LEGISLATIVE COUNCIL

Wednesday 23 October 1996

The PRESIDENT (Hon. Peter Dunn) took the Chair at 2.15 p.m. and read prayers.

STATUTORY AUTHORITIES REVIEW COMMITTEE

The Hon. L.H. DAVIS brought up the tenth report of the committee on a Review of the Electricity Trust of South Australia, a final report on performance indicators.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Education and Children's Services (Hon. R. I. Lucas)—

South Australian Constitutional Advisory Council—First Report—South Australia and Proposals for an Australian Republic—September 1996

By the Minister for Consumer Affairs (Hon. K. T. Griffin)—

Residential Tenancies Act—Rules—Documents Authorised to be Given to a Person

By the Minister for Transport (Hon. Diana Laidlaw)—

Reports, 1995-96—
South Australian Museum Board
State Opera of South Australia
West Beach Trust.

CONSTITUTIONAL ADVISORY COUNCIL

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I seek leave to table a copy of a ministerial statement made by the Premier in the other place today on the first report of the South Australian Constitutional Advisory Council.

Leave granted.

STATE RESCUE HELICOPTER SERVICE

The Hon. K.T. GRIFFIN (Attorney-General): I seek leave to table a copy of a ministerial statement made by the Minister for State Government Services in the other place about the State Rescue Helicopter Service.

Leave granted.

FIELD CROP IMPROVEMENT CENTRE

The Hon. K.T. GRIFFIN (Attorney-General): I seek leave to table a copy of a ministerial statement made by the Minister for Primary Industries in the other place on the Field Crop Improvement Centre Allan Glover Commemoration.

Leave granted.

QUESTION TIME

FINDON PRIMARY SCHOOL

The Hon. CAROLYN PICKLES: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services a question about Findon Primary School.

Leave granted.

The Hon. CAROLYN PICKLES: On 13 April the Minister made a pledge, reported in the *Advertiser*, that:

> No school will close without proper community consultation.

On 9 August the Minister wrote to his department trying to find a reason not to proceed with consultation with the Findon school community before closing the school. A note to the Chief Executive Officer of DECS said:

> 1. The result of further community consultation will be obvious won't it, that is, option 2.
> 2. Can't a decision be made on the basis of the review recommendations? (That is to close the school.)

The Minister has said since that the review of schools in the cluster constituted adequate consultation, but his own department wrote back to the Minister and said:

> There has been extensive consultation with the review group to prepare these options. However, at this point Findon Primary council and staff have not been formally involved in reacting to the options.

As a result of this advice the Minister then involved the school council in what everyone now recognises was a sham consultation involving a public meeting and the preparation of a submission by the council at considerable cost in terms of time and expense. My questions to the Minister are:

1. What explanation can the Minister give for his reluctance to consult with Findon Primary School council and staff?

2. Will he undertake to remain at tonight's public meeting to discuss his decision until question time and respond to parents' questions, or can he confirm that he intends to leave the meeting early?

The Hon. R.I. LUCAS: In relation to the last issue, I intend to come back to Parliament. I am not sure what the Leader of the Opposition intends to do.

The Hon. Carolyn Pickles: I'll give you a pair.

The Hon. R.I. LUCAS: I haven't requested a pair. I have business to attend to back at Parliament House. If the Leader of the Opposition intends to stay down there and not attend to her parliamentary duties, that is her decision. At short notice I received an invitation to attend the protest meeting this evening. I was delighted to respond, and I indicated to the organisers of the protest meeting that I would be able to attend from about 7 to 7.30 p.m. this evening so that I could get back to Parliament at about 7.45 p.m. They have organised for me to speak briefly, for no more than about five minutes, and then to respond to questions. I am delighted to do so.

Members interjecting:

The Hon. R.I. LUCAS: I can assure the Hon. Terry Roberts that I will not need four hours to answer the questions. I have been answering the questions in here for the past couple of weeks.

Members interjecting:

The Hon. R.I. LUCAS: That is probably true: I will certainly get a lot more intelligent questions from the parents there than I have been getting from the shadow Minister and members of the Labor Party. That is a very apt interjection. That is in relation to the last question, and it shows the Leader of the Opposition for the sort of politician she is: she seeks to make political capital out of the fact that I received the invitation to go down and answer questions for the majority of the time that I am there and because I am returning to a meeting at my office in Parliament House and I also have my parliamentary duties.

The Hon. T.G. Cameron: We will not miss you.

The Hon. R.I. LUCAS: I assure the Hon. Mr Cameron that no-one on his side would miss him, either—let alone this side.

The Hon. T.G. Cameron interjecting:

The Hon. R.I. LUCAS: Thank you very much. After the honourable member's performance last week, let me assure—

The Hon. T.G. Cameron: What's this got to do with the question? What's the relevance of this?

The Hon. R.I. LUCAS: What's your interjection got to do with the question?

The Hon. T.G. Cameron: Get on with your answer.

The Hon. R.I. LUCAS: Why don't you be quiet?

The PRESIDENT: Order! I will determine what is useful in this Chamber.

The Hon. R.I. LUCAS: In relation to the earlier questions, one of the documents quoted by the Leader of the Opposition indicates that I clearly refer to 'further community consultation', 'further' being the operative word. With all school reviews, there is a process of community consultation. In this case, a review committee comprising principals, parents and a teachers' union representative, having undertaken a process of discussion and consultation, came up with recommendations which said to me as Minister, 'Please close the school.' So, a local community group comprising a teachers' union representative, parent representatives and principals said to me as Minister, 'Please close the school for all the following reasons.' Normally we do not—

The Hon. T.G. Cameron interjecting:

The Hon. R.I. LUCAS: I will be going down there to highlight the fact that the teachers' union, the parents and the principals in effect recommended to me as Minister that the school should close. To my recollection, with all the other processes that we have gone through with school closures, once the review committee recommends something to the Minister we do not then go to another period or process of consultation. That was why I said to my officers, 'Why do we need to go to further community consultation when we have already received a report from the review committee?'

The District Superintendent and the department are very persuasive. They said they wanted to give the Findon parents, in particular, another opportunity for further consultation. Being the generous man that I am, I said, 'Yes, you can go through this process of further consultation,' even though I knew—and it proved to be accurate in the end—what the views of those parents would be. If you went to the local parents and said to them again, 'Would you prefer to keep your school open or to have your school closed,' those local parents who are protesting the decision to close the school would be unlikely to support the review committee's recommendation of closure even though parents, principals and the teachers' union were represented on it.

So, the little note to which the Leader of the Opposition refers is entirely accurate. We all knew what the result of further community consultation would be: that is, that they would not support the school closure. Nevertheless, as I said, being a generous Minister and very flexible, I allowed the further consultation before I eventually took a final decision on this issue. Having listened to all sides of the argument and having visited the local community and spoken with the parents, I finally made my decision on the 26th of the month, and that decision was announced on the 27th.

MINISTERS' INTERESTS

The Hon. R.R. ROBERTS: My question is directed to the Minister for Transport. During the Cabinet deliberations on the Local Government (City of Adelaide) Bill, did the Minister or her brother-in-law, the Hon. Dr Armitage, withdraw their chair from the Cabinet table on the basis of conflict of interest?

The Hon. DIANA LAIDLAW: Conflicts of interest in both instances were noted by Cabinet. I'm sorry: not 'conflicts of interest'—interests were noted by Cabinet.

The Hon. R.R. ROBERTS: I ask a supplementary question. What were those conflicts of interest?

The Hon. A.J. Redford interjecting:

The Hon. R.R. ROBERTS: Well, what were those interests?

The Hon. DIANA LAIDLAW: I did not say there were conflicts of interest; I said that interests were noted, and both those interests were as ratepayers.

SHIPWRECKS

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the Minister representing the Minister for the Environment and Natural Resources a question about historic shipwreck sites.

Leave granted.

The Hon. T.G. ROBERTS: In the *Advertiser* today there is the news that the Government has declared a further 11 sites for protection under the Historic Shipwrecks Act. I congratulate the Government on that.

Members interjecting:

The PRESIDENT: Order!

The Hon. T.G. ROBERTS: The honourable members might be interested in at least two of the sites cited by the *Advertiser*, that is, the *Ethel* and the *Ferret*. The *Ferret* might have particular interest to some people in this Chamber. The shipwrecks are on Yorke Peninsula and I think that some sites are to be protected in the Victor Harbor-Goolwa area around Encounter Bay.

I raised the question of protection of heritage sites in recent weeks in relation to the canoe tree in the Riverland and some of the historic sites in Aboriginal areas that have been declared protected. The previous Government was guilty of this as well: we do not seem to be putting markers or educative plaques for the community to identify exactly what is being protected.

My question in relation to the Historic Shipwrecks Act and the latest protections—again, I congratulate the Government on doing it—is: will the Minister ensure that appropriate signage is erected to educate and inform the public that the new sites have been declared to protect the 11 new shipwrecks? I might also add that in Western Australia tourism is built around many shipwrecks, and there are declarations around Warrnambool and Port Fairy in Victoria. Tourists are distinctly interested in not only the sites themselves but also the history that goes with them.

The Hon. DIANA LAIDLAW: I will refer the honourable member's question to the Minister and bring back a reply.

PRISONS, PRIVATISATION

The Hon. SANDRA KANCK: I seek leave to make a brief explanation before asking the Attorney-General,

representing the Minister for Correctional Services, a question about private prison tendering.

Leave granted.

The Hon. SANDRA KANCK: The Minister for Correctional Services stated in the House of Assembly in August 1994 that South Australia's prison population was likely to increase by approximately 40 per cent to around 1 800 inmates by the year 2000. It appears that his optimism was well placed, with the numbers incarcerated in correctional facilities in this State increasing from around 1 100 three years ago to approximately 1 500 at this point in time.

An honourable member interjecting:

The Hon. SANDRA KANCK: Yes, it is a growth industry and we could find it eating into our education budget soon. Indeed, tales of overcrowding in the city watchhouse, the Adelaide Remand Centre and all the State's prisons bear testimony to this dramatic increase in prisoner numbers. The Minister's projection of 1 800 prisoners by the year 2000 leads to a simple conclusion: another substantial correctional facility will need to be constructed and this will need to be commenced in the not too distant future if severe overcrowding is to be avoided.

The Audit Commission recommended that a new prison be constructed and managed by the private sector, a proposal that has been publicly backed by the Minister. One potential tenderer for this job is the Australasian Corrections Management, which is the Australian arm of the United States private prison managers, Wackenhut Corrections Corporation. Australasian Corrections Management runs the Arthur Gorrie Remand Centre in Brisbane and the Junee Prison in New South Wales. Its parent company, Wackenhut, has been the subject of numerous criticisms of how it manages the prisons under its control in the United States. It has been found deficient in the medical programs that it is meant to deliver. Auditors have found inadequate education programs and that staff numbers have not met State mandated requirements. Indeed, prison guards at Wackenhut facilities have been guilty of using excessive force.

It has also been investigated by a US Congressional Committee over a 'sting' operation to spy on an oil industry whistleblower. The committee wrote that Wackenhut agents engaged in a pattern of deceitful and potentially illegal conduct. Wackenhut's Australian operations have not been without controversy, either. At the Arthur Gorrie Remand Centre in Brisbane, six suicides and four serious disturbances were recorded in the first two years of operation. My questions to the Minister are:

1. Has a site been chosen to build a new prison to replace Yatala and, if so, when will tenders be called?

2. In the light of Wackenhut's record, will the Minister preclude Australasian Corrections Management from tendering for the management of South Australia's new prison to be built under the Government's Prisons 2000 Program?

3. Can the Minister guarantee that all tenderers for managing South Australia's new prison will be thoroughly investigated as part of the selection process?

The Hon. K.T. GRIFFIN: I will refer those questions to the Minister in another place and bring back a reply.

STATE BANK

The Hon. L.H. DAVIS: I seek leave to make an explanation before asking the Hon. Robert Lucas, as Leader of the Government in the Council, a question about economic education.

Leave granted.

The Hon. L.H. DAVIS: In the Address in Reply debate in this Chamber on 17 October, the Hon. Ron Roberts made a speech which perhaps could fairly be described as a bold attempt to lose his Deputy Leadership.

Members interjecting:

The PRESIDENT: Order! The question is bordering on the edge of opinion.

The Hon. L.H. DAVIS: If not accurate, Mr President. He made reference to the Hon. Terry Cameron's record speech, which was one of the few accurate comments that he made, and said that the Hon. Terry Cameron had precisely dissected the promises of the Liberal Government. He then went on to make his own observations about economic matters. First, he said:

> The Labor Party has a commitment to all the people in South Australia. Labor is the Party for South Australians, not for the budgets of the State. It is not the Party that wants to make the Treasurer and the Premier look good.

Speaking for the Labor Party, he had no need to tell the Parliament or the people of South Australia that point. He then went on to say, in what was somewhat of a lament, that the SGIC had been sold, suggesting that this should not have happened, but nowhere did he mention the fact that the Labor Government had brought the SGIC to its knees by losing at least $400 million by the purchase of 333 Collins Street, rendering it technically bankrupt, unless it had been removed from SGIC's books. Finally, the Deputy Leader of the Opposition then said:

> The last year in which the State Bank operated, it made about $360 million. This year the Government will get nothing.

Now, there are two statements that should be corrected. First, a media release of 1 August 1995 from BankSA set out the last result of BankSA before it was sold to Advance Bank, and continuing under the name BankSA. It said:

> BankSA has achieved a pleasing result—

The Hon. T.G. Cameron: What is the question?

The Hon. L.H. DAVIS: I think you will know what the question is. I am setting out plenty of pointers. I thought even you might have picked up the trail by now.

The Hon. T.G. Cameron: I do not have an economics degree.

The Hon. L.H. DAVIS: There is no need to tell us something we already know.

The Hon. G. WEATHERILL: On a point of order, Mr President, the honourable member is answering a question; he is not asking a question.

The Hon. R.I. Lucas: How do you know? He hasn't even got to it yet!

The PRESIDENT: Order! There is no point of order.

The Hon. L.H. DAVIS: Thank you, Mr President. This media release from BankSA said:

> BankSA has achieved a pleasing result in its first year of operations, recording a pre-tax profit of $102.2 million for 1994-95, $70.8 million after tax.

That is the figure that normally is used to record the accurate profit figure, $70.8 million.

Members interjecting:

The Hon. L.H. DAVIS: He is the one who needs the economics lesson. The Chamber and the community should be aware that the Hon. Ron Roberts has overstated the State Bank profit for 1994-95 by a factor of five times. It was just

under $71 million, compared with what the Hon. Mr Roberts claimed was $360 million.

The PRESIDENT: Order! I think that the honourable member is debating the subject. I suggest that he concentrate his question on the matter at hand and not debate it.

The Hon. L.H. DAVIS: I will ask the questions, Mr President. First, can the Leader of the Government, representing the Treasurer, confirm that it was the Labor Government which entered into an arrangement with the Federal Government to receive financial support in return for giving a guarantee that the State Bank of South Australia (later named BankSA) would be sold, contrary to the inference in the speech of the Hon. Ron Roberts? Secondly, does the Government have any facility available to help with economics education for the Deputy Leader of the Opposition?

The Hon. R.I. LUCAS: To be fair to the Deputy Leader of the Opposition, he only missed the correct amount by about $300 million: it was $70 million, and he thought it was $360 million. For a Labor shadow Minister, that is not bad!

The Hon. A.J. Redford interjecting:

The Hon. R.I. LUCAS: Exactly, the Deputy Leader of the Opposition missed by only $290-odd million. Heaven help the people of South Australia should the Deputy Leader of the Opposition ever become a member of the leadership group governing the direction of a government in South Australia—but that is not likely to happen for a number of reasons. The Hon. Legh Davis has indicated, through that stark example, the economic incompetence of the Deputy Leader of the Opposition—but I guess it is a bit unfair to single him out because he reflects the competence of the frontbench of the Labor Party not just in this Chamber but also in the other Chamber.

The Deputy Leader of the Opposition does set himself up for these sorts of things. The Hon. Legh Davis, quite fairly, has highlighted the inaccuracies and inadequacies of the Deputy Leader of the Opposition in relation to these issues. To put the best possible construction on it, the Deputy Leader of the Opposition did not know what he was talking about when he made those claims. That is the best construction we can put on it: we hope that he did not deliberately come into this Chamber and use a figure of $360 million when he knew that it was only $70 million. We can only hope that it was truly incompetence rather than deliberate deception.

The Hon. Carolyn Pickles interjecting:

The Hon. R.I. LUCAS: It is loyal of the Leader to try to defend her Deputy Leader. That is a difficult task on most occasions and not many of her colleagues would endeavour to try to do so. The answer to the first question, I suspect, is 'Yes.' As to the second question, I will take up that issue with the Treasurer in another place to see whether something might be offered. I suspect that advice from Treasury might be at a level pitched a little above the Deputy Leader of the Opposition's level of competence. It may well be that we will look at what we offer in terms of economics education in Government primary schools in South Australia to see whether we can find something pitched at the appropriate level for the competence of the Deputy Leader of the Opposition.

PASSENGER TRANSPORT BOARD

The Hon. T.G. CAMERON: I seek leave to make a brief explanation before asking the Minister for Transport questions concerning the second round of Passenger Transport Board tendering.

Leave granted.

The Hon. T.G. CAMERON: A recent submission to the Passenger Transport Board on metropolitan bus service contracts and city bus routes states:

> Should TransAdelaide fail to win future tenders for inner-suburban service contract areas and these are instead won by contractors, it will no longer be possible to maintain through-city bus route linking.

The existence of additional buses in the city centre during peak periods will, unless major changes are made to bus routes, result in a number of serious problems, including increased bus requirements and increased costs, a greater volume of buses on central city streets and therefore increased chances of congestion, a requirement for additional bus stop kerb space on central city streets and a requirement for increased bus lay-over space at terminal points. My questions to the Minister are:

1. When the Minister introduced competitive tendering and split the metropolitan Adelaide bus service into 11 areas, did she or the Public Transport Board anticipate the problems that would occur with bus route linking should TransAdelaide fail to win future tenders for inner suburban service contract areas and, if not, why not?

2. Has the PTB briefed the Minister on the submission prepared by Tom Wilson, Manager for Strategic Planning, titled 'Metropolitan bus service contracts and city bus routes', which states that the discontinuing of through linking will have serious implications for the City of Adelaide and, if not, why not?

3. Will the Minister advise what the reasons were for Serco being given until 12 January 1997 to take up its contract on the inner north route when the tender call stated 6 October 1996 as a starting date? Who granted the extension and did the PTB advise the Minister of the reasons? Is the PTB going to further delay Serco's take up of the inner north route past the already deferred date of 12 January 1997 and, if so, what are the reasons?

The Hon. DIANA LAIDLAW: 'No', to the last question. The answer to the first question is 'Yes.' In relation to the second question, I have seen the submission from the PTB. The following question related to Serco's being awarded the contract on the basis that it would commence services in January. That time frame was recommended by the PTB following recommendations it received from the independent evaluation committee. It was on the basis of the linking of services and negotiations which would have to be undertaken with Serco and the Adelaide City Council and it was the understanding of all parties that that contract would commence at that time. All those grounds were outlined to me when the PTB came to me with its recommendations and agreement concerning to whom it would award that contract. As the honourable member would know, under the terms of the Passenger Transport Act it is the PTB that awards the contract: it is not me, the Minister of the day or the Government.

The Hon. T.G. CAMERON: As a supplementary question, will the Minister organise a briefing as a matter of urgency between the PTB and myself on the problems facing the tendering process?

The Hon. DIANA LAIDLAW: There are no problems facing the tendering process.

The Hon. T.G. Cameron: So, you will not organise a briefing?

The Hon. DIANA LAIDLAW: I will organise a briefing, but not on that basis.

The PRESIDENT: Order! I wish the honourable member would put his questions through the Chair. I have to control what happens.

The Hon. DIANA LAIDLAW: So, we will go back; we will just rewind. Mr President, as a supplementary question I was asked if I would organise a briefing on the basis that there are problems with the tendering process. There are no problems with the tendering process. Therefore, I do not suggest that there are any grounds for briefings. But, if the honourable member would like a briefing generally about contracting and the success of the competitive tendering—and I know that the honourable member has made comments about the success of the reforms which the Government has undertaken, and that success is reflected in the fact of increased patronage across the systems which has been particularly high in the contracted areas—I am happy to arrange one.

Members interjecting:

The PRESIDENT: Order!

ARTS, CONSULTANCIES

The Hon. ANNE LEVY: I seek leave to make a brief explanation before asking the Minister for the Arts a question about consultancies.

Leave granted.

The Hon. ANNE LEVY: Page 42 of the Auditor-General's Report deals with the Department of Arts and Cultural Development and indicates that $94 000 was paid to a company as contemporary music consultant for last year. It may well be that the Auditor-General has rolled together the sums paid for more than one year, as he obviously did with the Festival board payments, but this is supposed to be the Auditor-General's Report for one financial year. It clearly states that a contemporary music consultant, Johden Pty Ltd, cost the department $94 000 for one year. As I say, it may be that that is not the one year sum. As far as I am aware, the contemporary music consultant was one person only and, although some travel expenses may have been involved, it would appear that most of that sum is made up of a salary.

Will the Minister confirm that that was the sum paid for one year only to one person acting as contemporary music consultant? Also, I know that there is in the department a new contemporary music consultant who is not full-time but is a .8 appointment. Is the pro rata consultancy fee for the new contemporary music consultant the same as that mentioned in the Auditor-General's Report? In other words, is the current contemporary music consultant receiving 80 per cent of the sum of $94 000 which was paid in 1995-96?

The Hon. DIANA LAIDLAW: Mr Warwick Cheatle has been appointed as the new contemporary music consultant, and the honourable member would be aware of his extensive work with Oz Music, live performances and the South Australian Music Industry Association. The Government and the South Australian contemporary music industry are very fortunate that Mr Cheatle has taken this position. He is engaged on an entirely different basis from the first consultant, Mr John Schumann. The different basis takes into account the reduced arrangement in terms of his hours with the consultancy because, as I understand, he is still spends some hours of his day with Oz Music.

The Hon. Anne Levy: I thought it was .8 of his time.

The Hon. DIANA LAIDLAW: I do not remember. All I know is that Mr Cheatle works hours and hours beyond the normal working week for the department and, whether or not he is paid at .8, in terms of Mr Cheatle's services to contemporary music I know the Government gets double the time it pays for. That was also the way in which Mr Schumann committed himself to this position. I know that in negotiating the consultancy with Mr Schumann Johden Pty Ltd was the contracted party.

As I recall, there were considerable expenses and funds for various initiatives as part of that consultancy contract, but I will get the specific terms for the honourable member. I can certainly assure her and other members that the $94 000 was not for the payment of a salary. There were many other parts of the contract incorporated in that price, but they have not been referred to in this reference by the Auditor-General and, as such, I think the Auditor-General's reference is misleading.

ANTHRACNOSE

The Hon. CAROLINE SCHAEFER: I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister for Primary Industries, a question about anthracnose.

Leave granted.

The Hon. CAROLINE SCHAEFER: Yesterday, the Minister issued a media release and, I believe, a ministerial statement explaining that an outbreak of anthracnose had been found on Lower Eyre Peninsula. This is a seed-borne fungal disease distributed by rain splash and has the ability probably to destroy South Australia's lupin crop. The disease is highly contaminant and the Government has dispensed five or six teams of departmental personnel to Eyre Peninsula to assess the extent of the problem and to try to keep it within the perimeters where it has already been found. As I am sure you know, Mr President, anthracnose has the ability to be as debilitating to the South Australian lupin crop as the blue green aphid was to the South Australian medic crop some years ago, and Federal quarantine authorities have been notified.

It is a fact—not an opinion—that the shadow Minister for Primary Industries is in this Council; it is fact that yesterday he asked a question about the Far North which proved to be inaccurate; and it is a fact that today he asked a personal question casting aspersions on the Minister for Transport. In the absence of a shadow Minister doing his job, will the Minister assure us that this Council will continue to be informed on the outbreak of anthracnose?

The Hon. K.T. GRIFFIN: I will refer that question to the Minister in another place and bring back a reply.

TERTIARY LANGUAGE EDUCATION

The Hon. P. NOCELLA: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services, representing the Minister for Employment, Training and Further Education, a question about language teaching in tertiary institutions.

