwinked and brow-beaten by teachers using this material which, at best, is questionable. The words 'land care' and 'sustainable agriculture' are the new buzz words, and I expect that they will move out of our vocabulary just as quickly as they came into it.

I am told about the rising ground waters west of Keith, which happens to be in my area, and I know something about it.

I know of levy banks having been built to protect houses in that area long before there was any sort of large-scale clearing of country east of Keith and into the Wimmera area of Victoria. We keep hearing about Eyre Peninsula going back to desert, which does not eventuate. I need my friend the Hon. Mr Dunn here to keep making that point—which he does. I am told about draining of the water west of Keith into the Coorong. It would be cheaper to buy the properties involved or to put some research energy—and I should like to underline that—into quickening the process of developing new, salt-tolerant species. We have them now and so do other parts of the world, but, no, we will plant millions or billions of trees taking millions of acres out of production.

Do we starve and have millions of trees to be buried under or do we face the reality of the real world? Will someone please try to tell the experts of today that south of Tintinara, for instance, huge tracts of land used to be permanently under water and, until recently, have not had any water in them at all. I may speak for most primary producers when I say that I do not care if you stop me using the old reliable chemicals or the new breed of chemicals; I do not care if you make me use expensive methods of getting rid of vermin or lice from sheep; I do not care if some bureacratic nonsense interferes with everything that I do—but you pay for it, not me. But you will not pay for it, even with swelling pay packets, for you know we are domestic and international price-takers in rural industry. You know that we are proud of that and that we do not value-add by selling at cost plus a margin—so you benefit, not us.

I do not give a damn what the capital values of our properties are. They do not mean anything to me or to my neighbours without a cash flow. We are warned that rural farm incomes will fall by up to 50 per cent this year. People should try taking that out of their cozy, regular and predictable pay packets. I will tell the Council what I think is the answer to sustainable agriculture and land care. It is simply for Governments, both State and Federal, to stop ripping off the farmers by taxes, charges and excises. I will say it as clearly as I can, over and over again: the more Governments rape the farmers, the more farmers will be tempted to rape the soil. It is as simple as that, and what hurts most is that we are always being told what to do by people who do not know what they are talking about, and well-meaning people on the side who say 'Yeah, yeah, that seems to be the right thing to do.'

Let me turn for a minute to the now famous wool debate. Why is it that so many people feel so comfortable about telling the wool growers of this State and this nation that they must bear the brunt of the economic woes that Governments have foisted upon them for the past few years, with this complete lack of proper decisions and planning that should have been set out the proper path to follow?

In fact, this has been predicted for years by bodies such as the National Farmers Federation, but no-one has taken any notice of them. All we get from the Treasurer (Mr Keating) is 'She'll be right, Jack', while the ship slowly sinks. I am not questioning the wisdom or otherwise of reducing the floor price for wool or the associated levy argument. I am questioning why the primary producers alone have to bear the brunt of the woeful economic performance of the Federal Government, helped by the performance of the State Government. Interest rates are high, inflation is high and rising, and the Australian dollar with its dirty float out of some sort of control.

Each of those indicators is higher than it should be, and higher than those of our overseas competitors. One major factor, which seems to me to have gone unnoticed and which certainly has not been highlighted enough in the wool debate, is that the floor price of 870c was set when the Australian dollar against the US dollar was around the 65c mark. I do not need to remind members that there was no wool in stock.

While the floor price has been moved down nearly 19 per cent, the Australian dollar against the US dollar, which I have just talked about, has risen by 23 per cent. If the Australian dollar was allowed to float properly and again reach the 65c range, the wool growers would have been quite happy to accept the 870c floor price. But, no: the Treasurer wants his pound of flesh from the wool grower to boost the Government's coffers—and he wants it quickly. Further, to reduce the interest rates and have a lower dollar would see money flow out of Australia, leaving it high and dry, exposing to the world the mess this Treasurer and the Commonwealth Government have created by the demands of wage earners and the excess borrowing used by industry to pay them, without any compensation so far as higher rises in productivity are concerned.

I should now like to turn to some of the areas in which I have Opposition responsibility. I often sit through regional local government meetings around South Australia seething at the treatment dished out to local government by both Commonwealth and State Governments. It happened a couple of weeks ago at a South-East Local Government Association meeting at Bordertown, attended by my colleague the Hon. Terry Roberts. It involves a disgraceful lack of consultation, as was experienced with the new dog regulations, which were summarily placed on the local government community by the Minister, with very little time for anyone to consult.