Leave granted.

The Hon. P. NOCELLA: For some time there have been a number of indications suggesting that the teaching of languages in tertiary institutions in South Australia and particularly at Flinders University, as a supplier of a range of languages, and covering also language teaching at Adelaide

University in some cases (I refer particularly to French, modern Greek and Italian), may be under threat. This results from a combination of various factors, including Federal cutbacks, and this has caused some disquiet, particularly because in some cases the Chair of Italian and the Chair of modern Greek were established largely through the efforts of the communities themselves.

In the late 1970s and the 1980s the Italian and Greek communities worked hard and for a long period—many years—to raise funds through a vast array of fundraising activities so that those Chairs could be established so that their children and others could have access to the teaching of Italian and modern Greek. It now appears that these languages are either under threat of being abolished altogether or substantially reduced in terms of funding and resources. Therefore, my questions are as follows:

1. Can the Minister confirm that all languages currently taught in tertiary institutions will be retained next year?

2. Can the Minister confirm that all languages taught in tertiary institutions will be retained at the same level of funding?

3. If the funding to either question is 'No,' can the Minister indicate which languages will not be retained or which ones will receive reduced funding?

The Hon. R.I. LUCAS: I am sure the honourable member will be delighted to know that the Government is one step ahead of him in terms of trying to address these issues. The parliamentary secretary to the Minister, the Hon. Julian Stefani, raised these issues with Ministers in the Government about a week ago. In particular, he raised the issue with the Minister responsible in South Australia, the Hon. Dr Bob Such, and he raised the issue with me. He may well have raised the issue with the Minister for Multicultural and Ethnic Affairs as well.

I am aware the parliamentary secretary and other officers of the Government are trying to ascertain what the situation is in relation to the universities. As the honourable member would know, the universities are independent and are laws unto themselves in relation to course offerings and how they respond to various policy changes from the Commonwealth. What the State Government can do is try to ascertain the sort of information that the honourable member is seeking. I can assure him that that is being done. Without indicating at this stage what policy initiatives might be adopted, I can indicate that, rather than just sitting back and complaining from the sidelines and not getting anywhere, some lateral thinking is being done—

The Hon. T.G. Roberts interjecting:

The Hon. R.I. LUCAS: No—and some positive suggestions are being raised in terms of how language offerings might be protected. It might be an unfair view that I get, because sometimes I have the view that some members are only interested in sitting back and complaining for the sake of the media coverage that they might generate, rather than their being interested in trying to suggest—

Members interjecting:

The Hon. R.I. LUCAS: No—how to tackle the issues of how any potential problems or concerns might be overcome. Without being able to indicate at this stage the detail, I can indicate that some interesting suggestions are being proffered as possible solutions should the universities respond in the way that some people in the community are fearing.

FLINDERS RANGES NATIONAL PARK

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister for Transport, representing the Minister for the Environment and Natural Resources, a question about Flinders Ranges National Park.

Leave granted.

The Hon. M.J. ELLIOTT: Flinders Ranges National Park is certainly seen as a South Australian icon, and I have been approached by a number of people concerned that its conservation must be maintained and finance made available to rehabilitate the degradation in that park. They have also expressed the view to me that as tourism develops further funds must be made available from those benefiting from tourism development for park management and rehabilitation. Therefore, my questions to the Minister are:

1. What amounts have been paid by the present incumbents of the Wilpena Resort for the years 1994, 1995 and 1996?

2. How much of this money has been made available for park management and rehabilitation?

3. Have these payments been completed prior to any new lease being negotiated?

4. Will the Minister provide details of any new leasing arrangements, including what is the annual fee and the duration of the lease?

5. Are these fees paid similar to fees paid by other major developments in parks elsewhere in Australia?

I note that, as there are no competitors for this lease, there could not be any question of commercial confidentiality involved in these figures.

The Hon. DIANA LAIDLAW: I will refer the honourable member's question to the Minister and bring back a reply.

MARLESTON TAFE COLLEGE

The Hon. J.F. STEFANI: I seek leave to make a brief explanation before asking the Minister representing the Minister for Employment, Training and Further Education a question about industrial threats made to students attending the Marleston College of TAFE.

Leave granted.

The Hon. J.F. STEFANI: I have been informed by a constituent that on Monday 21 October 1996 students attending the cabinet-making course at the Marleston college were advised by their teacher, who is a non-union member, that in spite of the industrial disputation curtailing some classes at the college the cabinet-making class would be conducted as usual on Tuesday 22 October. Students arriving for their class on Tuesday were met with abuse and threats of intimidation by a group of teachers as they crossed a picket line set up at the college. One teacher described as a man with a short grey beard who is believed to be the teacher of the carpentry class shouted at the students crossing the picket line. He announced that if any of these students crossed the picket line they would be failed at the end of the year. Some of the students have expressed grave concern at this method of intimidation. They are fearful that this threat will be carried out and will affect their results at the end of the year.

The Hon. R.R. Roberts interjecting:

The PRESIDENT: Order, the Hon. Ron Roberts!

The Hon. J.F. STEFANI: My questions to the Minister are:

1. Will he launch a full investigation into this incident of alleged abuse and threats carried out at the Marleston College of TAFE?

2. Will he ensure that students who crossed the picket line to attend their class are not penalised in any way by the vindictive threatening action of any teacher at the college?

The Hon. R.I. LUCAS: I am sure that the Minister will be most concerned—

The Hon. R.R. Roberts: You talk about threats!

The PRESIDENT: Order, the Hon. Ron Roberts!

The Hon. R.I. LUCAS: —to hear about this behaviour, should it be validated, in terms of threats being made to students regarding their assessment. Whilst I understand the view of the Deputy Leader of the Opposition that a non-union member is a scab or a rat, as he described that non-union teacher on the part of the Labor Party, I think that is an unfortunate use of language from someone who has a leadership position. However, the non-union member and particularly the students should not be harassed for their willingness to go about their education. If the students want to continue to learn and if a teacher who is not a member of a union wants to continue to teach at the TAFE college, it is not correct for any other teacher or lecturer to threaten to fail students for reasons other than their competence or otherwise in a particular subject.

The Hon. R.R. Roberts interjecting:

The Hon. R.I. LUCAS: Clearly, the Deputy Leader of the Opposition on behalf of the Labor Party proudly supports that behaviour, and he wants that put on the record. I am disappointed with that attitude being expressed by an official representative of the Labor Party in South Australia. I will certainly refer the honourable member's question to the Minister and seek an urgent response to ensure that that sort of behaviour is not allowed to continue.

UNEMPLOYMENT

The Hon. G. WEATHERILL: I seek leave to make a brief explanation before asking the Minister representing the Minister for Industrial Affairs a question about unemployment.

Leave granted.

The Hon. G. WEATHERILL: Following the 1993 election, in early 1994 I asked the Minister a question about where he sees areas of growth in South Australia. I was given a list by the Minister for Industrial Affairs. Since that time, unemployment in South Australia has just gone up and up—there has been no improvement whatsoever. My question to the Minister is: would he like to revise that list as it seems to be a failure at this time, and will he give me a new list of areas of growth that he sees in South Australia?

The Hon. R.I. LUCAS: I will refer the honourable member's question to the Minister and bring back a reply.

BAROSSA VALLEY RAIL SERVICE

The Hon. A.J. REDFORD: I seek leave to make a brief explanation before asking the Minister for Transport a question about the Barossa Valley tourist rail service.

Leave granted.

The Hon. A.J. REDFORD: On 30 May 1995, I asked a question concerning the Barossa Valley tourist rail service. The question concerned an advertisement seeking registrations of interest from suitably qualified and experienced operators for the provision of a tourist rail service from Adelaide to the Barossa Valley. I asked the Minister to outline the Government's plans regarding that service. She advised this place that TransAdelaide would provide two 1000 class railcars and that AN would provide a 930 class locomotive. The Minister said that the service would be operated on a trial basis. In the light of that response, I ask the Minister:

1. Will she advise this place of the result of the trials and what the Government proposes to do as a consequence?

2. If the service is to be continued, what will be the cost of that service to the traveller, when will it run, and how often?

The Hon. DIANA LAIDLAW: I have consistently been lobbied, not only by the Hon. Angus Redford but by many people in the Barossa and in tourism generally, to start a tourist train service to the Barossa Valley. I recall the question which the honourable member asked last year. At that stage, we were looking at seeking expressions of interest from operators. Expressions of interest were received from around Australia, but none was deemed to be appropriate, notwithstanding extensive negotiations with, I think, about three parties. Following that, the Barossa Regional Development Board started to work with TransAdelaide and Australian National. It has taken a very active interest in this project and sees that there will be major benefit in this State for tourism and train travel to the Barossa.

We have changed the format considerably. Starting on Sunday 10 November this year, TransAdelaide rather than a private operator will operate a service to the Barossa Valley on a trial basis of four weeks. It will be a joint ticketed system with Australian National which has given access rights over the track from Gawler to Nuriootpa. AN will not grant access rights beyond Nuriootpa, so a bus service will be operated if people wish to go to other parts of the Barossa.

The Hon. M.J. Elliott: Why not beyond Nuriootpa?

The Hon. DIANA LAIDLAW: I am not sure of the exact reason, but that is the decision of Australian National. The very fact that we have got as far as Nuriootpa is an enormous breakthrough. I am pleased that that agreement by Australian National has meant that this tourist train service can commence a four week trial period, once on each Sunday to the Barossa returning at about 4 p.m. that day.

There will be a range of ticketing prices: $35 for an adult, $10 dollars for a child aged five to 15 years and $80 for a family (two adults and two children). The tickets can be purchased from BASS outlets or the Adelaide Railway Station. I should indicate that this will be marketed by the Barossa Wine and Tourism Association, the South Australian Tourism Commission and TransAdelaide.

I congratulate all parties involved in this surprisingly complex initiative, because it is right in terms of tourism and train travel that there is a train to the Barossa. It has been an extraordinarily difficult exercise to negotiate. However, I hope that with all the publicity that will be given to this initiative it will be well supported. I should indicate that the train will stop at Nuriootpa, Lyndoch and Tanunda.

I have just noted that Australian National will not approve track access beyond Nuriootpa because of concerns about the condition of the track between Nuriootpa and Angaston. If there are concerns about the track then it is reasonable that the service is not provided.

MATTERS OF INTEREST

PLAYFORD CENTENARY SCHOLARSHIP APPEAL

The Hon. J.F. STEFANI: Today I am pleased to speak about a matter of public interest as Deputy Chairman of the Playford Centenary Scholarship Appeal, which has undertaken to raise funds for the special aquaculture scholarship for the Playford Memorial Trust. The priority of the Playford Memorial Trust is to fund projects which will result in benefits to the South Australian community. It is of concern that the future of South Australia's celebrated King George whiting is being seriously threatened by fishing beyond sustainable levels. Recent reports from the Fisheries Department of Primary Industries SA have identified that not only is the King George whiting fishery fully exploited but also the growing number of recreational fishers and increased efficiency by both commercial and recreational fishers are increasingly putting pressure on fish stocks.

The effects on tourism and the hospitality industry if stocks of whiting were to collapse would be potentially catastrophic. Many jobs in both the tourism and fishing industries would be at risk. A large proportion of South Australia's tourist visits are for recreational fishing and whiting is the most sought after species. The Eyre Peninsula Tourism Board estimates that tourism in the region is worth $55 million a year, with 46 per cent of all visitors putting recreational fishing as a major reason for going to the region.

The latest study by the South Australian Research and Development Institute indicates that 72 per cent of all whiting caught in the Adelaide region are caught by recreational fishers. Figures are also substantial for the regional areas. The equivalent market value of the total catch is conservatively estimated at $3 million. With 300 000 recreational fishers in South Australia alone it is imperative that we undertake a stock enhancement program which is economically and environmentally sustainable in the long term. Egg production for King George whiting has fallen to 4 per cent of the level which would have been produced by an unfished stock. In order for stocks of whiting to simply remain at a sustainable level, egg production must be increased to 20 per cent. The relationship with the present level indicates the serious nature of the current depletion of whiting stocks.

The initial aim for the aquaculture scholarship, which will be endowed by this Centenary Appeal, is to find cost efficient means of increasing stocks of King George whiting, which is at risk through increased fishing efforts and improved fishing methods. The research will have benefits for other scale fishing, both for aquaculture and fishing in general. The State Government strongly supports the project and has contributed $150 000 over five years. So far the appeal has raised $350 000 but the goal is $500 000 to enable the scholarship to be endowed in perpetuity. Donations are tax deductible and may be made over a period of five years. The Centenary Scholarship is an exciting project with great potential to benefit South Australia and all its people. I hope that many members of our community will want to support it generously.

LAW STUDENTS

The Hon. ANNE LEVY: I wish to make a few remarks regarding the new selection system which is being used to select students into the law faculty at the University of Adelaide. After thorough investigation, in 1987 the law faculty brought in a new system of selection whereby selection was not done on matriculation results but was done on first year university results. All law students were to do at least one year at university prior to being accepted into the Law School. Many have done more than one year—of either an arts degree or economics degree—before entering a law course.

Members of the faculty of law have done detailed studies on the effects of selection of students based on tertiary results rather than matriculation results. They have found that the new selection scheme is a better predictor of performance in the LL.B than a system merely based on matriculation results. There is a higher proportion completing the degree, fewer drop outs, higher results and so on. When the scheme was devised it was done because it was felt that it would be a better predictor of those who would satisfactorily complete the LL.B degree, but it was regarded as likely to promote greater equity of access to the LL.B than a system based on matriculation. Further work undertaken in recent times has shown that this is the case.

Since 1987 when the new scheme was introduced the socioeconomic profile of the law student body has widened. The figures show that, since the current scheme was adopted, the profile of entrants from the affluent eastern suburbs has declined by 37 per cent with corresponding increases in all other demographic areas. This is regarded as providing unequivocal evidence that the socioeconomic discrimination which accompanied a matriculation based selection system has now been substantially ameliorated. It has also been shown that the new selection procedures reduced the considerable educational advantage that those attending the independent schools received as a result of performance in matriculation. The number of entrants coming from the independent school background has decreased by 23 per cent, while those coming from the Government sector has increased by 15 per cent.

Some of these figures—and there are many more which I could quote—show that matriculation results are very much influenced by socioeconomic factors and that considerable educational disadvantage can occur, reflected in matriculation results, as not necessarily any indication of the ability for future tertiary studies of individuals. This is particularly relevant in view of the current controversy relating to publication of matriculation results by schools which the current Federal Education Minister is suggesting.

It seems to me that he is completely ignoring studies such as this done at the law faculty of the University of Adelaide which show that matriculation results are not merely an indication of intellectual ability but very much a reflection of socioeconomic background and educational advantage and disadvantage that individuals have had depending on their particular circumstances and the families from which they come. I think this highlights the danger of the simplistic approach being adopted by the Federal Minister for Education.

COURTS, SENTENCING

The Hon. R.D. LAWSON: I wish to speak today on the subject of minimum sentences in criminal matters. The recent release of the report for 1995 of the Office of Crime Statistics has again heightened public interest in sentencing matters. The *Advertiser* reported the release of that report with a

prominent item headed, 'Judges Getting Tougher'. The report, which appeared on 10 October this year, noted in respect of the 1995 year that the average prison term increased from 34.9 months in 1994 to 38.5 in 1995. The report also noted that the average non-parole period shrank by two months. This phenomenon has led, as the Hon. Sandra Kanck said in a question asked earlier today, to an increase in the prison population in South Australia. The phenomenon we are seeing is common across the country.

Publicity of this kind has led a number of people to once again renew calls for minimum sentences in criminal matters. I happen to be opposed to mandatory minimum sentences for serious offences because I believe that the courts, particularly judges and magistrates, should retain real discretions when sentencing offenders. The court can base a sentence on the evidence of a particular case, a particular offender or a particular victim. Parliament, it seems to me is ill-equipped to fashion appropriate sentences which meet the circumstances of every particular case. It is not possible to provide in advance for the enormous variety of circumstances under which crimes are committed, and mandatory minimum sentences deprive the court of power to, as it were, 'make the punishment fit the crime and the criminal'.

The imposition of mandatory penalties does lead to an undesirable increase in the discretion of prosecutors. When conventional mandatory penalties apply to particular offences, prosecutors frequently have the opportunity to exercise a discretion as to whether someone is charged with one particular offence or another offence. Thereby lies the opportunity for a prosecutor to, as it were, decide the sentence.

Traditionally there are three important areas of discretion in our criminal justice system. The first lies with the court, the second with the prosecution, and the third with the correctional system such as the Parole Board, etc. The discretion which is exercised in each of these areas will ultimately determine the amount of time spent by an offender in prison. Under the present system, there is a fair balance between all three elements. However, the effect of mandatory sentences removes discretions from the court or the judicial arm, and places those discretions in the prosecutorial arm because, as I mentioned, it is the prosecutors who decide with which particular offence a person is to be charged.

Mandatory minimum sentences will lengthen the criminal process. It is difficult, it seems to me, to envisage many pleas of guilty in circumstances where, whatever the result, if there is a conviction, the minimum penalty is already fixed. I strongly urge upon the Council close consideration of the dangers of mandatory minimum sentences before members embrace the apparently attractive aspects of them.

FARMING

The Hon. T. CROTHERS: I wish to take the opportunity that avails itself every two or three weeks of sitting to talk on matters of interest. What interests me, and always has, of course, is the farmer, the person on the land, and how well they are going. I have always believed that, in a nation, not only do they fulfil the primary role of providing the foodstuffs to keep the nation going, but when the farming community is going well, exports are riding high and the seasons for growing are good the nation in an economic sense prospers at its very highest level.

The past five or six years have not been kind to our farmers. We have had a series of depressed prices. We have had the United States coming in, trying to steal our markets by savage subsidies given to their grain producers. We have had drought over an extensive area of Queensland and New South Wales for several years. In general terms, though we have had drought here in Australia, the growing seasons in the northern hemisphere have been fairly good. As a consequence of that, what little grain crops we were able to grow in the worst year of drought were unfortunately having to be sold at very depressed prices, in many instances at little above the cost of production.

Last year, because of the vagaries of climate in Canada and the United States—two of the bigger grain producers on this planet, and therefore two of the biggest exporters—poor harvests were fairly common throughout the length and breadth of those nations. As a consequence, when we were able to grow grain crops last year, for the first time in many years farmers got a decent return on the product that they shipped to export markets.

This year, likewise, at this late stage as we move into the season of stripping the grain off the land, the major areas of Australia promise much in respect of the quantum and quality of grain and cereal, particularly the wheat and barley that we continue to produce. The problem again is, because of previous shortages, many more hectares of land worldwide have been sown to cereal crops. As a consequence of that, and with good growing seasons this year both in the northern hemisphere and other parts of the southern hemisphere, such as the Argentine, our grain prices will serve our farmers ill, I would think. If the season holds good over the next eight to 10 weeks and delivers the promise that it has already shown, our farming community will grow massive quantums of crop, but again the price will be somewhat more depressed than they would normally like to see.

Many of our farmers are in debt as a consequence of the headlong rush of the 80s into more land acquisitions and higher interest rates, and they need all the assistance they can get if they are to survive at all. In the meantime, our beef prices are inclined to go down even further than has been the case. As a consequence of that, with respect to our export cattle market it has not been a good year in terms of financial reward for those people of the land who are beef growers. The price for lambs has been high, but the price for wool is still depressed because of the mammoth stockpile that we achieved when the national flock was high. A reduction in the size of that national flock to a more manageable level, as far as the wool supply is concerned, will sort itself out over a period of time. So on that bleating note, I will conclude!

EUTHANASIA

The Hon. J.C. IRWIN: I was very happy to read of one of the outcomes of the recent Federal Liberal Party's meeting in Tasmania last weekend—that the Federal Council had voted overwhelmingly to advise the Federal Liberal Parliamentary Party that it should not support the Commonwealth Parliament overriding Territory legislation on the issue of euthanasia. In this short time I will not attempt to debate, finetune or qualify the constitutional principles involved. I know that the Commonwealth has the constitutional power to override the Territory in certain circumstances and to pass laws which override or are more important than State laws.

As a person who is opposed to euthanasia it is perhaps a bit odd for me to be supporting the Territory, as a small but mature community, in its attempt to decide its own future and its own laws, as much as I may not like those laws. I am even

more strongly opposed to a conscience vote being used as a vehicle to pass a Bill which seeks to override the Northern Territory's legislation on euthanasia. I would not expect it to happen, but the mind boggles at the prospect of a cosy deal between the Parties so that the Parliament can hide behind a conscience vote on a number of issues where the Commonwealth can override a State or Territory. This is perhaps one scenario where the Party disciplinary system may be a safeguard for the States and Territories.

It is ironic that on 14 October, before the Federal Council meeting in Tasmania, an article appeared in the Adelaide *Advertiser* featuring the Federal President, Mr Tony Staley. As members might know, Mr Staley adopts a position that is different from mine. He supports euthanasia and does not want the Commonwealth to override the Northern Territory's legislation. The *Advertiser* article, in part, states:

> Mr Staley was severely injured in a car accident six years ago and still walks with the aid of crutches. He said he was very near death three times—

and I underline that—

> and that his two year stint in hospital led him to support euthanasia. 'I was totally paralysed, I thought I'd never speak again, I lost my voice, I could only see out of one eye,' he said. 'For all that—and you can imagine what hell it was—I never wanted to die. But I had people in my wards around me who pleaded to be put out of their misery and the law didn't allow it.'

Mr Staley obviously enjoys being alive, albeit scarred; and we know he has sticks and probably some other injuries that linger. In my simple view he sinks his own argument because, on any of the three occasions that he was so near death, as were those around him wanting to be put out of their misery, had a doctor put him out of his misery he would not have been able to argue his case in the above article or at the Federal Council meeting in Tasmania, or any other forum.

MIMILI SCHOOL

The Hon. R.R. ROBERTS: During Question Time today I was pleased to note that the Liberal Party has been paying particular attention to my speeches. From the outset, I do admit that the figure I quoted with respect to the State Bank was wrong: it was $103 million before tax. That was pointed out to me some time ago, and I did not really need the help of the Liberal Party. I freely admit that I made a mistake, unlike this lot opposite, in particular the Minister for Education backed up by his little squawking mate at the back—tweedle dumb and tweedle dumber. Unlike those two members I admit that I made a mistake.

The Minister for Education ought to be condemned for his handling of the situation at Mimili. He has ducked and weaved and treated those Aboriginal children with absolute disrespect. Every time he is asked to answer a question he goes into the old song, 'Not, not, not responsible'. Yesterday the Minister for Education squealed like a stuck pig when I said that he was responsible for sending those Aboriginal children into an area where there was suspected asbestos. He said, Mr President, 'You said this yesterday.' I remind the Minister for Education and those squawking members on the Liberal backbench that under the Westminster system the Minister is responsible.

The Hon. L.H. Davis interjecting:

The Hon. R.R. ROBERTS: I point out for the edification of the Minister, and for the edification of that lunatic at the back who keeps interjecting, that the letter from which he quoted the other day and which he presented to the Parliament states:

> I have been given a copy of the letter from Mimili council to Ms Joselyn King, the Principal of Mimili school. The letter is telling Joselyn to close the school. The Minister for Education is aware of the circumstances surrounding the classroom...

Just prior to that statement by the Minister I asked him what was the date of the letter and he said that it was that day. Two days before that he told this Council that he did not have time to get the letter that he had received from the Mimili community—that he had not got it, that he was not aware of it. That is an absolute untruth. It was faxed to his office on the Monday. He had this letter within minutes and was in here saying how he had got Mr Iverson to go to the Mimili School; but he had had this other letter for about 24 hours and made out that he knew nothing about it.

I am not condemning Mr Iverson for making the decision but I completely condemn the Minister for Education for not making a decision. He knew the circumstances at Mimili. He knew that there was a letter not from the school council but from the equivalent of the local government body, which placed a notice on the building. I invite the Minister for Education to say why he has not complied with the legal requirements of this document:

> The corporation has the power to recover reasonable costs and expenses incurred by issuing this notice and taking any further action pursuant to its powers under the Anangu Pitjantjatjara Lands Rights Act and the construction and development policy.

The council placed the order at Mimili because it was fearful for the health and wellbeing of the students: unlike the Minister for Education, it was concerned. The Minister for Education has dodged, weaved and tried to pass the buck to everybody else: he is not responsible. Well, he is responsible. He is responsible for the disgraceful act of putting those children in an area where there is a suspicion of asbestos without taking any expert advice. The Minister can dodge and weave as much as he likes. Had this happened at the Rostrevor boys' college it would be an absolute scandal.

While I am on this matter, I have to condemn the local press, except for the *Advertiser*, for not following this through. If this had happened in Adelaide there would have been a hue and cry but because it concerns Aboriginal people who are out of the way, out of sight they have been ignored by the Minister and treated absolutely disgracefully. This Minister must stand condemned for not ensuring the safety and wellbeing of those Aboriginal children and the teachers at Mimili. Time does not allow me to continue but this is a scandal of monumental proportions, and this Minister is guilty of a dereliction of the duty of care to those children at Mimili and their teachers.

MIGRANTS

The Hon. L.H. DAVIS: I want to talk about the contribution that migration has made to Australia's population. It has been in the news and in headlines for some weeks now following the extraordinary, extravagant and often inaccurate remarks of an Independent member of the House of Representatives, one Pauline Hanson. I seek leave to have inserted in *Hansard* without my reading it a table of a statistical nature detailing migration and population figures for Australia for the period 1949-1951.

Leave granted.

	Australian Population	
Year	Net Migration	Natural Increase
1949	150 000	106 000
1950	152 500	112 000
1951	111 500	111 500

The Hon. L.H. DAVIS: This table sets out the fact that in the years 1949, 1950 and 1951 Australia's net migration was well over 100 000. In 1950 it was 152 500, and it was almost 50 per cent higher than the population increase from natural means of 112 000 in 1950. In that time, the contribution to Australia's population from net migration in 1950 represented 1.5 per cent, an enormous figure. As I have indicated, migration was more important in contributing to Australia's population increase than from natural increase.

Contrast that with the five years of the 1990s, when immigration has averaged 62 500 people or only 0.35 per cent of total population. In other words, migration, in terms of our population, was running at four to five times the level in 1950, 45 years ago. If we took the rate of intake in 1950 and had the same rate of intake in proportion to the population, our immigration would be now running at more than 400 000 a year. Instead, we are expecting a gross figure of around 86 000 migrants and refugees in 1996-97.

It is important to recognise the contribution that immigration has made to South Australia. We boast over 100 different nationalities living in South Australia at the moment. Over 20 per cent of our population was born overseas; another 20 per cent of our population has one or more parents born overseas—a total of some 40 per cent of people resident in South Australia were either born overseas or have one or more parents born overseas.

An argument about the increase in Asian immigration has arisen. Pauline Hanson has claimed that Asians would account for 30 per cent of the population by the year 2000 and 50 per cent by the year 2040. Just to reflect how ill-informed this woman is, I state that in the census of 1991 Asian born accounted for only 4.1 per cent of the population, and the projection is that by the year 2121 that figure of Asian born will only constitute 7 per cent of Australia's population.

When one is in the public spotlight as this former fish and chip shop owner unexpectedly is, there is a duty to speak responsibly and accurately. Sadly, Pauline Hanson has failed on every count, and she stands condemned for the disservice she has done to multiculturalism in Australia.

I am delighted to see that the two major Parties, both the Labor Party and the Liberal Party, are joining together at the next Federal election to ensure that their preferences do not go to Pauline Hanson. One would hope that her electorate would take the hint and also take the same view; that is, that Australia has been enriched dramatically by our migration program, one of the great migration programs the world has ever seen.

The ACTING PRESIDENT (Hon. T. Crothers): Order! The time has expired for matters of interest.

NATIONAL SCHEMES OF LEGISLATION

The Hon. R.D. LAWSON: I move:

That the position paper on scrutiny of national schemes of legislation be noted.

The position paper on scrutiny of national schemes legislation was published earlier this month by the working party representatives of scrutiny of legislation committees throughout Australia. This position paper follows a discussion paper which was issued by the same committee in October 1995 and tabled in this Chamber on 11 October 1995. I moved on that occasion that the report be noted and described some elements of the discussion paper.

A number of members contributed to the debate on that motion, including the Hon. Paul Holloway, the Hon. Angus Redford and the Attorney-General. The subject of the discussion paper and of this position paper is national schemes and legislation.

It appears that nothing stands still in this life. We have a written constitution in this country but its operation is evolving. The decisions of the High Court in relation to it often have remarkable and unexpected effects upon one's perception of the Constitution and upon its operation. In this country we have a Federal system which embodies a relationship between the States and Territories and the Federal Government. That system also is evolving. Indeed, it has never been static. The financial arrangements between the States and the Federal Government have been in a never ending state of flux. Taxation arrangements have been evolving over the years, usually to the detriment of the States and to the advantage of the central Government.

Nowhere in relation to these arrangements pertaining to Federation has greater ingenuity been shown than in relation to national schemes of legislation. That ingenuity has been exercised over recent years.

There is no provision in the Constitutions of any of the States for such schemes and, apart from the reference of power provisions in the Commonwealth Constitution, there is no Federal mechanism for national schemes of legislation.

A number of structures are described in the position paper for the implementation of national schemes of legislation. A very helpful description appears in annexure 1 to the paper. That annexure describes eight different structures from the commonly known State and Commonwealth cooperative legislation, such as the Trade Practices Act, in which the Commonwealth Parliament passed a law relating to the extent of its jurisdiction to the whole of the country regarding, say, consumer protection, and each of the States and Territories subsequently passed fair trading Acts which are complementary in their effect.

Amendments to the Commonwealth legislation are totally under the control of that Parliament and amendments to State legislation are totally under their control. But there are other mechanisms such as template, cooperative or adopted complementary legislation, and in this respect I refer to the financial institutions legislation and the Corporations Law.

These schemes of legislation grow out of intergovernmental agreements, usually reached by ministerial councils. As I said, other structures are described in the annexure to the position paper. The difficulty about national schemes of legislation is that individual Parliaments do not necessarily have any opportunity to scrutinise or effectively to amend such legislation in some of the models that are adopted.

I mentioned earlier legislation growing out of intergovernmental agreements, and that type of legislation is very often borne out of meetings of ministerial councils over a number of years. When the ministerial agreement is finally reached, no Parliament can effectively amend or alter the

legislation without running the charge that it is sabotaging the entire scheme.

A number of examples are given in these reports of legislation which came into existence and was passed very quickly by Parliaments without any effective opportunity for amendment. In one celebrated case when the legislation was being adopted by Parliaments—both in this State and in Western Australia—it was not actually available for the examination of members.

The position paper describes the submissions that were received in response to the discussion paper from a number of sources such as lawyers, politicians, Government departments, Attorneys-General and the like.

The report quotes the then Tasmanian Premier (Hon. Ray Groom), who gave evidence to the committee about his experience of the schemes. He said:

> The push for uniformity can result in proper parliamentary scrutiny being bypassed.

He went on to say:

> In some cases if a Minister questions the necessity for particular legislation or its impact on his or her jurisdiction, he or she is told that, 'It is either too late, you cannot turn back, you cannot pull out of the process', or 'It is essential that regional differences should be overlooked or ignored in the national interest,' whatever that might be.

In a submission to the committee the Department of the Commonwealth Attorney-General acknowledged:

> Such schemes, it is true, give rise to almost no room to manoeuvre for individual Parliaments.

One of the difficulties with national schemes of legislation is that in the process of developing such legislation industry groups (industry associations, interested parties, pressure groups and the like) are consulted, but never during the process does this apply to any of the Parliaments which are expected to pass the legislation.

In the case of the financial institutions legislation, I think evidence was given that the Bill had passed through 41 discussion drafts before being tabled late in a number of Parliaments with the injunction being given to those Parliaments that, unless the legislation was passed without amendment, the national scheme would be put in jeopardy.

The proposals advanced in the position paper are three in number. They envisage the establishment of what is described as a national committee for the scrutiny of national schemes legislation. This informal committee would be constituted by members of all the scrutiny of Bills committees around the country, nominally, and be chaired for the time being by the Chair of the Senate of Scrutiny of Bills Committee, with Deputy Chairs being appointed from other committees on a rotating basis. It is envisaged that the secretariat of the committee would be provided by the Senate.

The first of the proposals discussed in the position paper confusingly is designated 'Proposal No. 3', but it is first in time. It is suggested under this proposal that uniform legislation is tabled as an exposure draft in each Parliament which ultimately will be required to pass it.

At paragraph 3.2.2 of the paper, the views of the working party were described as follows:

> It was noted that the current practice of providing exposure drafts for uniform legislation to various interest groups around the country excludes the participation of the Parliaments of Australia.

It notes:

> Where exposure drafts for uniform legislation are available they should be made available to the Parliaments.

It is also noted:

> If, as a result of the position paper, a national scrutiny committee is the preferred option, there would be merit in having that committee examine the exposure draft at a time early enough for the committee to make constructive recommendations in relation to it.

One of the difficulties noted by the committee was that flexibility is required, and there is no desire on the part of the proponents of the scheme to have the national scrutiny committee involve itself in the policy underlying measures or involving itself in any delay, procrastination or further examination of the totality of the national scheme legislation.

Rather, it is envisaged that the committee would exercise the function ordinarily exercised by a scrutiny of Bills committee which is similar to the function of the Legislative Review Committee in South Australia in relation to subordinate legislation.

The function of the proposed committee is not to examine the policy underlying legislation but, in hopefully a bipartisan way, examine subordinate legislation in that case against stated criteria, to examine whether or not the legislation satisfactorily meets that criteria.

The second proposal in the paper suggests that it would be necessary for scrutiny of Bills committees around the country to adopt uniform criteria for the examination of national scheme primary legislation. By 'primary' is meant legislation to pass the Parliament rather than subordinate legislation made by the Executive Government.

The proposal is that the criteria to be applied by the committees are simple and reflect, as it were, a common denominator of scrutiny of Bills committees. Those criteria are (a) whether the Bill unduly affects personal rights and liberties; and (b) whether the Bill inappropriately delegates legislative powers.

Another criterion suggested is one that is also found in scrutiny of bills committees and legislative review committees, namely, whether the Bill makes rights, freedoms or obligations unduly dependent upon administrative decisions which are not subject to external review. It is noted in the position paper that these proposed criteria reflect what is termed 'commonly supported and fundamental values to be protected'. It is noted that such terms of reference would provide a basic and uniform level of scrutiny to which all national scheme primary legislation will be subjected.

The final proposal is (once again confusingly) described as proposal No. 1. This proposal relates to national scheme subordinate legislation, because national schemes of legislation usually involve not only primary legislation but also subordinate legislation. One of the difficulties about proposal No. 2, which I have just described, is that not all Australian Parliaments have a scrutiny of bills committee. For example, this Parliament does not have a scrutiny of bills committee. We do have a legislative review committee, which as I have already mentioned scrutinises subordinate legislation. To ensure that subordinate legislation is also scrutinised, it is proposed in the paper, first, that all scrutiny of subordinate legislation committees—and there is one in each State, Territory and Federal Parliament in Australia—adopt uniform terms of reference relating to the scrutiny of national scheme subordinate legislation, and the criteria which are set out once again are those commonly found in scrutiny of subordinate legislation committees.

The position paper represents the culmination of a great deal of work over a long period of time by its members. The chronology of events relating to its production goes back to as early as July 1993 when the matter was first raised by Mr Phil Pendle MLA of the Western Australian Parliament,

who has been a champion of this type of approach to the scrutiny of national scheme legislation. The Chairs, the Deputy Chairs and officers of the committees met on a large number of occasions and finally produced a position paper.

Not without some considerable difficulty because of the divergent political and other views on this matter, they finally reached a position paper which was adopted by the Chairs of all the committees, and it is now proposed that it will be circulated in this State and elsewhere seeking support from within Parliament and also outside Parliament as well for the adoption of this or, if not this, some other measures to ensure the effective scrutiny of national schemes.

I commend the position paper to members. I invite members to consider it closely. It is a serious and somewhat difficult matter conceptually, and I would gratefully appreciate feedback from members of the Council. The matter has been considered by the Legislative Review Committee and, although the committee has not undertaken a separate examination of it, I think that, by and large, its members support the recommendations proposed. I commend the motion.

The Hon. P. HOLLOWAY secured the adjournment of the debate.

STATUTORY AUTHORITIES REVIEW COMMITTEE: ELECTRICITY TRUST

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

That the final report of the Statutory Authorities Review Committee on Electricity Trust of South Australia (Performance Indicators) be noted.

The Statutory Authorities Review Committee when it was first established in May 1994 resolved to look at a major statutory authority, and the Electricity Trust of South Australia, as it was then styled, was chosen. An exhaustive set of 10 terms of reference was agreed to by the committee, and this report today concludes our far-reaching investigation into ETSA. This is the final in a series of seven reports which have covered a wide range of issues.

One of the difficulties that the committee noted shortly after it commenced its inquiry was that the Australian electricity supply industry was undergoing very fast change. There had been the establishment of a national competition policy following the Hilmer report. There was also continued pressure from the Federal Government on State Governments to restructure their electricity businesses, and there were moves towards the opening up of a national electricity market. Each of the States was taking a different approach to its electricity industry which had been until quite recently almost invariably State owned. The Victorian Government took a radical approach in terms of separating out its generation, transmission and distribution functions, and it then proceeded to privatise in stages most, if not all, of these functions.

In South Australia, the Government has taken a more modest approach. ETSA was corporatised and renamed the ETSA Corporation. It was separated into: ETSA generation, ETSA transmission, ETSA power and ETSA energy. Further to that, legislation earlier this year split ETSA Corporation into two corporations: one for generation, and the other for transmission and distribution—this separation to take effect from the beginning of 1997. It was difficult for the committee to report in detail on some of its terms of reference because the sand kept shifting from under us. In this final report we have examined ETSA's performance from indicators which are kept at a national level to measure the utilities around Australia.

This set of indicators, which is in our final report, establishes for the most part that ETSA has most definitely improved its performance in most aspects of its operation since 1990. Labour productivity has lifted, there has been a reduction in operation and maintenance costs, prices to consumers and industrial users have fallen, and there has been an improvement in reliability of supply. The average price charged by ETSA for electricity has been sliced by 16 per cent in the period 1989-90 to 1994-95 which has been reflected in reductions for commercial and industrial tariffs.

The interconnection with interstate electricity generators through the grid established with Victoria some years ago has meant that an increasing amount of power is imported into South Australia. That was a figure which was well less than 20 per cent a few years ago and which grew to 25 per cent in 1994-95. In 1995-96, around 33 per cent of all electricity consumed in South Australia was imported from interstate. That, in part, reflects the fact that power can be obtained more cheaply from surpluses available interstate. It also reflects the reality that in supplies of coal South Australia is the poor relation against the eastern States.

Leigh Creek coalfield, which has been in operation for some 50 years, has a very low quality coal and the use of Leigh Creek coal to generate power at the Port Augusta power station has been, arguably, one of the marvels of the modern world. The coal is exceedingly harsh on the equipment and is not as cost effective as that used by our interstate counterparts. There is also the question of haulage from Leigh Creek to Port Augusta. The committee has earlier reported on the controversy and dispute which has existed for some time between AN and ETSA with respect to the transport costs of that line between Port Augusta and Leigh Creek which is dedicated almost solely to the haulage of Leigh Creek coal.

The committee also recognised that there was cross-subsidisation of electricity prices for non-metropolitan clients by metropolitan clients. We recognise the importance of not disadvantaging country consumers of electricity. Indeed, we support the continued uniform statewide pricing for electricity but we believe that the transparent funding process should be in place to ensure greater accountability of this cross-subsidisation.

The committee noted that ETSA's transmission operations are better than interstate utilities and generally in line with them at the very worst, but in generation and distribution operations ETSA for the most part was not quite as efficient as its interstate counterparts. In the important area of workplace health and safety issues, it is pleasing to note that over the past few years ETSA's performance in this area has improved but nevertheless still lags behind best practice of other States. We believe that ETSA should work harder towards ensuring occupational health and safety issues are properly resourced to continue to reduce time lost from injuries and workers' compensation claims.

Finally, the environmental indicators examined by the committee showed the overall level of pollutants emitted by power stations operated by ETSA was relatively low compared with interstate utilities. ETSA, however, unlike some of the interstate power stations, uses quite a large proportion of gas from the Cooper Basin which is a cleaner fuel than coal and which necessarily would result in lower pollutants and a better set of environmental indicators.

However, there is no segregation in the environmental indicators in the ETSA report information between coal fired and gas fired power stations and we recommend that in future this should occur.

The committee has learnt a lot from this exhausting if not exhaustive inquiry into ETSA. It has been beneficial for the committee and I would hope that it has been useful for the Parliament and the community. The committee appreciates the cooperation it has received from ETSA executives, who have been under enormous pressure on a range of issues, and the Minister and his staff. These series of reports have put to an early test the requirement of the Parliamentary Committees Act that Ministers should respond within four months to recommendations made by Parliamentary committee reports and one has to say that in that respect the Minister has an impeccable record. For the most part he has accepted, and indeed implemented, many of the recommendations which the committee has made in its series of seven reports on ETSA and the committee looks forward to his response to this final report on ETSA. I should again pay a tribute to the committee staff who have made these reports possible for the benefit of the committee, the Parliament and the community.

The Hon. ANNE LEVY: In speaking to this motion, I very much want to endorse the comments made by the Hon. Mr Davis. The investigation into ETSA by the Statutory Authorities Review Committee has certainly been exhaustive and exhausting. It seems to have grown beyond what was originally envisaged and occupied a great deal of our time. Certainly, as he said, the cooperation and help from ETSA people themselves and the enormous amount of work which has been put in by the staff of the committee are very much appreciated.

The Hon. Mr Davis has covered most of the issues which are detailed in this final report. There is, however, one matter which I wish to draw to the attention of the Parliament and this is the question of transparency of community service obligations undertaken by ETSA. We were informed that there was only one minor community service obligation which is currently being undertaken by ETSA, that is, it must bear the cost of the administration of the pensioner rebate scheme for electricity charges. The funds for the rebate scheme are provided by the Department for Family and Community Services, but the administration is a cost to ETSA.

However, neither ETSA nor the Government classes as a community service obligation the enormous cross-subsidisation which occurs between different customers of ETSA and which arises from the Government's policy—endorsed unanimously by the committee—that there should be very little disparity between the cost of electricity to metropolitan and non-metropolitan users in this State. That does have a cost. It may be that if metropolitan consumers were charged at the rate which it cost ETSA to provide electricity for them their electricity bills could fall quite a bit. The result would be that electricity costs for non-metropolitan users would rise steeply if there was no Government subsidy or no adjustment in total revenue to ETSA. This does pose questions, given that very soon the national electricity market will become operative, and competition will obviously play a part in determining electricity prices.

We have strongly recommended in the report that the Government and ETSA should consider calculating the cost of this cross-subsidisation from metropolitan to non-metropolitan users. If it is Government policy which, as I say, was unanimously endorsed by the committee, that such cross-subsidisation should continue, at least the cost and extent of it should be known and available for all to read and find out, either in ETSA annual reports or in reports from the Minister issued periodically. This, I feel very strongly, should be made available for general knowledge so that appropriate consideration can be given in the full knowledge of what such a policy is costing us.

I very much hope that the Minister, in responding to this recommendation, will take it on board and, through consultation, devise an appropriate method of indicating the value of this cross-subsidisation so it does become transparent in line, I should say, with Government policy relating to transparencies of subsidies and cross-subsidies. I support the motion.

Motion carried.

ROAD TRAFFIC ACT REGULATIONS

The Hon. P. HOLLOWAY: I move:

> That the principal regulations under the Road Traffic Act made on 29 August 1996 and laid on the table of this Council on 1 October 1996 be disallowed.

I do so on behalf of the Opposition because we are concerned that some queries in relation to this regulation, which were raised by one of our members, have not been answered by the Minister for Transport. If we are to approve these regulations, we believe that when matters are raised with the Minister, we should get an answer in a reasonable time. The particular letter to which I refer was written to the Minister for Transport on Friday 6 September by my colleague in another place, Michael Atkinson. The first part of his letter sets out the queries that the Opposition had in relation to these regulations, and we believe that these questions ought to be answered satisfactorily by the Minister before the opportunity lapses for these regulations to be disallowed. The letter states:

> Dear Minister,
>
> I write about the regulations under the Road Traffic Act that were published in this week's *Government Gazette*.

and remember that this was Friday 6 September. It continues:

> I am sorry if I see the regulations through the prism of Barton Road, but your Government has gone to extraordinary lengths to support the closure against the people I represent, including last year's annexation of parkland to try to sustain the closure.
>
> Three regulations aroused my suspicion. The first was 2.02, which says that a traffic control device shall be deemed to comply with the requirements of the code applicable to that device if it substantially complies with those requirements. My worry is that one of the reasons this regulation has been made is to try to protect from challenge and judicial review the faulty signs you have authorised to be erected at Barton Road, North Adelaide, in order to deny people from the western suburbs access to North Adelaide. Either a traffic control device complies with the requirements or it does not. Could you please put my mind at rest on this regulation?
>
> Regulation 3.07 seeks to define the meaning of some signals, signs and pavement markings. I notice that a 'No Entry' sign is defined to include 'a mark to the same effect'. Could you please show me all the signs that your department believes are marks to the same effect as a No Entry sign? Is this provision changed from the previous regulations? Is it a new provision?
>
> Regulation 4.09 defines bus lanes. I think bus lanes were a splendid innovation and I support them. In 4.09 a bus lane means 'a lane on a carriageway adjacent to...which a traffic device erected, displayed or marked to indicate that the lane is reserved for use by persons driving buses'. The danger here is that local government could stop use of a public road by the public merely by erecting a sign saying the road is now a bus lane. I do not think it is prudent for the State Government to permit this. The bus lanes in the schedule are all on State Government roads except No. 2, at Barton Road, which is the part of Barton Road closest to Park Terrace, not the section of Barton Road in dispute. Is this provision changed from the

previous regulations? Is it a new provision? Is Barton Road between Hill Street and Mildred Road a bus lane under 4.09?

Those were the questions that my colleague in another place raised on behalf of his constituents, and I am sure all members in this Council would be well aware of the long running saga in relation to Barton Road. I think my colleague in another place is entitled to an answer on those matters before the opportunity passes for this regulation to be disallowed. In raising this matter today and moving the disallowance I give the Minister the opportunity to respond to the queries that have been made, and I would hope that she can do so satisfactorily. I commend the motion.

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

DENTISTS (CLINICAL DENTAL TECHNICIANS) BILL

The Hon. P. HOLLOWAY obtained leave and introduced a Bill for an Act to amend the Dentists Act 1984. Read a first time.

The Hon. P. HOLLOWAY: I move:

That this Bill be now read a second time.

The purpose of this Bill is to allow suitably qualified clinical dental technicians to supply partial dentures directly to the public. In 1984 the Dentists Act provided legal recognition of clinical dental technicians for the first time. Following an assessment of their skills, 29 clinical dental technicians were registered in this State. Under the 1984 Act, clinical dental technicians were restricted to the provision of full dentures directly to the public. Specifically, clinical technical dentistry is defined as:

> the fitting of, and the taking of impressions or measurements for the purposes of fitting, dentures to a jaw—
> (a) In which there are no natural teeth or parts of natural teeth; and
> (b) where the jaw, gums and proximate tissue are not abnormal, diseased or suffering from a surgical or other wound.

In 1988 the South Australian Dental Service conducted a survey which indicated a high level of patient satisfaction with full dentures supplied by clinical dental technicians, and it indicated that those dentures were technically sound. Following the Commonwealth State agreement on mutual recognition, the Australian Health Ministers' Conference agreed that mutual recognition should apply to a number of health related occupations, including clinical dental technicians, or dental prosthetists, as they are known in some States.

A number of other States permit clinical dental technicians to provide partial dentures directly to the public and have done so for many years. In Tasmania, dental technicians have been able to provide full dentures, partial dentures and fitted mouth guards since 1957. In New South Wales, dental technicians have been able to provide full and partial dentures since 1975. In Queensland, legislation was proclaimed in 1992 to enable dental technicians to provide full and partial dentures and fitted mouthguards. In the ACT, a 1988 ordinance gave dental technicians the right to provide full and partial dentures.