A contempt for the local level of government is partially summed up in a quote from Mr Geoff Whitbread's report on Stirling as follows:

> . . . the District Council of Stirling is facing a local government wide problem in South Australia, namely, an increased expectation from the other levels of government and from the community to deliver services whilst maintaining the same funding source. In other words, the funding level remains the same. Yet demand for service is higher.

The experience of the Opposition with the United Farmers and Stockowners often goes through my mind. The UF&S, as does it parent body (The National Farmers Federation), is proud to proclaim often that it is non-political. By being thus, it claims that it makes working with Governments, of all persuasions, easier. That may be so, but it is my experience that that organisation often needs the Opposition to bail it out of difficult positions. However, because it sometimes fails to properly brief and inform the Opposition until the eleventh hour, it often has to cop the wrong end of the stick.

That is also my experience with local government. Local government bodies claim to be non-political, I am sure, but, in many cases, local government fails as an organisation, and as individual councils, to brief the Opposition in the same way it has briefed the Government. I say quite simply that, if we in the Opposition do not know what local government is fighting for, we cannot help. Our policy on local government is very clear and simple: we believe that we should support the legislative framework and legislative change. It involves what local government wants, not what we as a political Party want to make for better local government, so that local government bodies can take action

on what their local communities are telling them, otherwise the oft-used and critical phrase 'closest to the people' is a nonsense.

I will not go into amalgamations now, other than to say, *apropos* of what I have just said about our policy, that as to local government wanting super councils (and Nick Carter in the *Advertiser* last Saturday mentioned six for the metropolitan area) dominated by professional staff with one councillor representing 9 000 to 10 000 people, using Woodville, Port Adelaide, Hindmarsh and part of Henley and Grange as an example, the economic argument of scale put by Port Adelaide last week flies in the face of research from the Centre of Economic Studies. This scale cuts out at about 20 000 people.

If that is what local government and the communities want then they should go for it as hard as they can. Some members may have heard the interview this morning with Sallyanne Atkinson, the Mayor of Brisbane, who made it very clear that even though she presides over an enormous metropolitan council area, any changes to be made to local government should be at the behest of the people and that people should be asked what they want. That is very much the Liberal Party's philosophy.

I have to say that as to large-scale amalgamations this is not the signal coming from me or from the wider local government community. Quite frankly, the Local Government Association does not know what it wants in this admittedly very difficult area. If they want local communities dominated further by other governments then they should, as I said before, go for it, but do not blame us in Opposition when the empire is created and needs some help. I believe the answer lies in what local government has in South Australia: a strong cooperative regional organisation where a number of councils come together on a regular basis and exchange ideas. This has made for quite good government in small areas without having to be large-scale regional local government.

If local government people want strengthening as to what local government is all about, then I believe they should read or re-read the Southern Regional Executive Officer's minority report, when Meredith Crome was a commissioner on the Local Government Advisory Commission on the Henley and Grange saga. Let me contrast what our policy is with that of the Government. I refer to a recent Department of Local Government advertisement, which states:

> The local government division's role is to promote, establish and monitor within the framework of Government policy a local government system.
>
> We are seeking a person who is able to join the corporate team in providing new directions in the establishment of policies and programs in local government issues. The successful applicant will develop and implement innovative and constructive policies, practices and procedures to ensure efficient and effective achievement of government and departmental objectives.

There is not much there about local government's needs or what local government wants or, in fact, what the community wants. This is in stark contrast to our policy, and local government has to be the judge of what is the best course for them to support.

I recently attended a public meeting at Aldinga to hear concerns of people about chronic sewage problems from Maslins Beach to Aldinga. It strikes me that the local council is doing all it can but its plans may be set back now by the large Seaford development and they could be completely submerged if the multifunction polis dream becomes a reality. Quite simply, the priorities get out of kilter and this Government cannot cry poor when it engages in private sector type ventures seeking millions of dollars of capital and losing hundreds of millions of dollars of taxpayers' money in the process. We have just heard the Hon. Mr Davis outlining one project which fits this description exactly, where millions of dollars were sunk into capital and lost when developing a product that would be better dealt with by the private sector or not dealt with at all. The money that has been sunk into that project, in my view should be sunk into 'people projects' that are being delivered by local government or by the Government. When will the people say, 'Enough is enough'? Further, the Government will not pay council rates on their land when it is used for commercial ventures. That is a disgrace. On that note, I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

ADJOURNMENT

At 6 p.m. the Council adjourned until Wednesday 15 August at 2.15 p.m.