Under current law, clinical dental technicians from these States or Territories who are registered in South Australia cannot provide partial dentures directly to the public, even if they have previously done so in their home State. Conversely, clinical dental technicians from South Australia who go to one of these States or Territories may find their registration subject to conditions precluding them from providing partial dentures because they come from a State where they are not permitted to do so. This situation is clearly against the spirit of mutual recognition and is to the detriment of South Australian clinical dental technicians.

Following my approaches to the then Minister for Health, Martyn Evans, in 1993, Crown Law advised that the Dentists Act 1994 did not prohibit the provision of mouthguards by registered clinical dental technicians, even though the Dental Board had previously ruled that this practice was not legal. Then in October 1993 the former Government introduced a Bill to permit clinical dental technicians to provide partial dentures. Debate on this legislation was not concluded in the House of Assembly before the 1993 election. In 1994, my colleague Michael Atkinson, then shadow Minister for Health, reintroduced this Bill into the House of Assembly. The Bill was not supported by the Government. In opposing the Bill the Minister for Health stated:

> Clinical dental technicians in South Australia are not trained to provide partial dentures directly to the public.

He went on:

> ...those who are registered have had variable training, have qualified under grandfather assessments, and they have not had that experience.

The Minister also queried the expertise of clinical dental technicians in matters of disease identification and infection control. The Bill which I have introduced today goes further than the 1993 and 1994 Bills, to address the concerns expressed by the Minister. This Bill now requires any clinical dental technicians who wish to provide partial dentures directly to the public to have completed the partial denture bridging course for advanced dental technicians conducted by the Royal Melbourne Institute of Technology, or an equivalent course to be prescribed by the Minister.

The RMIT course is recognised as one of the best of its type in Australia and it is the required standard for the provision of partial dentures by dental technicians under amendments to the Victorian Dental Technicians Act passed in 1995. The course also addresses the questions of infection control. I understand that, of the 29 clinical dental technicians registered in South Australia, 12 have already started this course at their own expense. Several dental technicians are currently completing courses or have completed courses elsewhere in Australia which cover partial dentures and related health issues.

Under the competition policies which have been embraced by the State Government it is inevitable that the restriction on the right of suitably qualified clinical dental technicians to provide partial dentures in South Australia will be lifted. This State cannot indefinitely persist with the situation where qualified dental technicians are prevented from practising the task they legally and proficiently perform in other States of Australia. However, the case for this Bill goes beyond the arguments of competition policy and national uniformity. Since 1984, clinical dental technicians have shown that they are capable of providing high quality dentures at affordable prices to members of the public. Without their presence in the market, many low income consumers would simply not have access to quality dentures.

We now face the axing of the Commonwealth dental health program which was specifically designed to assist the poorest members of our community. It has been estimated that over 36 per cent of those people using the program were

aged pensioners, 30 per cent held other pension entitlements and the remainder were unemployed. Of a total expenditure of $26 million on public dental health last financial year, about $10 million was provided through the Commonwealth scheme. Thus the ending of the Commonwealth dental health program will reduce by over one-third the number of adults who can receive public dental health care: 40 000 fewer adults will now receive public dental health care and the waiting lists will blow out. The Bill I have introduced today will not make up for this dramatic cut in public dental health care but will at least provide a cheaper and quality alternative to those patients who may require partial dentures. Given that many patients who formerly received dental care under the Commonwealth program will now be forced to rely on private care, if they can afford it, this Bill is one small way we can assist some of those patients. I commend the Bill to the Council.

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

OUTSOURCING

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

That the Legislative Council requests that the South Australian Government supplies to each of the following select committees on—

1. Contracting out of State Government Information Technology;
2. Tendering Process and Contractual Arrangements for the Operation of the New Mount Gambier Prison;
3. The Proposed Privatisation of Modbury Hospital; and
4. Outsourcing Functions undertaken by E&WS Department

an authentic summary, according to the protocol negotiated by the Liberal Party and Australian Labor Party, of the relevant outsourcing contracts.

(Continued from 16 October. Page 144.)

The Hon. ANNE LEVY: On behalf of the Opposition I support this motion but indicate that I will be moving an amendment. I certainly support it because, now that an agreement has been reached regarding the provision of precis of the contracts, it would seem to me desirable that such precised contracts be provided as soon as possible. The press release from the Minister indicated that the trigger for this could be a request from either the Legislative Council or the select committees. As indicated in the motion, there are four select committees of this Chamber currently operating, each of which will want access to as much information as possible in the contract regarding the privatisation or outsourcing (as the case may be) for the particular Government function.

I am aware from the protocol that it is possible for the select committees to ask for a copy of the contract to be provided minus the commercial in-confidence parts. I know that at least one of these select committees has met and has formally requested that it be provided with the precised contract, but the other three may not have met yet. It may be some days before they can and are able to make a formal request for this precised contract. I feel it would be highly desirable for this motion to be passed as soon as possible so that the formal request can be made and work can start on preparing these contracts (minus the commercial in-confidence part) and having them authenticated by the Auditor-General. The sooner they can be provided the better. Certainly, I am on two of the four select committees that have been set up on these privatisation contracts, and the work of the committees is being stymied by not having the details of the contract available to them, so the sooner the better.

I hope that if the Government is not able to respond today it will be able to do so when next the Council meets for private members' business, so that the motion can be passed as soon as possible and the work on the contracts begin. I move to amend the motion as follows:

To leave out the words 'Liberal Party and Australian Labor Party' and insert in lieu thereof 'Government and the Opposition'.

As worded, the motion suggests that the protocol was negotiated between two political Parties. I cannot speak for the Liberal Party, but I do know that the Australian Labor Party on South Terrace was in no way involved in the negotiations. In fact, the President and Secretary of the Australian Labor Party probably know absolutely nothing about this protocol and do not want to, either. I strongly suspect the same applies to the Liberal Party on Fullarton Road.

The negotiations occurred within this building. They certainly involved members of the Government and members of the Opposition. It was from those negotiations that the protocol has been agreed to. It would seem to me more accurate for the motion to reflect the fact that the protocol was negotiated between members of the Government and the Opposition. I presume it had the endorsement of the Cabinet, which is the formal instrument of Government. It may even have had the endorsement of the Liberal Party room—I am not privy to that. It certainly had the endorsement of the shadow Cabinet and of the Labor Caucus. So, it is more accurate to say that it was negotiated between the Government and the Opposition rather than between the two political Parties. With the caveat of that amendment, I strongly support the motion and urge the Legislative Council to pass it as soon as possible so that work on these contracts can begin.

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

AUDITOR-GENERAL'S REPORT

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

That the Report of the Auditor-General 1995-96 be noted.

(Continued from 16 October. Page 148.)

The Hon. CAROLYN PICKLES (Leader of the Opposition): I support the motion. Thank goodness we have the Auditor-General to keep an honest account of what is happening in South Australia. At a time when the nature of government in South Australia is going through a radical change due to the Government's irrational economic rationalist policies and the game plan of decimating the Public Service and at a time when we are being told less than ever about what the Government is doing in terms of transfers to private sector management and ownership, not only is it vital to have the benefit of the Auditor-General's analysis but also the Opposition must do its best to communicate to the people of South Australia the deficiencies exposed by the Auditor-General. So, we do welcome the opportunity to have this debate in this Chamber.

I would like to place on record that we believe that the House of Assembly should be given the opportunity of a much more rigorous analysis and time to look at the Auditor-General's report than it was given with an extra hour of Question Time.

The Premier could not accept reality as reported by the Auditor-General. The objective view of the Brown Government's privatisation and outsourcing policies, presented without fear or favour by the Auditor-General, was dismissed by the Premier as 'short-sighted, simplistic, and an attempt to rewrite history'. It is unprincipled and cowardly for the Premier to make these criticisms, because he knows full well that the Auditor-General is reluctant to engage in an ongoing public debate in order to justify his criticisms of the way in which the Brown Government is conducting its affairs. The Auditor-General has investigated, analysed and reported thoroughly and the justification for his conclusions is apparent from the report. The Premier is fooling himself if he thinks that a glib retort can dismiss a comprehensive report which took a year to prepare.

For over two years, this Government has been selling off assets as a substitute for sound economic policies. Probably the most shocking conclusion of the Auditor-General was that the asset sales have resulted in a net interest rate reduction which has 'been broadly offset by decreases in revenue in the form of dividends and other amounts resulting in no net improvement in the deficit'. In other words, we have been selling off community assets which actually provide good financial returns to the people of South Australia.

We have gained $140 million a year in reduced interest payments, but it has cost us $100 million a year to get there, according to the Auditor-General. In the process, we have suffered a disturbing loss of control and accountability in respect of the Government's community service obligations.

The Government's position appears to be that we do not have the right to know whether or not it has been worth while to enter into the huge outsourcing contracts which have changed the face of services traditionally delivered by Government. I refer to the privatisation of water management, the handing over of control of the State Government's computer systems to the Texan giant EDS, the establishment of prisons for private profit, and the debasement of our public hospital system through deals with private hospital operators. The evidence that would allow us to properly evaluate these momentous decisions is simply not publicly available.

It is especially in respect of these huge multimillion dollar deals that the Government has been least accountable. Parliamentary scrutiny is therefore more important than ever, yet the Government cloaks these deals with commercial confidentiality and secret Cabinet considerations to the point where the public has virtually no way of knowing how much we are paying, what we are getting for our money or what conditions apply.

Surely when these multinationals do deals with Western democracies they must realise that public interest considerations distinguish the arrangement from the everyday commercial contract. If they do not realise it, they should be told that the Government has an obligation to be especially open with the South Australian people.

The Auditor-General supported this view when he told the Economic and Finance Committee two weeks ago that the public interest in knowing more about what goes into these multimillion dollars contracts overrides proprietary rights. To make matters worse the political hurrah surrounding each contract makes it impossible to back out of potential disasters.

The classic example—and let us not forget it—was when the Premier flew to Texas with a plane full of journalists to sign the EDS contract, even though negotiations had not been finalised. That is when the big boys of the commercial world knew that they had Dean Brown over a barrel, because he could not possibly come back empty-handed.

In the same way, the Premier's arch rival, the Minister for Infrastructure, had to consummate a water management privatisation deal even when it became apparent that there was no way of keeping a promise he had made about the deal, for example, in relation to the much-trumpeted Australian equity in the project. The French came to town and the rest is history.

Indeed, the charade continues with the Minister for Infrastructure crowing about the success of his water baby. The Minister chooses to ignore the following fundamental reasons why SA Water can show a profit in the past year, reasons which have nothing to do with the privatisation deal: increased rains and lower pumping costs assisted water delivery; the scales of charges have been changed to ensure that people pay more; and consumer charges have risen by more than inflation. It was the State Government rather than SA Water which paid out nearly 500 separation packages.

The economic failure of the Government's asset sell-off and the recklessness with which it has pursued its outsourcing policies are key themes of the Auditor-General's Report.

The other theme of terrible importance to this State is the unemployment generated by lay-offs from the Public Service. The Auditor-General has counted the loss of over 8 000 public sector jobs in the past two financial years, bringing the total public sector job losses to around 11 000 since the Brown Government came into office. True, some of these numbers represent transfers to private sector employment, but many have joined the ranks of the unemployed. Hence our unemployment rate of 9.8 per cent, which is well above the national average.

Mercifully for the Premier's public relations staff, many of those who left the public sector in this period left the labour force altogether. In other words, they took early retirement. It is often overlooked that, if our labour force participation rate was as high as some other States, our unemployment rate would be several percentage points higher. The jobs are just not to be found and, after three years in Government, the Premier has to take the responsibility for that. The Federal Government's savage budget cuts to work training programs have only compounded the problem in this State, especially for the young unemployed. For the record, it should be noted that the Auditor-General has warned of new risks and liabilities arising from the outsourcing process adopted by the Government. The Attorney will recall that he was asked about this aspect of the report, and I understand that he will be assessing the questions raised by the Auditor-General in that regard.

The Auditor-General suggests that we may have created legal liabilities in respect of the wrongful actions or omissions of private contractors. Referring to the contracting out of our information technology, water, hospitals, etc., on page 10 of the executive summary the Auditor-General says:

> ...the South Australian Government may incur liabilities through the contracting out of core Government services which it would not otherwise have had. The contracting out of Government services may also involve legal and financial risks for the State in tort, where the law would impose non-delegable duties on the State.

The Government's lack of foresight in respect of these contracts extends not only to the creation of unexpected legal liabilities. Another significant factor is the evacuation of experience, knowledge and talent from the public sector. In some cases the Government has simply not done its sums. I

quote from page 6 of the executive summary of the report, as follows:

> In relation to two of the projects, Mount Gambier Health Service and Port Augusta Hospital, the South Australian Health Commission and the Department of Treasury and Finance have evaluated that the private sector funding of the projects result in net additional costs to the Government of approximately $4 million and $2.5 million respectively when compared with the use of public sector funding.

In other words, these outsourcing projects have been completely bungled and have cost us more than if the health services had stayed in the hands of the South Australian Government. Information that the Opposition has about Modbury Hospital may reveal another expensive error of judgment about that outsourcing and privatisation project. Not surprisingly to the Opposition, the Auditor-General criticises inadequate disclosure on the part of the Brown Government.

For the second year running, audit has openly complained about receiving inaccurate information from the Government. Audit found no evidence to support the Brown Government's claim of $300 million recurrent savings in the 1996-97 budget. Even the Under Treasurer has agreed that the audit report's analysis was correct. The Auditor-General has also exposed the steepest growth curve we have in South Australia at the moment: fat salaries for the new public sector executives appointed under the Brown Government. Another revelation from the Auditor-General exposed the discrepancy between the Premier's statement to Parliament on 18 October last year that the pay-out to Mike Schilling—formerly head of the Premier's Department—was less than $150 000, compared to the amount actually received by Mr Schilling of $400 000.

Finally, I will ask some questions on notice for the Minister for Education and Children's Services—some of the questions we did not get a chance to ask in the extra hour of questions permitted us by the Government in respect of the audit report. The questions generally are derived from Part B, volume 1, of the report. I note that the cost of school card has decreased by $3.2 million from $10.3 million. What is the Minister's policy for school card? What is the ultimate target for expenditure on school card?

On page 132, the Auditor-General says that he is concerned to note that, with respect to several matters relating to lack of financial control over salaries and wages, family day care and workers' compensation, the Education Department had undertaken to take corrective action but this had not been done. Given that this matter was raised by the Auditor-General last year and that the Minister indicated to the Opposition that this was being corrected, can he tell us exactly when and how these matters will be addressed?

The Auditor-General says on page 135 that there is uncertainty over the future management of cleaning contracts, following the completion of a contract with a facilitator, and he also says that uncertainty over the future of these arrangements may undo the benefits so far achieved by contracting out. How has the Minister responded to this concern and why has the situation, which appears to require a simple administrative decision, been allowed to develop? Does the Minister agree with the Auditor-General's comment on page 136 that overtime has increased because of a lack of resources in some areas? Has the Minister investigated the impact of staff cuts on overtime?

I have one or two more general questions, and I would appreciate it if the Attorney could bring back a reply to this question. On page 132 of the Audit Overview, the Auditor-General records an incident where he was fed inaccurate information by a Government agency, and he had to make repeated audit inquiries before the truth apparently came out. What was the nature of the misrepresentation in that case, and who was responsible? Finally, I would hope that the three Ministers in this Chamber do not agree with the Premier's assessment of the Auditor-General's Report as 'short-sighted', 'simplistic' and an attempt to 'rewrite history'. I believe it was a very thorough report and that the people of South Australia have a right to know answers to the questions he asked.

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

EDUCATION (COMPULSORY SCHOOL AGE) AMENDMENT BILL

The Hon. CAROLYN PICKLES (Leader of the Opposition) obtained leave and introduced a Bill for an Act to amend the Education Act 1972. Read a first time.

The Hon. CAROLYN PICKLES: I move:

That this Bill be now read a second time.

Only about two months ago, I gave a full account of the reasons for introducing this Bill, and I refer members to my previous second reading explanation (*Hansard*, page 1896). The Bill, introduced into Parliament on 31 July and reintroduced today, has been circulated for public consultation. It is fair to say that a range of views have been expressed by those in the education sector, but some basic points are the subject of widespread agreement. However, the Bill needs to have some further consultation. I am happy to listen to the views of people in the community and of parents, teachers and educationists.

Parents, educationists and young people agree that schools need to be adequately resourced to be able to provide courses that are truly relevant to the employment prospects of each young person in the State education system. It is both a question of resources and a question of curriculum. Although I have always campaigned for people of all backgrounds to have the equal opportunity of receiving a tertiary education, we need to discard the lingering notion that everyone will go to university and that, therefore, we need the last two years of secondary schooling to focus on traditional academic subjects for all students. Clearly, there are some students for whom that is not necessarily appropriate.

The other point about which everyone agrees is that something needs to be done about teenage unemployment. A major contributing factor to youth unemployment is the significant number of young people in the labour market without sufficient qualifications or practical experience. The longer young people remain in the education system the better the chance they have of obtaining permanent and meaningful employment. Everyone in the community should be very concerned that about 30 per cent of our young people are not completing the standard high school qualification and about 40 per cent of young men in particular are leaving school without the education or training to equip them for anything more than the most basic employment.

Realistically, we know that these young people will face very long periods of unemployment. This is at a time when youth unemployment is hovering at about 40 per cent and the Liberal Government federally is slashing work training programs. The report of the Youth Unemployment Task Force was published in June 1996. Two of its recommenda-

tions were that the Government should consider raising the school leaving age incrementally to 17 years by the year 2000 and that the Government should develop well resourced secondary schools with a special focus on vocational education in regions with significant industry content and support.

The primary problem which this Bill seeks to address is school retention rates, which are plummeting in South Australia. As the Minister likes to say when he closes down a school, the buck stops with him. Aggravating the retention rate problem is the fact that the Government does not seem to have a clear picture about what happens to the young people who leave school: how many find jobs, how many find permanent jobs, how many enter into contracts of training, and how many move from school to TAFE? It would be helpful if the Minister were able to provide to the Chamber some accurate statistics on this issue.

Raising the school leaving age in itself is obviously not enough. There must be relevant and productive curriculum choices for 15 and 16 year olds if they are to remain in the school system. This has been recognised in principle, and some vocational skills courses are being offered in schools, but this is all happening at a time when funding cuts make it difficult for schools to develop new courses, especially any technology based training or industrial oriented courses which might require considerable capital equipment and tools of some kind.

As I previously explained when I formally introduced this Bill, it means that young people would be required to stay at school until they reached 16 years. The only exceptions would be for contracts of training (formerly known as apprenticeships), enrolment in a full-time TAFE course or, under the existing power of the Minister, to exempt school age children from attending school. I remind members that we are not entirely breaking new ground by suggesting that the school leaving age be raised as part of a holistic approach to addressing the retention rate problem. If this Bill passes, South Australia will be following the example set by Great Britain, New Zealand and the majority of the States of the United States of America.

I hope this Bill will be supported by all Parties in this Chamber. With this Bill and the commitment of the Minister, which I hope he will give, to have better and more prolific vocation oriented courses offered in our secondary schools, we will be taking a step towards ensuring that young people are better qualified and skilled for entry into the labour market. I believe that this issue of the problems of young people leaving school should be a concern of all members of Parliament, something in respect of which we can rise above Party politics, because I do not believe that anyone in this State wants to see vast numbers of young people placed on the unemployment scrap heap for long periods of time, if not forever. I believe that we should all be concerned about this issue—and I believe that we are. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Clause 1: Short Title
This clause is formal.

Clause 2: Interpretation
The definition of 'children of compulsory school age' is extended to apply to 15 year olds. The definition of 'approved course of instruction or training' is imported from the Vocational Education Employment and Training Act 1994 to cover appropriate TAFE courses. Trade apprenticeships and similar arrangements are now known as contracts of training'.

Clause 3: Compulsory enrolment of children
Children must be enrolled at school from the age of six until they turn 16, except if, having turned 15, they are engaged in a contract of training or enrolled in a full-time TAFE course.

Clause 4: Restriction on employment of children required to be enrolled (Consequential).

Clause 5: Attendance at school
Consequential (the current restrictions on employing children are reproduced in this clause, but allowance is made for the fact that there are now categories of children of compulsory school age to whom the obligations of school enrolment and attendance do not apply).

Clause 6: Powers in relation to suspected truancy
'Place of residence' replaces 'dwelling house' and allowance is made for the fact that 15 year olds may be engaged in a contract of training or enrolled at TAFE rather than enrolled at school.

Clause 7: Evidentiary Provision
This clause facilitates proof in legal proceedings, in the absence of contrary evidence: that a child was or was not engaged in a contract of training at a specified time; or that a child was or was not enrolled in a full-time TAFE course at a specified time.

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

STATUTORY AUTHORITIES REVIEW COMMITTEE: STATUTORY AUTHORITIES

Adjourned debate on motion of Hon. L.H. Davis:

That the report of the Statutory Authorities Review Committee on a survey of South Australian statutory authorities be noted.

(Continued from 16 October. Page 157.)

The Hon. A.J. REDFORD: I support the motion. First, I take the opportunity to thank the staff involved in the preparation of this report, Anna McNicol, Vicki Evans and Andrew Collins. The Statutory Authorities Review Committee is very lucky to have people of a high calibre, and certainly the current staff, Anna and Andrew, are quite outstanding. For those people who read *Hansard* and who are looking for excellent staff in years to come, I recommend them highly, both as people and for their ability.

The Hon. Bernice Pfitzner: You took them from my committee.

The Hon. A.J. REDFORD: I now know how Carlton feels when it picks up players from the Crows. I would also like to thank my parliamentary colleagues, in particular, the Hon. Legh Davis who chaired the committee, and the Hons. Anne Levy, Trevor Crothers and Julian Stefani. Each of us made a contribution to and had some part to play in this very important report. Indeed, I do not believe that this committee has submitted a report on any occasion that has had a dissenting voice, and I am very pleased to see that we all work very well together. The main recommendations of the report fall into 12 categories, and I do not propose to speak on any more than two of them.

In summary, the recommendations are, first, to extend the role of the committee; secondly, to review and standardise information concerning statutory authorities; thirdly, to have a system where there is a systemic or organised review of inactive authorities; fourthly, changes to accounting to take into account non-financial Government support and the identification of that support; and, fifthly, identification where Government departments subsume statutory authorities. One example to which the report refers is TransAdelaide, which is technically a statutory authority but which is run wholly and solely under the departmental ministerial accountability model.

The next recommendation relates to the business and commercial activities of Government, and the committee recommends that there should be a board. The next category relates to board and board sizes. The next category of recommendations relates to the monitoring of board vacancies. The next category relates to the requirements to meet at least once a year and, in relation to business enterprises, to meet six times a year. The next category relates to the review, reporting requirements and distribution of publication of reports and, in that regard, I will make some comments later. The next category relates to the noting of late reports and outstanding annual reports; and, finally, the establishment of a register.

Indeed, since the release of that report the Premier has provided to the committee the Boards and Committees Information System list which records many of the boards by portfolio. I know that the Statutory Authorities Review Committee will be looking at that over the coming months and I have no doubt that there will be a report. One example of the sorts of things that the committee encountered is that this document provided by the Premier's office identified some 58 boards; the report that we tabled in Parliament identifies nearly 200 boards, so the Premier's office has some way to go in developing information systems in relation to statutory authorities. I might say that the animal, plant and soil boards are not included in either of those two figures.

It is clear that the list is not complete. However, I thank and congratulate the Office of Premier and Cabinet for the strides made to date, although much is yet to be done. I am sure that the committee will have more to say when we have looked fully at this list: I know that the Hon. Legh Davis is champing at the bit.

It would also be remiss of me if I did not correct some of the more stupid comments made by the Hon. Terry Cameron on this topic. The Hon. Terry Cameron seems to see a political issue in matters where, in fact, there are no political issues. I will make these points and he can go back and read his contribution to contrast it with the facts that I put to him. First, the committee report was unanimously supported by members of the Government Party. Secondly, at this stage the Ministers have not yet responded to the report and the time limit for that response has not expired. If the Hon. Terry Cameron wants to have a go at Ministers, perhaps he ought to give them the opportunity to respond before he makes his rather inane comments.

Thirdly, the Premier has agreed to release the BCIS statistics, albeit that its work has not been completed. The criticism he makes is not relevant given that that information is not complete. Fourthly, he said that I ought to congratulate the committee. I will not do that; I was a member of the committee—obviously something which avoided or escaped his notice—and I am not in the practice of congratulating myself. If that must happen, I will leave it to others. Finally, the Hon. Legh Davis, to my knowledge, has not—

The Hon. T.G. Roberts: Congratulate all the others but don't congratulate yourself.

The Hon. A.J. REDFORD: I will do that, because they made very good contributions. If I had made a decent contribution, I am sure that someone would have acknowledged it, but it has not happened to date. It was suggested by the Hon. Terry Cameron that the Hon. Legh Davis has been the subject of criticism because of this report. That is absolute rubbish. I have not heard of any criticism in any quarter from any source, and I have not heard of any recriminations from any source or any person about the work that the Hon. Legh Davis did in presenting this report. I hope that, when the Hon. Terry Cameron makes these assertions, he is not relying simply on wishful thinking or surmising on his part. In fact, the Liberal Government prides itself on its ability to look at its actions critically. This might also have escaped the Hon. Terry Cameron's attention, but it was a committee that this Government and the Liberal Party has attempted to set up on many occasions and it was only after the last election that this Parliament allowed it to do so.

The most important issue covered in this report was the role of annual reports and their importance in relation to our parliamentary and democratic system. One of the most difficult things, as I have discovered in being a member of Parliament on the backbench—to some extent more difficult on the Government side because you are more restrained in what you can say publicly but, on the other hand, you have greater access to information—is ensuring that there is appropriate accountability by the Executive to the Parliament.

I am sure that members opposite and those on this side will all agree that we are not overly resourced as members of Parliament. We share staff members and they work very long hours, and their ability to carry out research and the like is limited because of their limited time. I know that great strides have been made since you, Mr President, have come into the Chair, and that you have made an enormous contribution to improving the resources that we currently enjoy compared with what occurred before I was elected to this place, and I am grateful for that. But further strides need to be made if we as members of Parliament are to fulfil our job of ensuring that the Executive arm of Government is kept properly accountable to us and ultimately to the people.

As members of Parliament, we have two very important tools in ensuring proper accountability of the Executive. The first is the role that the Auditor-General plays. Sometimes he might say things that we on the Government side might disagree with, but his role and position are absolutely fundamental if we as members of Parliament are to fulfil our responsibilities. Secondly, and as an adjunct to that, we have annual reports. I will not go over what the Hon. Legh Davis said about the timeliness and frequency of annual reports, except to remind members that we noted that a substantial number of annual reports are filed either late or, in some cases, not at all. If that continues, our ability to perform our role as members of Parliament is diminished.

I commend the recommendation regarding the distribution and publication of annual reports and note that the Printing Committee will need to consider the recommendation that has been made. Indeed, as a member of the Printing Committee I look forward to taking up a couple of matters with you, Sir, particularly in relation to the distribution of annual reports. Perhaps we could have a notification sent around (because they are buried in *Hansard* and we are all busy people) identifying what annual reports are available and having an ordering system, or something along those lines, so that we can obtain them in a more organised fashion. These are only suggestions off the top of my head, but I think that that recommendation is worth considering.

The other recommendation is that the Printing Committee have the responsibility of checking which annual reports are due, which have not been lodged and which are late, and reporting that in a document to the Parliament and to us all so that we know which statutory bodies are fulfilling their statutory obligations and which are not. Another recommendation we make is that, after a certain period upon which an annual report is to be completed, an honourable member

should have the right either through the Printing Committee or through you, Sir, to obtain that report in periods when Parliament is not sitting. That is an important recommendation. It is not every Government that sits as regularly in Parliament as this Government does.

I have just finished reading a biography by Alan Ramsay called *The Gorton Experiment*. I note that the Federal Parliament at one stage did not meet from November one year until August the following year and still fulfilled its constitutional requirements. If that should ever happen in this State, members ought to have the ability to obtain annual reports. The Hon. Diana Laidlaw smiles, but in fact that is what happened under that Administration.

The Hon. Diana Laidlaw: Are you suggesting it is a good thing? In what year was it?

The Hon. A.J. REDFORD: It was in 1968.

The Hon. Diana Laidlaw: Before television?

The Hon. A.J. REDFORD: No, television was just coming in. John Gorton prided himself on being a television exponent. He thought he did not have to worry about Parliament. In fact, that is what got him into trouble. The two reasons he got rolled in the end was that he ignored Cabinet decisions and tended to go off on a frolic of his own and, secondly, he felt that if he ever got into a problem, he could go on television and speak to the people directly, and no Party room would ever roll him. That was his basic attitude. It is quite an interesting book and, if anyone wants to borrow it, I will lend it to them.

The PRESIDENT: Order! I think the honourable member ought to get back to the motion. I do not think that has a lot to do with the motion at hand.

The Hon. A.J. REDFORD: In closing, I want to draw members' attention to a couple of comments in the report. At page 66, the committee states the following—and I will quote it because it is put better than I could have done:

> The committee reiterates its firm view that the annual report is an important method of ensuring public accountability, and that in this respect Parliament's role in scrutiny should be emphasised. This view is supported by the findings of the Senate Standing Committee on Financial Public Administration where it says, 'Parliament sits at the heart of public sector administration and accountability. Parliament is duty bound to monitor the performance of the Executive Government and report on that performance.'

At page 79, the report is dealing with the issue of delayed annual reports, and it states:

> The committee is concerned that delays in annual reporting may affect the ability of government to use this information to make timely and accurate decisions. On occasions the failure to report within the statutory period may have serious consequences for the Parliament and the community.

I thoroughly endorse those comments. I have not seen any evidence of that occurring since I was elected but, if there is not some formal and detailed mechanism by which we can review the performance of government and statutory authorities in the provision of annual reports, there is a real risk that that whole process can be manipulated for short-term political purposes. That is not in the interests of ordinary South Australians, irrespective of the political Party which one might be a member.

In closing, the whole of the recommendations and the difficulties and frustrations that we faced can be summarised by quoting what the committee agreed to at page 99. It states:

> The committee considers that, notwithstanding sporadic efforts over recent years, this present unsatisfactory situation has occurred because of long-term neglect and has been aggravated by the apparent inability of successive administrations to fully address the issue. The committee notes that South Australia appears to be lagging behind best practice in other States in addressing the matter. Under the circumstances, the committee cannot over-emphasise the urgency of developing and implementing systems for centrally monitoring statutory authorities and, more specifically, for improving their accountability to Parliament.

It was quite clear that the former Attorney-General (Hon. Chris Sumner) knew and clearly identified some of these difficulties, and I have no doubt that he attempted to address the difficulties of ensuring proper accountability, record keeping and monitoring of statutory authorities to the best of his ability. I have no doubt that the current Government has attempted to follow what he effectively initiated. I have no doubt that the task is difficult. However, given the size of statutory authorities and the enormous impact that they have on our daily lives, or the potential for impact on our daily lives, it is a task that has to be addressed both completely and quickly. I only hope that the Government will look at this report very carefully and endeavour to implement its recommendations as quickly as possible. I commend the report to everyone.

Motion carried.

SOCIAL DEVELOPMENT COMMITTEE: PROSTITUTION

Adjourned debate on motion of Hon. Bernice Pfitzner:

> That the report of the Social Development Committee on an inquiry into prostitution be noted.

(Continued from 3 October. Page 85.)

The Hon. SANDRA KANCK: If we all had to agree with the motion we would have a real bunfight, so we are fortunate that it is just a question of noting. If a species is to survive it must do two things: sustain itself by food and drink and reproduce. Throughout western society we have taken the first of these, sustenance, to almost an art form. There are very few people who provide all their own food all of the time from backyard to plate. Most of us depend on others to produce the food for us in a form that we can purchase. Many of us go one step further in this commercial process and buy meals which are wholly prepared in the form of takeaway food. An increasingly large number of people pay for someone to prepare and serve the food for them. We call these places cafes or restaurants. We celebrate food to the extent that our daily papers run advertisements for these establishments encouraging us to consume, and those same papers have columns in which restaurants are reported upon and evaluated. Some feel so strongly about their food and drink that they buy magazines which tell them more about their favourite forms of sustenance.

By contrast, that other act which must occur to ensure species' survival, sexual reproduction, is more often hinted about, and prostitution where one person pays another for a sexual service is, in the main, frowned upon. Prostitutes are regarded by many people as criminals even in those jurisdictions where they are not. I have noticed that some people approach prostitutes as if they were a class apart. Some religious denominations feel a strong urge to save the souls of such people. One group which appeared before the committee took that view and even brought along one former prostitute whose soul they were in the process of saving.

The Hon. T.G. Cameron: A good woman!

The Hon. SANDRA KANCK: She was spectacular. I doubt that she would stay on the straight and narrow because she was so spectacular, but never mind. There is an assump-

tion by some that prostitutes are automatically involved in activities such as pushing drugs and that they are intrinsically liars. As waiters in restaurants and cafes provide sustenance, that other of the two requirements necessary for species' survival, why are not waiters treated with the same suspicion? For me, one of the delights of having been involved in this reference is that I have come to know some prostitutes, and I doubt that under normal circumstances most people would have that opportunity. Obviously I have met some of the more high profile prostitutes who were prepared to speak to a committee, but I found them to be delightful people with wonderful senses of humour. Given the work that they are doing, they obviously have a very clear view about the foibles of human nature. They are very straight talkers. They know exactly what it is they are doing and why they are doing it. They are not ashamed of what they are doing and, in fact, celebrate it in many ways.

To return to the way that a species ensures that it survives, there are only a few cultures in the world where eating in public is frowned upon and, by contrast, only a few cultures where the act of sexual reproduction is feted. Such cultures are very much in the minority as the Judaeo-Christian and Islamic religions have subverted and replaced other religions and come to dominate world culture.

The sexual act has been mystified in a way which has not happened with food. When we eat, often we do so because it is pleasurable. We are not required to hide that pleasure, nor are we made to feel guilty when we pay for the food. Not so with sex, which has become very much an undercover act. Somewhere along the line we have allowed organised religion to turn the act of sexual reproduction into a moral issue, when morality has nothing to do with it. It was with this outlook that I approached an investigation into prostitution by the Social Development Committee, but found that the members of the committee and many witnesses were largely unable to see prostitution in other than a moral light.

Those who have seen the committee's report will note a subchapter on the feminist view. When we were discussing this in the committee, two points of view were put, and some members of the committee were surprised that I held both views. One of those views is that:

> ...women's sexuality is commodified in that it is bought and sold within the sex industry in a way that is harmful to the progress of women's fight for equality.

We quote from someone's oral evidence as follows:

> Prostitution commodifies the body of a woman in a fashion which is pleasing to the male.

Later, that witness said:

> Prostitution throws women peanuts for dancing to men's tunes.

I have some sympathy for that view. Prostitution presents women as always being 'on heat'. It presents them as always being available to meet a male's commands and to indulge the fantasies of a male. From that point of view, it might be counterproductive for women if the message gets out to men generally that that is how women are. The other feminist view which was presented, which some in the committee thought was contradictory but which I have no difficult in holding, is as follows:

> ...other feminists believe that the current criminal laws are far more detrimental to women who are prostitutes than any intrinsic harm in the act of prostitution itself.

One of the observations that we make is that often the women who end up in the sex industry are not properly trained to do other work. Prostitution is a job that pays well, and that in itself is interesting. Some of the prostitutes told us that they had gone into and stayed in prostitution because it paid well, and that is a reflection on the pay that women get in the community at large. It is very unfortunate that women who are not properly trained to do other jobs become prostitutes and are then made criminals because they do not have adequate training for other jobs. Of course, once you have a criminal record it makes it harder to get jobs in other areas. For instance, it makes it difficult to get a passport. Once they had a criminal record, someone who had worked as a prostitute would not be eligible to apply for most jobs in the Public Service. I do not see any contradiction between those two views. We must recognise that prostitution is occurring, but we must put protections in place so that women are not exploited and so they can get out of prostitution sooner rather than later.

The Social Development Committee has been criticised by some because of the time taken to produce this report. I have heard in a number of media reports that we took two years. That is not the case. When this committee came together at the beginning of 1994 we looked at the references that were before the committee prior to the State election. We decided that we would take on the prostitution reference and continue with it, but we did not begin that reference until February 1995. We took evidence through 1995 and when we resumed in 1996 we began the process of deciding what position we would adopt in the report.

During that time we were also concluding the rural poverty report and we also began taking evidence on the AIDS inquiry. We certainly have not twiddled our thumbs, and I reject any criticism that we have been slow on this matter. We did spend six months, however, coming to a final report. As everyone knows, we came up with a majority report with three people supporting it, a minority report of two and a minority report of one. I must confess that it is almost surprising that we did not end up with six individual reports, because there was so much variance in our views.

When we released our interim report on prostitution last year, I spoke at that time criticising the decision of the parliamentary officers not to fund the committee for an interstate visit to see how prostitution laws were working in Victoria, New South Wales and the ACT. As a consequence of that decision, three MPs who are members of the Social Development Committee travelled as a group to make our own investigation. However, three other members of the committee would not make the trip because it was not formally sanctioned by the Parliament. That trip was most enlightening. However, because it was not a formally sanctioned trip, we were unable to use the information which we gained as evidence for the committee, and that was a great pity. I believe that the minority report prepared by Mr Michael Atkinson and Mr Joe Scalzi showed a more humane and progressive attitude than what I had observed Mr Atkinson initially taking. I believe that that change in attitude occurred as a result of what we saw and heard on that interstate trip.

The Hon. T.G. Cameron: What an optimist!

The Hon. SANDRA KANCK: I am an optimist. I believe that when people are exposed to new information and evidence there is the capacity for them to change their mind. I am almost certain that, if the other three members had made the trip with us, there would have been fewer reservations about a relaxation in prostitution related laws. I have publicly stated that I support the majority report because I want to see some positive reforms to our prostitution law. Having

observed the conservative nature of our current State Parliament, I have backed a view and supported the preparation of an accompanying Bill which does not reflect my own views but stands some chance of passage through a very conservative Parliament. One madam to whom I spoke recently told me that she did not care if Parliament decided to herd all prostitutes into the one building to keep them under control, as long as we got some positive reforms through, given that Parliament has been prevaricating on this matter now for 16 years in one form or another.

There is no doubt that our current laws relating to prostitution are unfairly administered. For example, the 30 per cent of prostitutes who work in brothels are continually harassed by police while the 70 per cent working in the escort trade are ignored, mainly because the police do not have the methodology to apprehend them. I have two main concerns about the majority report: first, the issue of sole operators; and, secondly, the matter of police powers. The committee's draft Bill has turned a blind eye to the operations of one or two-person operations in residential areas. The view appeared to be that the police will not know about it if the sex workers are discreet, so they will not need any recognition in the Bill or in our report. The evidence we heard from one sole operator was that she had worked from her own house for a number of years and that, to the best of her knowledge, her neighbours were unaware of her activities. That is all well and good, but I would like to see her given the same protection under the majority report's Bill as other prostitutes who, we suggest, should be allowed to work in industrial and commercial areas.

The ACT Attorney-General's Department discussion paper 'Issues and policy options in the regulation of prostitution in the ACT' addressed this issue, especially in regard to Michael Moore's prostitution Bill 1992. That Bill excluded one-person brothels from the definition of 'brothel'. In part, that definition read:

> 'brothel' means premises used or to be used for the purpose of prostitution, but does not include premises—
> (a) used by one prostitute only.

That report from the ACT states:

> There may be problems with this, notably, the potential interference with residential amenity, but there have been no recorded problems with this so far.

In the event, I understand that single person operations were included, but they were not forced to operate from industrial commercial zones.

To the Victorian Government, Marcia Neave had recommended that the definition of 'brothel' should include premises from which three or more prostitutes operate. She argued that two women working together are able to ensure greater physical protection for each other than if each was operating on her own. Such small operators are more likely to be self-employed with no pimps or middlemen taking their cut and less likely to be involved in some of the criminal activities some members of my committee have been concerned might be occurring in brothels, such as drug-taking and dealing and money-laundering.

The UTLC submission to the committee argued that the larger an establishment was the more likely it was to be subject to male control. Commenting on the Victorian laws, they said:

> As women workers overwhelmingly cannot afford such costs—

that is the costs of establishing a brothel under the Victorian system—

> ownership and control of prostitution is becoming concentrated in the hands of male business owners. Women workers are losing control over their income and conditions of work, and larger scale more visible operations have resulted. Incentives for criminal involvement have also increased. Women not wanting to work for these establishments are only left with a choice of returning to illegal work.

The three of us who visited Melbourne brothels in May last year saw some evidence of that male involvement and a suspicious linking in ownership of some brothels. So, I indicate that I am not happy with the way the draft Bill handles this matter and, if a private member's Bill is introduced based on the committee's draft, I will attempt to amend it accordingly.

The second main issue of concern about the report is that relating to police powers and to crime. Evidence from the police alleged brothels being connected with organised crime. I say that they alleged this because they did not provide us with the hard facts to back up their claims. In fact, the only real concern I had about any sort of organised crime in the prostitution industry was in relation to tax avoidance, and it is very obvious if one reads the report that a great deal of tax avoidance is occurring. In many cases a lot of the payments are in cash that never see the light of day.

In Melbourne we were told of a tax avoidance system called the Burton-Downs system in which 12 brothels were linked together, and it would appear from what we were told that the paper trails that are set up are such that the Taxation Department cannot track down and work out what is happening.

So, rather than evidence of crime, we had evidence from prostitutes of harassment by the police, and that harassment was sometimes quite demeaning. Despite that evidence, some members of our committee wanted to give the police greater powers, for no other reason than that the police had argued that they needed them.

The fact is that the South Australian police already have enormous power if they want to use it. If members doubt this, they should have a look at section 67 of the Summary Offences Act, which allows the Police Commissioner to issue a warrant which has a six month life. With that warrant police are entitled to enter into, break open and search any house, building, premises or place if they think a crime has just been committed or is about to be committed. Once inside, they can break open and search any cupboards, drawers, chests, trunks, boxes, packages or other things. On the basis of section 67 of the Summary Offences Act, I would not want to give the police any more power: it simply is not justified.

Prostitution is a victimless crime, as both the prostitute and the client are consenting to the act. I see no good reason for police intervention unless other criminal acts are occurring, and we did not get the evidence that showed it was occurring.

I would like to see the police right out of this arena altogether, and that is one of the reasons why the Democrats and I support decriminalisation of prostitution laws. Decriminalisation is Democrat policy, as opposed to the position that I am supporting in the majority report. Democrat members have a conscience vote on everything, and the only requirement is that I have to report to my State council and explain why I have not upheld Party policy.

In fact, as this reference to the committee has proceeded, I indicated at the beginning of the year that it was highly likely that I would support a position that would not be in line with Party policy, and I reported that on at least three

different occasions. I have since reported to my State council and explained why I have acted in this way. I also explained the nature of our conservative Parliament, and there have been no recriminations against me.

I put on record my thanks to the staff, Robyn Schutte and Marg McColl. They were absolutely magnificent during the preparation of this report. As I said, there was a lot of diversity of opinion within the committee itself. On occasion tempers were short, and they often had to bear the brunt of it, and they did so in a wonderful way. On some occasions they might have had more to contribute to the debate than we did, but they had to sit there quietly and keep their mouths shut, which they did quite admirably.

I also put on record my thanks to Christine Swift, who helped the majority of the committee put their Bill together, again showing a great deal of diplomacy in the process. I support the motion.

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

LOCAL GOVERNMENT (CITY OF ADELAIDE) BILL

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

The Hon. DIANA LAIDLAW (Minister for Transport): I move:

That this Bill be now read a second time.

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

Leave granted.

This Bill introduces arrangements for the governance of the City of Adelaide, to give effect to recommendations of the Adelaide 21 Report.

That Report reflected concerns which have been expressed by successive State Governments for some years over the operations of the Adelaide City Council.

The concerns can be divided into two classes; those arising in the past and present and those which cause anxiety for the future.

The principal concerns in the past and present have been the emergence of factions and personal clashes within Council, rendering the proper exercise of its functions difficult. These concerns are not occasioned by malpractice of the Council or its administration, but arise from the electoral structure and the limiting franchise of the Councillors.

The Local Government Act contains suitable provisions for dealing with malpractice but is powerless to deal with the Government's present concerns.

These concerns were strongly voiced by contributors to the consultation on city centre issues conducted as part of the Adelaide 21 study. However, Adelaide 21 also sets out a vision for the future—a future that the current governance of the City of Adelaide cannot deliver.

Adelaide 21 stressed the need for changes to the governance of the city which is critical to the future of the City of Adelaide and to ensure it is in a stronger position to meet the challenges of the next century. To achieve that, it is vital to put in place a new form of governance to give effective representation in the affairs of the City to a broader cross-section of South Australians.

The changes of governance were part of a package of proposals. It also included the establishment of the Adelaide Partnership, a joint private-public sector organisation to coordinate and oversee development projects in the city centre, and to establish an Adelaide Marketing Authority.

The Report and its proposals have received widespread support within the community. The Premier has previously announced the establishment of the Adelaide Partnership and foreshadowed on several occasions his intention to introduce legislation this session to deal with governance.

In formulating our proposed strategy, the Government has examined the strategies used in Sydney, Melbourne and Perth to install Commissioners, when those cities faced problems similar to those described above.

The current electoral franchise in the City of Adelaide is basically the same as for all other councils in the State which use a ward and aldermanic system.

The electoral franchise includes only electors with a specific interest in the City of Adelaide and, therefore, does not represent the interests of the wider population of the State, for whom the City is the cultural and commercial centre.

A natural result of this franchise is that the Council tends to concentrate on local interests and, where they conflict with wider interests, gives them precedence.

This effect is clearly outlined in the Adelaide 21 study and elsewhere as contributing to the relative stagnation of city centre activity and building development when compared to other metropolitan centres. There is no capacity under the existing governance to represent and project Adelaide and South Australia into the regional and global markets of the future.

The Government believes there should be a broader representation in the future governance of the city centre.

The form of representation raises a large number of issues including effectiveness, accountability, equity and voting methodology. These questions require an extensive study and political process to resolve. The form of that study and its objectives make it incompatible with the continuation of the currently elected Council.

To ensure the satisfactory functioning of the City while the consideration of the best form of future Government ensues, and to instil a sense of wider responsibility for the Council in the meantime, it is proposed to replace the elected Council with Commissioners appointed by the Government.

These proposals cannot be achieved within existing legislation. Accordingly, this Bill has the following features, which are expanded in the explanation of clauses:

(i) Replacement of the elected City of Adelaide Council with three Commissioners appointed by the Government from the date of proclamation until 30 June 1999 or the first meeting of a newly elected Council, whichever is the earlier. One of the key tasks of the Commissioners will be to recommend to the Government the future form of governance for the City.

(ii) Establishment of rules of conduct for the Commissioners closely similar to those for Boards of Statutory Corporations.

(iii) Vesting all of the powers, rights, responsibilities, assets and liabilities of the Adelaide City Council in the Commissioners.

(iv) Placing the Commissioners under Ministerial direction, including reporting requirements.

(v) Placing a duty of care and specific performance on the Commissioners.

The Bill also provides that:

(vi) The Commissioners are to investigate and recommend to the Minister a proposed new electoral franchise and process to achieve a wider representation in the newly elected Council.

(vii) On a day no later than the first Saturday in May 1999, elections are to be held for a new Council, under the then existing Local Government Act provisions, which would include the legislative change introduced to give effect to the outcome of the Commissioners' report. The Commissioners will require guiding principles, and these are set out in a Schedule to the Bill.

It is possible that the currently elected Council may seek to set in place projects to benefit the existing narrow franchise of the City before the Commissioners take office.

The Bill guards against this eventuality by requiring the Council to seek approval from the Minister before it enters into specified classes of contracts or leases (being essentially contracts or leases which involve more than $100 000) in the period between public announcement of the proposals and proclamation of the new legislation.

This approach requires the relevant parts of the new Bill to be effective before its passage through Parliament, and the Bill sets 2 October 1996, as the operative date in this regard.

Section 197 of the Local Government Act already allows the Government to prescribe by regulation projects which can only be carried out with the agreement of the Minister. It provides for an onerous process to achieve such agreement including public notice.

Any action of a Council contrary to these provisions would constitute a breach of the Act and liable to being declared null and void.

Possible changes to boundaries, such as the inclusion of North Adelaide with other councils, will not be allowed under this Bill. Neither the Commissioners be able to change the residential rate structure. Either of these matters would add a range of peripheral issues to the debate. If any such proposals do arise, they will be dealt with by either the new Council or under other legislative provisions.

The three Commissioners, whose appointment is to be at the pleasure of the Governor, will be for a limited period (of about 2½ years). In this regard, the Bill contains a 'sunset' clause that would cause the Act to expire on 30 June 1999 or earlier by proclamation.

It is not expected that any significant extra resources would be required to operate the Council under the proposed arrangements. Whatever is needed could be drawn from the existing Council budget allocations.

The proposed change in electoral franchise is expected to strongly benefit the State Government's economic objectives.

Explanation of Clauses

The provisions of the Bill are as follows:

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

The measure will come into operation on a day to be fixed by proclamation. However, schedule 1 will be taken to have come into operation on 2 October 1996.

Clause 3: Interpretation

This clause sets out the definitions required for the purposes of the measure. The 'City of Adelaide' is the council of that name incorporated under the *Local Government Act 1934*. The measure also uses the term 'period of administration', being the period commencing on the day on which section 5 of the Act comes into operation and ending at the conclusion of the elections to be held under section 17.

Clause 4: Interaction with Local Government Act

This Act and the *Local Government Act 1934* are to be read together and construed as a single Act. However, in the event of an inconsistency between the two Acts, this Act will prevail.

Clause 5: Commissioners to constitute City of Adelaide

The composition of the City of Adelaide is, from the commencement of this section, to be altered so as to be constituted by three Commissioners to be appointed under this Act. The members of the City of Adelaide holding office immediately before the commencement of the section will cease to hold office. The City of Adelaide will continue as a council under the *Local Government Act 1934* (and, in particular, the body corporate continues); the difference is that it will now be constituted by the three Commissioners rather than elected members.

Clause 6: Appointment of Commissioners

The Governor will appoint the Commissioners. A Commissioner will require particular qualities, expertise and knowledge. One Commissioner will be appointed as the Chief Commissioner. Provision is made for the appointment of deputies. On the office of a Commissioner becoming vacant, a person must be appointed to the vacant office.

Clause 7: Conditions of appointment

A Commissioner will be appointed on conditions determined by the Governor, and for a term determined by the Governor. The Governor will be able to remove a Commissioner from office at any time. The office of a Commissioner will become vacant at the end of the period of administration.

Clause 8: Validity of acts and immunity of Commissioners

A vacancy in the office of a Commissioner will not affect an act or proceeding of the City of Adelaide or of the Commissioners. A Commissioner will not incur personal liability for an honest act or omission in acting in his or her office. Any liability will attach instead to the City of Adelaide.

Clause 9: Commissioners' duties of honesty, care and diligence

A Commissioner will be required to act honestly in the performance of official functions. A Commissioner will also be required to exercise a reasonable degree of care and diligence in the performance of official functions. A Commissioner must not make improper use of information acquired in office, or of the position of Commissioner.

Clause 10: Transactions with Commissioner or associates of Commissioner

Neither a Commissioner, nor an associate of a Commissioner, will be able to be involved in a transaction with the City of Adelaide, unless the Minister grants an approval. The regulations will also be able to exempt prescribed classes of transactions.

Clause 11: Disclosure of interest

A Commissioner will not be able to act in a matter in which the Commissioner, or an associate, has an interest.

Clause 12: Proceedings

This clause sets out the proceedings for meetings of the City of Adelaide for the period during which the Commissioners hold office. A quorum of the City of Adelaide consists of two Commissioners. A decision carried by two votes cast at a meeting of Commissioners is a decision of the City of Adelaide. Other provisions are included to ensure that meetings can be held effectively. Subject to the Act, the Commissioners will be able to determine their own procedures.

Clause 13: Functions and powers of Commissioners

The Commissioners will be responsible for the administration of the affairs of the City of Adelaide during the period of administration. In particular, they will, during the period of administration, have, exercise and discharge the responsibilities, powers and functions of members of the City of Adelaide under any Act (for example, the *Local Government Act 1934*), other law, or instrument.

The Chief Commissioner will act in the office of Lord Mayor. A Commissioner will be able to assume any office, position or membership that a member of the City of Adelaide could assume.

Clause 14: Reports to Minister

The Commissioners will report to the Minister, as required by the Minister.

Clause 15: Ministerial direction

The Commissioners will be subject to the control and direction of the Minister (other than with respect to recommendations contained in a report under clause 16).

Clause 16: Report on options for City of Adelaide

The Commissioners will be required to prepare a report on options for the future governance, powers and functions of the City of Adelaide. The report must be presented to the Minister by 31 March 1998. The Commissioners will be required to take into account the matters set out in schedule 2 when preparing the report.

Clause 17: Restoration of elected council

The first elections for members of the City of Adelaide after the commencement of this measure will be held on the first Saturday of May 1999, or on an earlier date to be fixed by proclamation.

If the election is held on or after 1 July 1998, the Governor will be able by proclamation to cancel the periodical elections that are next due to be held for the City of Adelaide (so that the term of office of members elected at the first elections will be for a longer period of time than would otherwise be the case (and to avoid the situation where they would only hold office for a relatively short period of time)).

Clause 18: Ministerial approval for rates

The City of Adelaide will be required to obtain the approval of the Minister before it declares a general or separate rate under Part X of the *Local Government Act 1934*. Differential rating for residential properties will continue.

Clause 19: Approval by Minister does not give rise to liability

It is to be expressly provided that no liability attaches to the Minister or to the Crown on account of an approval under the measure (or in contemplation of a provision coming into operation (*eg*., schedule 1)).

Clause 20: Regulations

The Governor will be empowered to make certain regulations.

Clause 21: Expiry of Act

The Act will expire on a day to be fixed by proclamation. The Act will automatically come to an end on 30 June 1999 if a proclamation has not been made by that date.

Schedule 1

This clause establishes a period, commencing on 2 October 1996 and ending on the appointment of the Commissioners under clause 5 of the measure, during which the City of Adelaide will be required to obtain Ministerial approval to certain contracts and leases, or risk that the contract or lease will be avoided by the Minister. If the Minister does avoid a contract or lease and, as a result, the Minister or the City of Adelaide incurs a liability, the amount of the liability, will be recoverable (jointly and severally) from the persons who were members of the City of Adelaide at the time of the contract or lease.

Schedule 2

This schedule sets out the objectives for the new governance of the City of Adelaide (to be taken into account when the Commissioners prepare their report under this measure).

Schedule 3

This schedule makes specific provision for the non-application of certain provisions of the *Local Government Act 1934* during the period of administration. The schedule will not derogate from general principle set out in clause 4(2) of the Bill.

The Hon. P. HOLLOWAY secured the adjournment of the debate.

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

SUBORDINATE LEGISLATION (COMMENCEMENT OF REGULATIONS) AMENDMENT BILL

The Hon. K.T. GRIFFIN (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Subordinate Legislation Act 1978. Read a first time.

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

That this Bill be now read a second time.

The Subordinate Legislation Act 1978 was amended in 1992 to include new section 10aa, which provides that a regulation that is required to be laid before Parliament comes into operation four months after the day on which it is made or from such later date as is specified in the regulation. Section 10aa goes on to provide that a regulation may come into operation on an earlier date specified in the regulation if the Minister responsible for the administration of the Act under which the regulation is made certifies that, in his or her opinion, it is necessary or appropriate that the regulation come into operation on an earlier date. Section 10a was also amended to provide that if a Minister issues a certificate under section 10aa the Minister must cause a report setting out the reasons for the issue of the certificate to the Legislative Review Committee as soon as practicable after the making of the regulation.

The amendments were the initiative of Mr Martyn Evans, the independent member for Elizabeth. Early in 1992 Mr Evans had introduced a private member's Bill which provided that regulations would not come into effect until four months after they were made, with the exception that those regulations that came into effect less than four months after they were made stayed in effect for only 12 months and then they had to be remade so that they could continue.

The then Government thought that this would create confusion and in discussion with Mr Evans arrived at the scheme which is now in the Act. Mr Evans' rationale for the amendments was twofold. First, to give the public and business the opportunity of examining in detail the regulations that will bind them and determine the problems which might exist with them and how they can implement them in their own life or business. The second rationale was to give Parliament the opportunity to examine, unfettered by the fact the regulation has already come into operation, whether or not it wishes to veto the provision as part of the normal disallowance process.

For a variety of very good reasons Ministers frequently certify that it is necessary or appropriate for regulations to come into operation on a date earlier than four months after the day on which the regulations are made. Often regulations need to be made or amended before an Act can come into operation and, unless a ministerial certificate is given, the Act cannot come into operation until four months after the regulations have been promulgated, which may be some time after the legislation has been enacted. Such a delay in the operation of legislation would not be good administration particularly where regulations have been developed in consultation with an industry with the intention that the Act and regulations should come into operation together as occurred, for example, with the occupational licensing legislation and is occurring with the new community titles legislation.

Since mid-July 1992, when the amendments came into operation, Minsters have certified that it is necessary or appropriate for somewhere in the vicinity of 75 per cent of regulations to come into operation earlier than four months from the making of the regulation. These figures suggest that the rationale for the introduction of the 1992 amendments has not been realised and that, in practice, as opposed to any theoretical reasons that may be advanced for the provisions, the rationale cannot be realised. Since the rationale cannot be realised, no point is served by retaining sections 10aa and 10a(1a). The requirements of the sections have proved to be no more than an extra step which must be taken before regulations can come into operation. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Substitution of s. 10AA

This clause substitutes a new section 10AA into the principal Act providing that all regulations will come into operation on the day on which they are made or on any later date specified in the regulation.

Clause 4: Amendment of s. 10A—Regulations to be referred to Legislative Review Committee

This clause makes a consequential amendment to section 10A of the principal Act, to delete the reference in that provision to ministerial certificates under section 10AA.

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

LAND ACQUISITION (RIGHT OF REVIEW) AMENDMENT BILL

The Hon. K.T. GRIFFIN (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Land Acquisition Act 1969. Read a first time.

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

That this Bill be now read a second time.

The current process for acquiring land compulsorily pursuant to the Land Acquisition Act 1969 (the Act) is as follows:

- each person who has an interest in the land is served with a notice advising of the intention to acquire the land;
- within 30 days of service of the notice, each person with an interest in the land may require an explanation of the reasons for the acquisition with reasonable details of the proposed scheme;
- within 30 days of service of the notice, a person with an interest in the land may request the authority not to proceed, request an alteration in the boundaries of the land or request that any part of the land not be acquired;
- the above request may be made only on the grounds that the acquisition of the land would seriously impair an area of scenic beauty, destroy or adversely affect a site of architectural, historical or scientific interest, affect the conservation of flora or fauna or adversely prejudice any other public interest;
- the request must be considered within 14 days of its receipt and a notice served upon the person who made the request, indicating whether it has been acceded to or refused.

This Bill seeks to address a concern relating to a lack of a review mechanism for land owners in relation to a proposed land acquisition by Government and local government bodies.

Following the matter being brought to my attention, it was considered in the following context:

· a review of the broader policy decision in relation to a particular Government project is not an issue for consideration by an independent review as this is a matter for Government and the Government is accountable to Parliament for its decision;

· a particular issue may be the subject of a review on the grounds already provided for in section 12 of the Act. Should there also be an additional ground of whether it is necessary to acquire a particular parcel of land for the purpose of the undertaking?;

· whether the Act should include a provision to prevent an objector from arguing the merits of the policy of the relevant project.

This Bill provides that the person who requests a review of a decision must apply in writing to the Minister within seven days of being served with a notice indicating that a request pursuant to section 12 of the Act has been refused. On receipt of the application for a review, the Minister will conduct the review or appoint a suitable person to conduct the review on behalf of the Minister.

The Bill provides that the person conducting the review, either the Minister or a person on the Minister's behalf, may conduct the review in such manner as he or she thinks fit. If the review is conducted by a person on the Minister's behalf, the reviewer will not make a recommendation in relation to the matter, but will simply put the information before the Minister for his or her consideration.

A review, by either the Minister or an individual appointed by the Minister, must be completed within 14 days. These tight time frames are to ensure that the review of a decision is kept as time-efficient as possible. On completion of the review, it is up to the Minister to confirm, vary or reverse the decision of the authority. The decision made on review, or the manner in which the review is conducted, cannot be further reviewed by a court or tribunal. This provision has been inserted to ensure that the decision of the Minister on review is not further challenged. This provision will ensure a finality to the process and ensure that decisions of an authority are not the subject of a protracted and lengthy review process.

The parties who will be able to request the review will only be those whose land is subject to acquisition. The purpose of the procedure is to provide greater justice to those persons and to ensure that, if the objections which they make have any substance, those objections are properly considered by the Minister, notwithstanding the advice from the relevant Government agency. The purpose is not to permit special interest groups to have an opportunity to challenge undertakings otherwise than by means of existing structures such as Parliament.

It is the Government's view that this Bill will balance the rights of parties the subject of a compulsory land acquisition, by either the Government, or local government, with the ability of a Government to pursue particular projects for which the acquisition of land is necessary. I seek leave to have the detailed explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Clauses 1 and 2:

These clauses are formal.

Clause 3: Amendment of s. 12—Right to object

This clause adds another ground on which a person who has an interest in land subject to acquisition may object to the acquisition, namely, that the whole or a part of the land is not necessary for the purposes of the undertaking to which the acquisition relates.

Clause 4: Insertion of s. 12A

This clause inserts a new section in the Act that gives an objector the right to have a refusal of his or her objection to a proposed land acquisition reviewed by the Minister who is responsible for the Act that empowers the acquisition. An application must be made within 7 days of the objector being notified that his or her objection has been refused. The review will be conducted within a 14 day period by the Minister or by a person appointed by the Minister to conduct the review on the Minister's behalf. The final decision will be made by the Minister. There is to be no right of appeal or review in relation to the Minister's decision or in relation to the way in which the review was conducted.

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

MOTOR VEHICLES (INSPECTION) AMENDMENT BILL

The Hon. DIANA LAIDLAW (Minister for Transport) obtained leave and introduced a Bill for an Act to amend the Motor Vehicles Act 1959. Read a first time.

The Hon. DIANA LAIDLAW: I move:

That this Bill be now read a second time.

This Bill facilitates the introduction of pre-registration identity inspections for new vehicles and the appointment of authorised agents from the private sector to carry out these inspections. The introduction of these initiatives is in accordance with one of the recommendations contained in the Sixteenth Report of the Environment, Resources and Development Committee on compulsory motor vehicle inspections.

The Bill also facilitates the transfer of vehicle identity inspections that seek to confirm a vehicle is not a stolen vehicle, from the South Australian police to the Department of Transport. This includes vehicles previously registered interstate and wrecked and written off vehicles. Until 1 July 1996 these inspections were carried out by the South Australia Police, but are now carried out by the Department of Transport under temporary powers as special constables. The Bill also makes provision for the appointment of inspectors from the private sector for the conduct of vehicle identity inspections.

The introduction of pre-registration identity inspections will essentially establish two levels of identity inspections in South Australia, namely—

First level—to establish vehicle identifiers: a simple identity inspection of new vehicles to confirm vehicle identifiers. These will be undertaken by authorised agents for the purpose of verifying the information contained in an application for registration.

Second level—to confirm vehicle is not stolen: an extensive vehicle identity inspection to examine 'high risk' category vehicles and check data against stolen vehicle records. These inspections are currently carried out by Department of Transport inspectors. Inspectors from the private sector may also be appointed to carry out these inspections.

Although the South Australia Police are no longer involved in conducting vehicle identity inspections at the Department of Transport's Regency Park facility and major country police stations, they will continue to do so at police stations in remote areas.

The Department of Transport will continue to conduct the vehicle identity inspections at the Regency Park facility. Country areas will be serviced by departmental inspectors located in country centres, as part of their regular country itinerary for the inspection of buses and road trains. These

inspectors will be supported, where necessary, by inspectors located at the Regency Park facility. A visiting service will be provided to car dealers in outer metropolitan areas. This overcomes the difficulties previously experienced by some dealers in having to transport vehicles long distances to the Regency Park facility.

As the principal purpose of vehicle identity inspections is to locate stolen vehicles, the Bill proposes that inspectors be provided with the power to seize and detain a motor vehicle, where the inspector has reasonable cause to believe that the vehicle is a stolen vehicle. The Bill also proposes that it be an offence, carrying a penalty of up to $1 000, for a person to hinder or obstruct an inspector when conducting or attempting to conduct an inspection.

As it is not necessary for inspectors from the private sector to have the same range of powers as Department of Transport inspectors and police officers, for example, the power to enter premises, it is intended that the powers of inspectors from the private sector will be limited. In the case of an inspection to confirm a vehicle is not stolen, the power of the inspector will be limited to the conduct of the inspection and the power to seize and detain a vehicle reasonably suspected to have been stolen. The facility to limit these powers is already contained in the Motor Vehicles Act.

The power of authorised agents undertaking first level inspections is to be prescribed in the Motor Vehicles Act regulations. It is proposed that the appointment of authorised agents and inspectors from the private sector be subject to a 'criminal record check'. The Bill therefore proposes an amendment to the Motor Vehicles Act and the Road Traffic Act to require the Commissioner of Police to provide information that may be relevant to the question of whether a particular person is a suitable person to be appointed an authorised agent or inspector under these Acts.

Although the cost of the inspections to confirm a vehicle is not stolen were previously absorbed within the South Australia Police budget, it is necessary to prescribe a cost recovery fee of $15 where the inspection is carried out by the Department of Transport. Since 1 July 1996, the cost of these inspections has been absorbed within the Department of Transport budget. However, to encourage efficient use of the visiting service provided to motor dealers, it is proposed to charge dealers a $50 visit fee, in addition to the fee for each inspection.

It is not proposed to prescribe a fee for the first and second level inspections carried by agents and inspectors from the private sector, and to allow market forces to determine a fee for these inspections. In the case of first level inspections, the inspection is likely to be free, or absorbed in pre-delivery charges. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

The provisions of the Bill are as follows:

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Insertion of s. 23A

This clause inserts a new section 23A into the principal Act providing for the provision of information in relation to new motor vehicles (which are defined in subsection (3) as motor vehicles that have not previously been registered under an Australian law). Proposed subsection (1) provides that the Registrar will not register a new motor vehicle unless a report containing the particulars required by regulation has been received in respect of the vehicle.

Proposed subsection (2) makes it an offence to sell a new motor vehicle unless a report referred to in subsection (1) has been lodged with the Registrar (with a penalty of a division 9 fine).

Clause 4: Amendment of s. 24—Duty to grant registration

This clause is consequential to the amendment to section 139.

Clause 5: Amendment of s. 138A—Commissioner of Police to give certain information to Registrar

This clause amends section 138A to provide that the Commissioner of Police will provide the Registrar with information relevant to whether a person is fit and proper to be an authorised agent under the Act.

Clause 6: Amendment of s. 139—Inspection of motor vehicles

This clause amends section 139 to provide the power to inspect a motor vehicle, where an application to register that motor vehicle has been made, to ascertain if the vehicle has been reported as stolen.

Clause 7: Insertion of s. 139AA

This clause inserts new section 139AA which provides that where a person (other than a member of the police force) who has carried out an inspection reasonably suspects that the vehicle has been reported as stolen, the person must immediately inform the police and seize and detain the vehicle until it can be delivered to the police.

Clause 8: Insertion of s. 139F

This clause inserts a provision making it an offence (punishable by a Division 8 fine) to obstruct or hinder an inspector or authorised agent.

Clause 9: Amendment of s. 145—Regulations

This clause amends section 145 to allow the regulations to prescribe fees for the inspection of motor vehicles.

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

WAITE TRUST (MISCELLANEOUS VARIATIONS) BILL

Adjourned debate on second reading.

(Continued from 22 October. Page 210.)

The Hon. M.J. ELLIOTT: I intend to speak only briefly to the Bill at this stage, noting that it will be referred to a select committee and not wanting to pre-empt the considerations of that committee to any extent. I make a few observations. There are some important issues that this Parliament will need to come to grips with in relation to bequests and it is quite plain when one reads the Minister's second reading explanation that the Waite bequest has been tampered with on a few occasions already. This legislation, in effect, legitimises previous tampering and proposes further tampering with the bequest as well. We started with a bequest for land to be used essentially for an agricultural high school.

An honourable member interjecting:

The Hon. M.J. ELLIOTT: It appears for boys as well. Additional land was added to the bequest but did not become part of it because it was land that had been purchased. That land was excised from the bequest for the construction of Unley High School: there was essentially a land swap and the land which had been purchased outside the bequest was used as a replacement for the land excised for Unley High School. There have been excisions of land for road reserves and council reserves and the Government has more plans. It intends to locate TAFE facilities there, and that clearly goes beyond the bequest, which was aimed at schooling, and a clear age group was understood in that regard.

It also wishes to construct a wetland. While incidentally it will be used for instruction, that is not its prime purpose. I am a very strong supporter of wetlands but, clearly, the primary purpose of the wetlands is not for the purposes initially anticipated by the bequest. The fact that it will have educational value is incidental to the decision to construct wetlands there.

The Government also is looking at research works at that site which, while they may be of some value to education—be it schooling or TAFE—that is not the primary purpose of

the research, and the educational value happens to be incidental to the proposal. I do not want to reflect on any of those proposals at this stage other than to note that each of them stretches beyond the bequest, and certainly the wetlands and the scientific research facilities at that campus are well beyond the bequest.

Having said that, I do not think bequests are absolutely sacrosanct. If the bequest did intend that it be only for boys, no-one would now argue that that continue to be upheld. No-one can expect that in perpetuity they can say what a piece of land may or may not be used for. But, on the other hand, if you wish to move from a bequest, you should have a substantial reason that goes beyond simple Government convenience. Perhaps it wants to avoid buying other land on which to site scientific research so it is convenient to put scientific research facilities there. The decision to go against a bequest should be viewed as a potential disincentive to other people to make bequests if they feel that they become nothing more than a simple gift to the Government to do as it wishes.

There are some tricky bits in the Bill. I would hope and expect that the select committee will work its way through it, but some issues require due attention. I will leave any further comments until after the select committee has reported back to this place.

The Hon. K.T. GRIFFIN (Attorney-General): I thank members for their indication of support for the second reading of this Bill. It is brought before the Parliament in good faith in an attempt to deal responsibly with the issues that have confronted the trust as well as the Government, and my expectation is that, after there has been reasonable consideration of the proposals in the Bill, they will be regarded as appropriate and consistent with the general intentions of the creator of the trust. But they are matters that I would expect to be worked through by the select committee which, I hope, will be able to conclude its taking of evidence and deliberations in time to allow the Bill to pass through the Parliament, if that is ultimately the recommendation of the select committee, before we rise for the Christmas recess. Again, I thank members who have contributed to the debate for their indications of support so far.

Bill read a second time.

The PRESIDENT: I rule that this is a hybrid Bill, which must be referred to a select committee pursuant to Standing Order 268.

Bill referred to a select committee consisting of the Hons M.J. Elliott, K.T. Griffin, R.D. Lawson, R.R. Roberts and G. Weatherill.

The Hon. K.T. GRIFFIN (Attorney-General): I move:

That Standing Order 389 be so far suspended as to enable the Chairperson of the select committee to have a deliberative vote only.

Motion carried.

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

That the select committee have power to send for persons, papers and records; to adjourn from place to place; and to report on 27 November 1996.

Motion carried.

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

That the select committee have leave to sit during the sitting of the Council this day.

Motion carried.

MOTOR VEHICLES (DEMERIT POINTS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 16 October. Page 157.)

The Hon. SANDRA KANCK: I indicate that the Democrats will be supporting this legislation. We are giving it a very quick passage, in fact, as it is probably only a week since it was introduced. Under the circumstances of this Bill, when we have had laws that have been in place and we suddenly find there is a flaw in them, and everybody had the right motivation at the time—and I certainly do not dissent from the motivation that was there—we need to make changes rapidly so we do not face a battery of lawsuits from the people who might have lost their licences under the legislation.

Quite frankly, if people lose their licences as a result of demerit points accumulating, I have no sympathy for them. The law is the law and people know what is right. The offences for which we have accumulated demerit points in order to lose our licence are very obvious. They are not the laws tucked away in nooks and crannies that you might occasionally find. They are very obvious offences such as going through red lights and that sort of thing. There is no excuse for it. The Democrats are very pleased to support this to ensure this scheme continues to operate on a national level.

The Hon. T.G. CAMERON: I am still nursing the bruises from my rather extended speech the other night. As I am usually brief and succinct on matters when I get to my feet, I shall do the same with this Bill. I can only agree with the Minister's explanation in relation to the amendments required by clauses 2 and 3. The main amending clause, clause 4, concerns the question of retrospectivity. Like the Hon. Sandra Kanck, the Australian Labor Party totally supports the Bill before the Chamber. I had a look at the previous transcript when these amendments were passed in 1992. It is, I guess, somewhat amazing that no-one picked up the problems with the wording at the time, but an examination of the speeches of the Labor Minister at the time, the Hon. Diana Laidlaw and the Australian Democrats make it patently clear what the Government's intention was: that people would lose their licence when they reached 12 points. It is fairly difficult to disagree with that. I believe that approximately 10 725 people have been disqualified since June 1991 for having lost their licence in this manner, and I should declare to the Council that I am one of those people.

The Hon. Sandra Kanck: A conflict of interest?

The Hon. T.G. CAMERON: It is not a conflict, but I have declared it. I am one of those 10 725, and I can see no reason why retrospectivity should not be supported and that we should play into the hands of a whole bunch of lawyers around town who would be salivating at the prospect of having 10 725 potential legal claims with which to deal. The Australian Labor Party totally supports the question of retrospectivity. We appreciate the fact that on this occasion the Attorney-General is supporting the question of retrospectivity. When one was thumbing through the old *Hansards* over the years, I must confess that, in the deep dark hours of the night, I was nearly convinced by the Attorney-General's rhetoric when it came to retrospectivity.

The Attorney-General never supported retrospectivity when we were in government, but I am pleased that on this occasion he supports it. I did check on that before finally

taking the Bill to our Caucus. If the Attorney-General can support retrospectivity on this occasion then it is good enough for everyone. At one stage the Hon. Trevor Griffin nearly convinced me that there might be some way we could oppose this Bill! On a more serious note, I see no reason why we should not support this totally. Again, I see no reason why this Bill should not be pushed through this Council and the House of Assembly as quickly as is possible to ensure that people who might be about to lose their licence through wording which a lawyer has found a way around do not benefit. We unreservedly support the question of retrospectivity. I know that there will probably be lawyers around town who will be disappointed with our attitude on that, but I see no reason why we would want to line their pockets any more than they are already doing for themselves.

The Hon. DIANA LAIDLAW (Minister for Transport): I thank the Hon. Sandra Kanck and the Hon. Terry Cameron—

The Hon. M.J. Elliott: Do you agree with them?

The Hon. DIANA LAIDLAW: Well, I would not agree with retrospectivity in an unreserved fashion other than in this instance. The Hon. Terry Cameron's references to lawyers lining their pockets was not really the motivation for this Bill, but it is a positive side effect of the Bill. I earnestly thank the Hon. Mr Cameron and the Hon. Sandra Kanck for their excellent cooperation in addressing what is a particularly sensitive issue.

When the Bill came before me I was rather surprised in terms of the Crown Solicitor's advice. The Hon. Terry Cameron's comments about how it was not picked up at the time when this Bill was before this place or the other place are interesting. But in good faith—and I took the Bill on behalf of the Opposition at the time—everyone understood that the wording we debated, voted on and passed meant exactly what we intended it to mean.

In fact, it has taken 4½ years to identify that the wording can be interpreted in another way. So, to ensure that there is no misunderstanding about what Parliament means in that when one reaches 12 demerit points they do lose their licence this law is of major importance. As I indicated in my second reading explanation, the Crown Solicitor has suggested that this unintended consequence of the amendment may allow the most recent offence not to be included in the aggregate of demerit points and, therefore, essentially be an offence where no action is taken. It is important that it is addressed. I appreciate the haste and consideration with which it has been addressed by members opposite as well as the undertaking by the members of the Labor Party in the other place to facilitate debate of this matter tomorrow.

Bill read a second time.

In Committee.

The Hon. T.G. CAMERON: Will the person who brought this matter to the Minister's attention now be caught by the retrospectivity provisions?

The Hon. DIANA LAIDLAW: This matter was brought to the attention of prosecutors and the Crown Solicitor, who in turn alerted me. I understand that if this case is pursued it will be caught by these retrospective provisions and justice will be served. So, perhaps we are quite indebted to this individual.

The Hon. A.J. REDFORD: If people have incurred a cost as a consequence of dealing with the law as they understood it at the time and we change it retrospectively, will the Government consider paying their costs?

The Hon. DIANA LAIDLAW: No.

Clauses 1 to 4 and title passed.

Bill read a third time and passed.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.

(Continued from 22 October. Page 222.)

The Hon. P. NOCELLA: I rise to add my contribution and to join members of the Council who have preceded me in congratulating His Excellency the Hon. Sir Eric Neal, Governor of South Australia, on his appointment to this vice-regal position and wishing him a long and rewarding career. At the same time I also convey my personal congratulations and good wishes to Dame Roma Mitchell, who filled the position of Governor with such skill and dignity. I wish her well in her retirement or whatever else she wishes to do.

In reading and examining the wide-ranging speech by His Excellency on the occasion of the opening of the fourth session of the forty-eighth Parliament earlier this month, I must say that I was disappointed at not finding any specific reference to settlement policies.

I refer to settlement policies as policies concerning mainly those members of our community who have migrated to South Australia and, in particular, those who have migrated from non-English speaking countries. There is a legitimate expectation on the part of these members of our community that services provided by the Government through Government agencies will be culturally and linguistically appropriate to them. It is not a question of asking for anything over and above what the rest of our community receives by way of services: it is simply different, and 'different' in this case means culturally and linguistically appropriate in the main.

The people concerned have a right to expect these types of services, because in our State we have the concept of multiculturalism enshrined in legislation, in particular, the South Australian Multicultural and Ethnic Affairs Commission Act 1980, as amended. That Act was amended in 1989 when the first and only definition I understand to exist in this country—and probably within the world with the possible exception of Canada—was included, providing for multiculturalism as a set of practices and policies for Government. The wording defining multiculturalism as it applies in South Australia is as follows:

> ...in which all groups and members of the community may:
> - live and work harmoniously;
> - fully and effectively participate in, and employ their skills and talents for the benefit of the economic, social and cultural life of the community;
> - maintain and give expression to their distinctive cultural heritages.

So, it is a right. It is not a gracious concession: it is part of what we expect will be provided. This absence of any direct or indirect reference to settlement policy, unfortunately, is a sad reflection of a broader atmosphere that seems to be prevalent in Australia. The concept of specific settlement policies goes back to the beginning of the era when Australia, one of the first countries in the world to adopt this position, introduced the first settlement services. That was back in 1945 when Arthur Calwell became the first Australian Minister for Immigration. Scholars broadly describe the period between 1945 and 1966-67 as a period better identified as adopting the concept of assimilation. Assimilation basically means that the newcomers were expected to divest themselves of everything that constituted what I have just

defined as their distinctive cultural heritages and quickly and quietly adopt an Australian stance in every sense linguistically and culturally in terms of tradition and the way in which things are done, which is basically the substance of what we call culture. This was not an enlightened period, as we understand it now. It was a fairly crude way of bringing people in and expecting them to become instantly Australian—whatever the definition of 'Australian' was then.

Then a shorter period of a few years, basically between 1966-67 and the early 1970s, was identified by those who make a study of this phenomenon, and this was a period of something that went under the name of integration. That period of integration was a short period during which Government departments, in general, realised that the introduction of some specific services aimed at new arrivals was desirable. That was the second identifiable period. This was followed in the early 1970s by what we now call multiculturalism.

We are still seeing the results of that nearly 25 years later, at a time when we could expect that the principles of this formula for harmonious community coexistence would have permeated most sections of our community. However, what we are witnessing at the moment is a marked step back to the early days when the concept of multiculturalism was still to be developed.

The Hon. A.J. Redford: You are not saying all the way back to 1960, the one speech, the one person, on one occasion has changed all the work of successive Governments on multiculturalism? Is that what you are saying?

The Hon. P. NOCELLA: The history of the process is studied in tertiary institutions and is basically identified in the terms that I described. So, I am saying that the concept was introduced then. It was developed over the years, until in 1989 it was redefined in terms of the national agenda for a multicultural Australia. This was a very important milestone in the development of this social policy. This influenced the amendments to our own South Australian Multicultural and Ethnic Affairs Commission Act, which in 1989 codified that description and has it all enshrined in its preamble.

This continued on during the 1970s and was nurtured during the period when Mr Fraser was Prime Minister. It was redefined in the late 1980s, as I described, and further refined in the last few years, with an expectation that it was not an immovable concept that was forever crystallised, unable to be developed into something else. I think there was an expectation that it was a dynamic concept, and some of the major students in this area had already anticipated that the next stage could be one in which there was no need to restate every time the principles of multiculturalism, which state that we are all expected to recognise that English is the language of Australia, parliamentary democracy, the Westminster system and the law of the land and, at the same time, in exchange for this recognition, we are also recognised as having individual cultural backgrounds that are entitled to coexist in Australia in harmony with everyone else.

The next stage, which many commentators would have expected to start around about now, can perhaps be identified under the term 'participation'. Participation is a step further from the concept of access and equity, which has informed and impregnated the application of multicultural principles in the last 10 years, and spells out the respective rights and obligations of individuals and society. This is not happening.

In the past few weeks we have witnessed a reactionary stance occupying the minds of the media and producing very intolerant positions on the part of Pauline Hanson, the member for Oxley, who has been generally referred to *ad nauseam* in the media, and perhaps in this Parliament as well.

Recently we heard again the voice of the Mayor of Port Lincoln, who seems to delight in insulting as many members of his community and the community at large as he possibly can, to the point of calling mongrels people who are the product of couples of different racial background, and collecting general deprecation along the way—and quite rightly so.

Unfortunately, in our State we are witnessing a discrepancy which exists between those ideals, to which we all subscribe, and we have heard statements to that effect in this Chamber, and the practice, which tells a different story. I have referred in the past to the promises and undertakings which the South Australian community quite rightly expected to see implemented after 1993 but for which it is still waiting, in many cases. We have witnessed delays, inaction and indecision in a number of areas.

I have also made reference before to the Overseas Qualification Board, which has been allowed to languish for a very long time, and sometimes we forget that, behind the names and titles, there is the human situation and individual stories of hardship. Basically, for every extra day that we take before allowing an overseas qualified person to obtain recognition in this country, there is a personal and family situation where loss of earning, loss of esteem and loss of opportunity occurs. Deskilling also occurs if the delay goes on for a long time, until in the worst cases deskilling reaches such a proportion that the original qualifications are no longer capable of being utilised at all.

I have also mentioned the Tertiary Multicultural Education Advisory Committee, which has also experienced delays that could have been prevented so that it could operate in the area in which it is qualified to operate, that is, advocacy for the study of languages and other initiatives at tertiary level. Nearly a year after its establishment, the Centre for Languages has not been capable of producing anything other than vague promises. It is not very well resourced, having had no more than a year of commitments, and we are waiting to see whether it can deliver on those promises.

The Minister for Education and Children's Services has made mention in this Council of the Lo Bianco report. If I remember correctly, that report was completed in August 1995, and a number of its recommendations seemed interesting and appropriate. However, to date, I have no knowledge of any of those recommendations being implemented.

I have also mentioned on other occasions that the limitation on the eligibility of newly arrived migrants for the Interpreter Card is and has always been understood to be unnecessarily restrictive. The card in itself does not confer any additional rights to the holder. All it does is simply make it easier to obtain the services of an interpreter. This facility could have easily been extended to those members of our community who, for a variety of reasons, are no longer recent arrivals in this country. I refer to those who, although they have resided here for many years, have not acquired fluency in English and would find it useful to have a card without having to submit themselves to an embarrassing situation at the counter of a Government agency.

The Centre for International Trade and Commerce is another institution in our State which performs a very important role in assisting South Australia to develop trade and investment relations with the countries of origin of many of our former migrants. It has now been without a chairperson

for something like five months, and this is at a critical time because the centre was an experiment undertaken for three years and it needs to be in a position to deliver and perform its institutional role so that at the end of the three years the results will hopefully allow it to continue.

I must also make reference to the almost dismissive way in which women of non-English-speaking background have been treated in recent years—certainly in the past three years. I am sure the Hon. Bernice Pfitzner shares some of these views, and I would not be surprised if she took it upon herself to undertake certain initiatives to correct this situation which has seen a lot of good work and initiatives dropped unceremoniously in the area of women of non-English-speaking background without being picked up by any other body established to look after women in general.

In the health area, a centre of excellence was created by the establishment of the Beaufort Clinic. The demise of this area of mental health is a tragedy on the altar of those who wish to decentralise at all costs, not realising that it is not always possible to decentralise highly skilled and specialised teams trained and assembled over time and expect the individual parts or components of the team scattered all over the place to perform as well as the original team. It does not work that way. Also, the South Australian Commission of Multicultural and Ethnic Affairs has not been able to deliver on its institutional role, certainly not for the past year or so during which time it has undergone personnel restructuring and other changes. This has produced the Declaration of Principle of Multicultural South Australia, which was issued last year. These noble words need to find implementation in fact and action.

A lost opportunity was the racial vilification legislation process which, unfortunately, left out the views of a representative body which should have been heard because it does represent the majority or large part of the likely victims of racial vilification. I am referring to the Multicultural Community Council, whose views were not considered and, if they were considered, were rejected and not included for the purpose of developing the best possible racial vilification legislation in the nation.

My expectation is that my words will serve as a checklist to spur into action those who have responsibility in this area so that these delays can be avoided and this inaction does not continue. I conclude by saying that, on the basis of what I just said, it is difficult to argue with those who think that these matters are of marginal concern to the Government. I support the motion.

The Hon. T.G. ROBERTS: I rise to support the motion, and congratulate the new Governor Sir Eric Neal on his appointment. I also thank the outgoing Governor Dame Roma for her work when she was Governor. I rise to take up one of the most important issues facing the State. I hope to suggest solutions to the challenge with which we are faced. I will put forward some ideas in the hope that the Government will change its direction in respect of the difficulties young people face, particularly unemployment. South Australia's economy is bound to suffer under the economic rationalists in Canberra. Small regional economies that are not supported by strong Federal Government policies are bound to get worse.

Unless Canberra makes adjustments for certain States—Tasmania, South Australia and the Northern Territory—I am afraid more of the same will continue in this State. In other words, there will be a drain of good people from our educational facilities, high tech industries and all those areas where skill levels, training and academic endeavours are required to the other States. People will be attracted away from the State as a result of the Government's taking away opportunities by mixing its budgetary problems, as it sees them, with a philosophical bent for privatisation, outsourcing and cutting back in Government spending.

Before I entered Parliament, I was a metal worker by trade, so I do not profess to be an economist. However, in respect of the economy, I know that if people do not feel comfortable and secure in their employment or in their daily lives they will not borrow heavily for homes or for new cars but will spend their money on entertainment and on small budget items. We are seeing an increase in consumer spending, particularly in those areas of entertainment; for example, movie theatres are always full and the restaurants in this State are doing well—particularly those in Adelaide. Hotels, as a result of poker machines, have also been saved from oblivion in the past two years by the attitude most South Australians are taking, that is, that they may as well enjoy the money they have in their budgets. People are not putting money away to buy big ticket items but are spending it on personal entertainment. Expenditure on big ticket items such as housing, cars and furniture then tends to suffer.

I am sure that, if surveys were conducted in this area, we would find that many young and middle aged people who may have been contemplating a large investment in a flat, home or holiday home are not buying them. Due to the move by economic rationalists to put together industrial relations packages that do not have secure employment, people do not have the ability to make long-term plans. Most young people and those people who thought they would be in secure employment for life are now looking down the barrel of individual contracts which are heading towards part-time and casual employment.

The days of big places employing large numbers of people in fixed and secure employment are in the past. In some cases, it is to do with the application of technology and the reorganisation and restructuring of work. In some cases, enterprise bargaining has been able to secure fair trade between wage growth, profits and investment. Where most major manufacturers or employers in this State have been able to put together enterprise bargaining arrangements where there is a fair distribution of wealth between wages, salaries and profits, those companies have been the winners. Where enterprise bargaining is either non-existent or if it is done in a way which threatens the security of employment or goes for wage cuts or changes to full-time or permanent positions, those companies will suffer because people will leave and move interstate to try to find more security and better employment prospects.

Unfortunately, we have a Government that is encouraging all the worst aspects of that insecurity, that is privatising large Government instrumentalities that used to provide the backbone for research, development and service delivery, secure employment, and all those aspects of life that encourage people to save, invest and buy the big ticket items. The Government, through a philosophical declaration rather than any necessity for debt repayment—it is generally under the guise of debt repayment but in fact it is a philosophical position that the State developed in 1994—has brought about, accelerated or exacerbated a problem in this State from which I do not think we will recover.

When the Commonwealth Liberal Government came into power it further entrenched these problems with a series of

statements and actions that endorsed the philosophical position adopted by this State. We then have out of the Commonwealth deliberations the same people who were in power in this State Government starting to cry foul. Even though the philosophical direction that the Federal Government has taken lines up with their own philosophy, they now find that the application of the Federal Government's policies regarding economic rationalisation—that is, allowing hot spots in the economy to develop in the Eastern States at the expense of the smaller States—will cause them to be disadvantaged. Dean Brown is now saying that tariff cuts are a threat to 15 000 jobs in the motor vehicle industry in this State—and I agree with him—but I do not think we can have a Government that moves across the philosophical boundaries and changes direction on a daily basis trying to prop up its own economic position. It sends out the wrong signals to investors and people who are trying to find out exactly what this Government stands for.

So, on the one hand, we have the State Government saying to the Federal Government, 'Look, we need some artificial prop for our regional economy. Because of the size of this State and the size of our population, we cannot get the size of units that we would like in terms of developing our economy. However, on the other hand, we want to move into economic rationalist positions by privatising, downsizing and outsourcing our major enterprises in this State.' So, I think we are at sixes and sevens trying to put together a piecemeal economy in very difficult circumstances.

Traditionally, in times of downturns and uncertainty, Governments, both Labor and Liberal, have used the Keynesian approach of pump priming the economies until the private sector picks up the investment strategies that are required to put a bit of life back into the economy, but both this State Government and the Federal Government have done exactly the opposite. The Federal Government has declared that there is a huge black hole of $8 billion.

The Hon. R.I. Lucas: It is now 10, isn't it?

The Hon. T.G. ROBERTS: Government members say that it is now 10, as if that means something in relation to the desperate adjustments that have been made, and the fact that we need to get into a balanced budget situation in 12 or 18 months. This State Government is now saying that it is 18 months ahead of the debt reduction program it embarked upon, and is patting itself on the back by saying that that is all that is required for an economy to be working and healthy. Unfortunately, that is not correct. Talk to the people in the community who are hurting.

Ministers on the front bench must make the cuts to satisfy the requirements of those people who are putting pressure on the State budgets, and inside their own halls, inside their own caucus, and inside the Cabinet they might be saying, 'Why do the cuts have be so deep? Why do they have to hurt so much? Why can we not take a little more time over the development of our own budgets in relation to the programs that we would like to see met?' When Ministers who have been in Opposition as long as the Government was in opposition finally achieve positions of power, such as the Hon. Rob Lucas and the Hon. Diana Laidlaw, I am sure that they would like to have spending programs that they felt were contributing to the State and that were not causing pain to those people they see as their constituents.

In relation to the Hon. Diana Laidlaw's portfolio, I do not think there have been too many cuts that have hurt too much, but I am sure she would like to see some major projects put together in relation to highway infrastructure within her own portfolio that might create more jobs in this State that this State so sorely needs. I am sure that the Hon. Mr Lucas does not like fighting with the teachers over the cuts that are required to his budget.

An honourable member: He loves it.

The Hon. T.G. ROBERTS: I would like to think that, at a personal level, he does not like being embroiled on a daily basis in arguments with teachers over funding and finance. I am sure that he would like to be a bit of a Father Christmas and dig into a bag and say, 'Here—

The Hon. R.I. Lucas: I would like to be a much loved Minister.

The Hon. T.G. ROBERTS: There you are: an admission. I am sure that the Minister would like to be able to say to SAIT members, 'Look, you are hard working members of society.' The future of this State hangs on achieving the required educational standards, and must do the job a lot better and work a lot harder to get the necessary results, as this is a small State. We must spend a little bit more on education than the other States and perhaps be trend setters rather than spending a lot less on education.

The Hon. R.I. Lucas: We do.

The Hon. T.G. ROBERTS: Well, I think that all educationalists are saying that South Australia used to be out in front under the previous Government, but we are now hanging on by our nails, trying to hold a position while the other States are starting to catch up. Within the life of this Government, South Australia will be back behind the eight ball and at the lower end of the average of standards rather than up higher.

The difficulty in which the State finds itself has been exacerbated by a withdrawal of spending by the Government at a time when the private sector is not prepared to make the large injections of investment that are required to stimulate the economy to a point where people are able to meet the expectations of an expanding economy. It is tragic to see 22 000 people leaving this State in recent times looking for work in other States. We are not talking about people looking for labouring jobs or going into the mining industry or into semi-skilled positions: we are talking about the cream of our educated crop who have decided that, because of the uncertainty that has been created in all Government departments—and a lot in the private sector have gone for privatisation and outsourcing as well—to chase the rainbow into New South Wales and Victoria. I would hope that there is a call from the Government to say—

The Hon. R.I. Lucas interjecting:

The Hon. T.G. ROBERTS: It is a very frank confession. There are some major projects in Victoria that have—

The Hon. R.I. Lucas interjecting:

The Hon. T.G. ROBERTS: The CBD is certainly looking a lot better. I am not saying that the money that has been spent in the Victorian economy—or the economy—will last. Short-term investment strategies have been put together by the Victorian Government to cleverly encourage investment particularly into the CBD and much of the speculative capital that we saw in the 1980s is now heading into Victoria.

The Hon. R.I. Lucas interjecting:

The Hon. T.G. ROBERTS: It sacked its city council.

The Hon. R.I. Lucas interjecting:

The Hon. T.G. ROBERTS: The CBD near the casino. We had our casino led recovery in the 1980s: the Victorians have now had their casino led recovery. I am saying that that recovery will not last very long. You cannot build any more than one or two casinos to inject life into the CBD.

Many projects have been put together at South Bank along Melbourne's Yarra, most of them to do with the service industries and the movement of capital away from the public sector into the private sector. At some time the Victorian economy will slow to a point, although I will not say to the rate of growth of the South Australian economy but certainly it is not as dynamic as the New South Wales or Sydney economy.

We are called the lucky country and South Australia has been very lucky with a major increase in prices for our rural goods. If we were limping along on 1980 prices and 1980 volumes in relation to our wheat, barley and other commodities, I am sure that our economy would be looking sicker than it is at the moment. It is being carried along temporarily by our rural producers—

The Hon. R.I. Lucas interjecting:

The Hon. T.G. ROBERTS: In relation to the easy dollars to be earned in economies by Governments during good seasons through the hard work of rural producers and through oil strikes and gold strikes in the mining industry, which provide easy revenue, South Australia has not done anything in relation to securing more secure employment through the manufacturing sector or the high tech industries that have been put together as the saviour of this State. If you look at what we are dealing with—

The Hon. M.J. Elliott: The *Weekend Australia* was talking about computing; it stated that Victoria is winning hands down.

The Hon. T.G. ROBERTS: In looking at the high tech end of the industry, there are attractive jobs. Those industries have the ability to move their central operations from State to State to chase the highest bidder in terms of the auction for incentives. Those companies can move their operations overnight. If the buildings, the land and the provisions for infrastructure are supplied by Governments to attract those industries, in many cases, because of the nature of the technology, they can move out of those structures into another State within 24 or 48 hours. Most manufacturing industries are integrated, lineal or horizontal-vertical, and it takes a lot of time for them to move in or out, but they certainly supply Governments, States and countries with far more secure employment than do some of the high-tech industries that have been held up as models around which South Australia could develop its economy.

The MFP is probably a good example of that: I am not quite sure what the MFP has delivered to this State as yet. I was one of those people who supported the concept of the MFP, but I certainly did not envisage that it would become a housing developer and that everyone's hopes would be hanging on the ability of the MFP to become another major housing developer in this State. The idea of a centralised program around a high-tech city did have merit, but you would think that after 10 years there would be a considerably more solid or consolidated process than we are looking at at the moment. The Federal Government again looks like pulling the plug on the major part of the funding program, and that means that the State will have to pick up the speculative capital that will now have to be put into the support structures for the MFP in the absence of any private sector investment.

There are some isolated investment projects going on at the high-tech end, and only time will tell whether they integrate into the economy and become major features of a permanent nature within this State. We do have part of the manufacturing base that was put together by the previous Federal Government, that is the submarine project, which has been part of the defence industries, and therein lies a strength. Defence industries built around conventional weaponry provide for an extension of high-tech industries through weapons systems, radar and other tracking mechanisms that can develop other industries within the State and also be useful in attracting export dollars by being exported into other systems overseas.

Unfortunately, we do not have as many extensions from the submarine project as one might have imagined, and it is quite possible that, unless the current Minister for Defence (Mr McLachlan) makes a strong declaration for an extension of the Government funding for the submarine project, the submarine spin-offs into the high-tech end of the industries may move interstate as well, because there does not seem to be the strong commitment to an extension of the submarine project that the previous Labor Government had federally.

The current Government has many problems facing it in relation to the decisions that it needs to make. We are on the auction block trying to buy industries and potential industries from interstate. Some of the concessions that we have been forced to make to attract these industries from the clutches of Victoria and New South Wales have cost us heavily and, unless there is a consolidation of some of those industries, not only could they be lost to this State but they could be lost to Australia generally, because there is a move not just to attract industries and put them on the auction block from State to State but now it really does not matter in the communications industry whether you have set up in Hobart or Kuala Lumpur; those places are looking at attracting some of the industries that we would like to see here into the Pacific rim and into Asia.

Therein lies another problem. Unless Australia (and South Australia) starts to consolidate its image and works out what it really wants in relation to being a developed nation, then we will be left behind. Under the previous Federal and State Labor Governments, we were developing an imagery through into Asia that was providing links into Indonesia, Malaysia—into the tiger economies—through a lot of hard work by a lot of people. We now have statements coming out of the Federal arena in particular in relation to immigration, and racist comments coming out of the mouths of some supporters of those people who are running a concerted effort to turn around a lot of the good work that was done in the 10 years that we were in control of foreign policy, to a point now where our Asian neighbours are considering that, if there is to be a turnaround in our image nationally, then they may start to look to do business elsewhere.

There is a feeling that we have the luxury of returning to about 1965 in relation to our foreign policy, and we need all the friends we can get to develop our industrial base and economy by being able to control and integrate our exports into these countries. The only hope that young people have of finding employment is if our State base is able to be expanded to extend our exports into these countries, and that we become a springboard for exports in the manufacturing and communications industries.

If our Asian and near Melanesian neighbours believe that we are developing racist attitudes through public statements by elected politicians, either out of Canberra or the States, I am sure their leaders will decide that they are probably better off finding their investment strategies and packages may fit better into other countries than into Australia, and that would be tragic if that happened. I am sure it is only a small minority of people who do have these views but, unfortunate-

ly, they are carrying the weight of some fairly influential people with them. I just cannot understand the weight of argument that is being given to some statements, particularly those from one Pauline Hanson's mouth. If people were making those statements as Independents, in either a State Parliament or coming from a left perspective in the Canberra arena, they would not get one line out of a major paper.

The Hon. R.I. Lucas interjecting:

The Hon. T.G. ROBERTS: There are still a couple, I think. One of the difficulties that we do have is the weight given to the racist statements coming out of Canberra would give the impression to people in overseas countries that the majority of Australians share the point of view of those few people making these racist statements. What must happen is that both major Parties will have to make stronger statements in denouncing the policy development that is starting to be put together by those fringe groups in Canberra who are trying to trade on ignorance and divisions in the community that are starting to develop through a very poor method of distribution of wealth within this country. The divisions and unemployment levels in this country are now starting to develop scapegoats. Where you have many people who do not have opportunities for employment and have to look for victims in society to blame, the lowest common denominator can be appealed to by people putting up very simple solutions to very complex problems.

It is incumbent on everyone to try to dissuade people in Canberra from making those statements. I will not interfere with free speech. Far be it from me to do so, because as members in this Council know I have made some radical statements from time to time. In relation to racist comments and mixing our foreign policy development with our trade, we could come off second best if we do not start making stronger statements against those people who are making racist statements from a minority position. It does present us with the opportunity to educate those people who are starting to pick up these points of view. We cannot deny this; I drink in front bars of hotels—

The Hon. R.I. Lucas: Tell us the story about the Somerset.

The Hon. T.G. ROBERTS: I might get around to that if I have an extension of time. If you talk to people at that level they are starting to pick up the racist taunts and statements that are being made by the vocal minority, who are getting a lot of airplay. The talk-back radio stations and the *Advertiser*—I will not pick on the *Advertiser* this time; I will just throw that into the same barrel as all the other daily papers—are picking it up. It is selling papers. John Laws is getting a lot of airplay. But the opportunity for education in denouncing a lot of the statements that have been made is being missed. Unfortunately, our trade may suffer as a result of our inability to put a better twist on the statements coming from Graeme Campbell, Pauline Hanson and those people who are obviously trying to appeal to the lowest common denominator for the establishment of a new Party that will present difficulties to both major Parties which are trying to get an economy put together so that we can develop strategies not only for the creation of wealth but for the distribution of wealth.

If we cannot do that in a way which fits in with the programs that our near neighbours have, and if they do not have confidence in us to accept that we are not a racist nation and that we are a multicultural nation which does respect people from other nations, they may close down their order books and search for the same products that we can produce from other countries which do not have the same statements being given the same amount of airplay as what is coming from Canberra from a small minority who are getting, as I said before, an unprecedented run in the mass media in relation to their statements.

I understand that the *60 Minutes* 'educative' series on the racist attitudes that Pauline Hanson has towards Aboriginal people received a very high rating. I do not argue that people should at least listen and take note of what is being said. But, according to those who analysed the results of those ratings, a large majority of people agreed with the comments being made. That is disturbing. I have not detected any people who support any of these statements in this State Parliament. I suspect that most other State and Federal Parliamentarians on both sides of the House would deplore some of those statements that are coming out and what is happening within the media.

I think it is incumbent on all of us to argue more strongly against the position that has been put forward by those people, who are now getting more airplay than they deserve. It is just another difficulty that we face in developing our nationally integrated economy through our States. It is one of the difficulties that arise from time to time, but I am sure that both major Parties can deal with it and establish a policy that we hope will win back the confidence of possible customers in those countries that have the potential to start working with us to build up better relations and overcome some of the minority elements that unfortunately have control of the airwaves at the moment.

The State's economy needs to be put together on a stronger footing. Some of the grants and subsidies that are being handed out to high-tech industries that may or may not survive or be integrated with the local economies should be examined. One of the strengths of regional economies such as ours is that they can support industries that already exist and allow them to be part of the strategy of development and growth. We should try to attract as much funding as we can for major Federal projects such as highways, rail and other transport infrastructure.

As those who have been following the problems associated with the northern region would know, unless in the Whyalla, Port Augusta and Port Pirie areas we can get some major projects up and running which are not associated with the mining industry and which have infrastructure support through transport—which offers the best hope—those areas will be under extreme pressure because of the amount of labour shedding that is going on through restructuring in the existing traditional growth areas. In the past five years, most major industries employing anywhere between 500 and 1 000 people have been able to shed at least one-third of their labour, pick up their productivity levels to a point where they increase profits, reinvest many of those profits back into industry and shed more labour, producing a cycle of labour shedding.

If a change in Government infrastructure occurs that jeopardises existing employment opportunities, I am afraid that South Australia will probably lose more than any other State in Australia. Tasmania cannot be a bigger loser than South Australia, because most of its restructuring has been done, it has shed most of its labour and its economy is now down to a point where—

The Hon. R.R. Roberts: And we've got Dean Brown.

The Hon. T.G. ROBERTS: That is one point that I have not touched on. If there are other people inside the Liberal Party room I hope they are looking for a change in direction

to give South Australia at least a fighting chance in a very difficult economic climate, because at the moment we are floundering under the current leadership. I do not want to blame the current leadership for everything—I do not want to blame it for the whole malaise—but I am sure that if there were a change in direction and relationship with the Federal Government we might be able to draw more Federal funds into this State to supplement the programs we are looking for. With those few words the entertainment that I have provided after dinner now ceases and I will now sit down and thank everybody for listening.

The Hon. M.J. ELLIOTT: I support the motion and in so doing congratulate the Governor on his appointment. I will touch on a number of points, but each of them relatively briefly. It is certainly a much tidier way of addressing many issues than moving motion after motion during Private Members' Business and it probably saves a lot of time for all concerned. The first issue is—and it is one that has been indirectly touched on by the Hon. Terry Roberts—the impact on the economy that the State Government has had and, in particular, a negative impact in terms of its over enthusiasm in tackling the State debt over the past two budgets. There is no doubt that one should be seeking to reduce the State debt but, somehow or other, perspective was lost over the past two budgets. The Government failed to acknowledge that the State debt historically was not a bad debt: there had been many occasions when the debt had been significantly worse.

The Government did not acknowledge that the debt of Victoria *per capita* was 20 per cent worse than that in South Australia. It did not acknowledge that the debt it inherited was equivalent to the debt that it left when it went out of office in 1982. It never painted that as a disaster—losing the election it painted as a disaster but not the debt it left behind.

An honourable member interjecting:

The Hon. M.J. ELLIOTT: No, I will get to that. The disaster of the State Bank was that the finances before the State Bank collapse were historically—

The Hon. Diana Laidlaw interjecting:

The Hon. M.J. ELLIOTT: The honourable member has not listened. She has decided to interject but then she can leave and remain in her ignorance if she so chooses. The debacle of the State Bank took what was a record low State indebtedness and turned the situation into one that was not acceptable. So, there is no way known that I am defending the absolute mess-up of the State Bank and SGIC and a number of other serious mistakes made by the Labor Party. The point is that, even in spite of each of those disasters—and there were several of them: disasters which should never have occurred—the State debt, whilst it needed to be brought down again, was capable of being brought down in a far more measured way.

At the time when the State Government set about debt reduction with great haste, the State economy was already fairly flat. The previous Labor Government had already started slashing. For instance, class sizes had started increasing, and it had started doing some of the things which the new Government has continued to do. The State economy was already very flat and there always was the risk that, if the cuts were too severe and too quick, it would further stall the economy, and that indeed is what the State Government has managed to achieve.

As to debates about the Adelaide City Council and the problems of this city, there is no doubt that one of the major causes of the lack of vibrancy of the city is the fact that the Government downsized. Without entering the argument now regarding whether it was a good or a bad thing to downsize, I have certainly criticised the speed at which it did so. That is one of the major reasons why the Adelaide city area is down in the mouth. Quite simply, the bread and butter of the city's activities has been office activity and the Government was the biggest single user of office space. It downsized, as indeed did the private sector. The Government having downsized and the Adelaide city centre having suffered as a consequence, the Government then wants to blame the Adelaide City Council. It is the most bizarre logic. It is the case of the Government always wanting to blame someone else—and that is something to which I will return a little later in my contribution.

The Government constantly is looking to blame someone else. It is not prepared to admit that perhaps it had gone too far, that the Baker-Brown strategy was rhetoric driven, based upon an over-statement of the real impact of the debt and then using that as a justification to do things that should not have been done. To recognise that, in the process, not only did the Government stall the economy but also it has had real effects on education and health—effects that will take well over a decade to recover from—makes the situation that much worse.

With my links to the education system, I know that the Minister in Question Time delights in having his little jabs at SAIT and saying that it is not representative of teachers. I tell him that the overwhelming majority of teachers are absolutely appalled with what has happened to the system—and it is not just SAIT saying so: it is teachers as well. Real damage has been done to the system as a consequence of this Government's actions.

A similar situation applies in the health system. What I find even more staggering is that I am getting feedback that even the private health system is in desperate trouble at the moment because of certain activities of the current State Government. I will not go into that further at this stage, as that is a portfolio area covered by my colleague. However, I am certainly getting the feedback concerning the health system that, again, real damage is being done—real damage to the public system and, quite amazingly and surprisingly, to the private system as well.

When this Government was elected it promised accountability. What a hollow promise that has turned out to be, in a whole range of ways. I have sought to use freedom of information on several occasions under this current Government, and in the vast majority of cases when I have sought to do so the Government, through its various agencies, has set about frustrating freedom of information requests. I note that the Opposition appears to have had similar experiences.

The concept of accountable and open government has only been a platitude mouthed by the Government. When one sets about making a freedom of information request one finds oneself involved in an incredible circus. The most amazing one that I have been involved in has been in relation to the tuna farming exercise, where they have done everything that they can to frustrate the delivery of information. Having made my request and having run well overtime, I found that they supplied documents which covered only the first two or three years, quite amazingly, up until the end of 1993, and then provided virtually not a document relevant to my request after that date. That was their first attempt at openness: they provided irrelevant information and duplicate information and then straight-out withheld other information.

I had to go back a second time, when they provided more information, but it came in several dribbles. It must now be six months since my initial request was made, and I still do not have it all. In fact, the wording of the letter which I received from the head of the department is, 'This is not a final determination.' In other words, they are saying 'There could be more, and we might give you some, or we might not. It is a question whether you are going to keep coming back.'

There almost seems to be an implication that they have deliberately set about frustrating a legitimate request to get information which should have been available. They have played all sorts of games in terms of how much it would cost. I have found that that occurs quite frequently in relation to freedom of information requests. The kindest interpretation I can put on it is that they are incompetent in the keeping of files and that a high cost is generated because they do not have a competent filing system. If you have a competent filing system you should be able to open the files, scrutinise them to see whether or not they conform to the request and whether or not there is a need for legitimate withholding—and that should be on very narrow grounds. And then there is the photocopying.

My experience—and I have the very clear impression that the Ombudsman shares that view, because I have had to go to the Ombudsman on several occasions—is that there has been deliberate frustration. The kindest interpretation would be incompetence in the way that it is being handled. And I get the feeling from some officers to whom I have spoken inside the department and who have been involved with the preparation one way or another that they are not particularly happy with the way in which things are being done, either.

Freedom of information is being made a farce at this stage. The Government has indicated that it intends to seek to amend the Bill. I will be interested to see whether or not the amendments seek to make the system work more openly or whether or not they will try to shut it up even tighter than it already is. Freedom of information has been not much short of a farce in virtually every case that I have attempted to use it—so much for open and accountable government.

While on the question of FOI, I should mention the tuna deaths and the stage that has been reached. It seems to me that I have been given the documents that give the best possible twist on the issue, but it is quite plain that my original concerns and those which I raised in this place long before the tuna deaths were correct, namely, that the spread and balance of scientific research was not adequate, and that there was a headlong rush into aquaculture.

I stress that aquaculture is the future. We abandoned the harvesting of wild stocks on dry land a long time ago and we are farming species, and that is the only way that we can feed the world's population. It appears to me that aquaculture is the future for the fishing industry and, in the longer term, most of our fish stocks will be fished recreationally. That will be great because it would be nice to catch a crayfish occasionally and to have access recreationally to the wild stocks at a low level. Aquaculture will be the major provider of fish.

Having said that I support aquaculture, I believe that the Government has been over enthusiastic, although it continued something that was started under the previous Government. I do not think that it displayed sufficient caution. From what I have seen of the documentation that I have received so far, that belief remains.

If we take the issue of the tuna deaths themselves, it is clear that a decision was made early as to what the likely cause of death was, and it seems that the scientific research almost set out to prove what they believed rather than to explore the possibilities. On the basis of the documentation that I have been given, it is plain that several alternative explanations would stand up, and I presume that I have not seen all the documentation yet, anyway. There is still a significant possibility that disease was involved at some level and that some sort of algal bloom was involved as well. I will not go through the greater detail of that but, having gone over those documents carefully, it is plain that nothing in the documentation has ruled out those two possibilities, and they have both been raised, but not discounted.

At the end of the day, the more important point is that proper research was not carried out beforehand and, even if the deaths were the result of so-called natural causes, they should have been capable of being anticipated if proper work had been done. It really was an accident waiting to happen. Significant risks were being taken, and a lot of those were identified in the documentation: risks were associated with the form of feeding that was being used; and risks were taken with feed being imported from outside Australia, and this had the potential to bring in significant disease with it. A number of high risks were being taken, and I do not think that they were justified.

The Environment, Resources and Development Committee will obviously get an opportunity to look at the whole aquaculture issue again, whenever we finish our current reference on waste disposal. I hope it will revisit the tuna issue among all the other issues that are involved. Certainly, I want to see my FOI brought to a final conclusion, which is not the case at this stage. I have written to the department and said, 'We have not made our final determination. Tell me categorically that there are no further documents that you are not giving me.' It has not done so at this stage. Perhaps the department is a bit fearful that it does not know what it has not given me, but it really should be closing it off.

I note that the Government has now officially released the calicivirus. I find it a curious notion because a few people have asked me, 'Why are they releasing it when it is already there?' I assume that there must be some legal implication and that anything that happens from now on is because of the officially released calicivirus and not that which escaped from Wardang Island some time back. The Australian Democrats are very clearly on the record in terms of the need to control feral pests. I have asked questions in this place about feral pests, including the need to shoot goats in the Gammon Ranges; and I have introduced legislation to try to help reduce cat numbers. If the rabbit population in Australia is to undergo a rapid decline, that is a good thing.

I am concerned that some very clear mistakes were made with the calicivirus. It was handled very badly. The calicivirus had not been sufficiently well studied to justify taking it out of the laboratory at that time. I have had an opportunity to scrutinise the writings of a number of international experts in the area of these viruses, and they make it plain that the initial removal from the laboratory was very premature, even before we get into the argument about Wardang Island. It is plain that even before they went to Wardang Island they had not identified the vectors because, if they had identified the potential vectors, they would have identified the potential for escape. There was clear incompetence in the handling of the calicivirus and, to my knowledge, no action has been taken against the individuals responsible for that incompetence.

At this stage we are not aware of the long-term ramifications of the calicivirus. I hope the long-term ramifications are

that the rabbit will be wiped out and that there will be no other impact. That is what I hope it will be, because I want to see the rabbits go. That will provide a major opportunity for the environment to recover, and it will also take the pressure off primary producers. In private conversations with primary producers I have said, 'What if it had gone wrong? What if the virus does not remain as host specific as we are told to presume it is? It could turn out to be a significant disaster.' I also said, 'Surely, regardless of your desire for rabbits to be wiped out, you would want to see these things done properly'. If we happen to get away with this one—if there are no negative consequences—it will turn out to be good luck and not good planning. I cannot believe that any sensible person would defend incompetence by relying on good luck to make sure that the incompetence does not have a negative impact.

I stress that, at the time the virus was taken from the laboratory for the field experiments on Wardang Island, we did not know enough about what species it could potentially impact upon, we did not know enough about the vectors and our knowledge about the virus generally was very poor. Clearly, it was moved prematurely and the whole handling of the episode (I will not go through all the details) was a saga of incompetence. No-one's head has rolled, and at this stage the official release has justified the behaviour of some of these individuals. That is not good enough. Process is absolutely important, and there has not been due process on this matter.

I have raised the issue of teacher numbers in Question Time a few times in the past week or so. Of course, in Question Time one has constraints on what one can say. I was a teacher in the mid 1970s. I commenced teaching in 1975 when there was such a shortage of teachers that you did not need a teaching qualification. I was one of those who did not have such a qualification. I went teaching with a Bachelor of Science and no teaching qualification at all. I went into schools and taught with other people who did not have a teaching qualification and with people who had been brought in from overseas. I recall one teacher who came from Chicago. He basically came on a working holiday for a year or two.

The schools in Whyalla where I taught had large numbers of people from all over the place. Some of the teachers were excellent, but others really should not have been in a classroom. However, at that time the Government had no choice—it really needed teachers in the classroom. The Minister for Education, when he was in opposition, complained about some of those people. During his years in opposition, he complained about those people who were not up to scratch, and he wanted to remove them.

We are at very grave risk of reliving those days of the late 1960s to the mid 1970s whereby the Government will end up having to put into schools people who are not suitably qualified—and it is not the qualification but their capacity that is the important thing—and, worse than that, who do not have the capacity to carry out the job. However, in its quest to put somebody in front of a class, it will do it. It will also find that people will go there and, after a couple of weeks, leave. It will send somebody else who will stay for a month or two and then leave. In remote areas, to start off with, a school will be staffed predominantly by people who are in their first year or two of teaching and who have a high level of enthusiasm but a low level of experience and a great deal of instability. That will not be good for the children.

From the opportunity I have had both to talk with Professor Adey and to look at the draft report, it seems quite clear that the likelihood of that happening at secondary level, by the end of next year when we are recruiting for the 1998 year, is very high. In fact, on the data that has been produced by the deans, at secondary level South Australia will be the worst State in Australia. The main reason that it has withheld its report is that, because of changes that were made at the time of the last Federal budget, as it sees it, the situation will be worse than it had anticipated. It will be made worse for a number of reasons.

The University of Adelaide is significantly reducing its intake of people into its education courses. It happens to be one of the areas where cuts are being made. Of course, those people coming out of the University of Adelaide predominantly will be directed at the secondary sector. Of course, that is where the first shortage is already predicted to occur by the deans of education. It is happening not only at the University of Adelaide but at interstate universities. In fact, it is happening at the St George Campus of the University of New South Wales, where the Significant School of Education will be shut down.

Then we have specialist areas where there have been shortages in the past and where they are most likely to emerge first. For instance, students of maths and science are now facing significantly higher HECS fees than other students. I cannot see why anyone would now do a maths/science degree and get a qualification in teaching to receive the sort of salary that is being offered to maths/science teachers. They will have a lower take home pay than their other teaching colleagues because of the impact of HECS. Matters such as that were not taken into account when the Deans of Education did their calculations.

I have had an opportunity of looking at the way they derived their figures. It seems to me that their derivation was done in a valid way. It is not the first time they have been through such an exercise—they went through one two years ago, and the sorts of predictions they made then have been right on target so far.

The Hon. R.I. Lucas interjecting:

The Hon. M.J. ELLIOTT: No, they have been. So, I believe they do have credibility here. Of course, it is also the second time they have been through this exercise, and they have fine-tuned it further. It appears that at primary level in South Australia we are facing no immediate problems other than already identified areas such as languages other than English, which is a problem that will be with us for a couple of years to come yet because we simply are not getting enough people coming through the system. My own wife is studying a language at university and is in her final year, and I know how many of her colleagues are considering a teaching career. I think it is one person out of the whole graduating class in Indonesian, which is one of the languages that we are trying to get into our schools. They do not see teaching as an attractive career option at this stage—and I know that my wife sees it in the same way.

During Question Time, the Minister takes much delight in playing games about his generous offers, etc, but the reality is that we are not going to attract quality people—or even enough people regardless of quality—into education with the current sorts of packages and conditions that are on offer. That is the reality. You can play all the politics with it that you like, but that is the reality. It is simply not attractive, and you will certainly not get people to put up their hand to go to country areas. I say that as one who did all his teaching

in country areas, bar one term in Mount Barker, which is semi-urban, and who taught in the country from preference. So, I am not deriding country areas, but I know how difficult it is to get teachers to go there, and that difficulty will remain. In a period of teacher shortage it will get a damn site worse. In terms of the impact on the cost of teacher housing and things like that, the changes that have occurred over recent years—and they started under the previous Government—mean that country teaching is looking less and less attractive. The fact that there is no guarantee of a return to the city makes it even less attractive.

I really think that the baby has been thrown out with the bath water. There was a need for some further change, and I know that some difficulties were being created in the city, but in my view those difficulties would have been temporary and there were ways of getting around them, but instead the whole program was ditched. A teacher of my age is not attracted to go to the country because their kids are getting towards the late secondary stage and considering tertiary education, and many people want to be with their children and offer them support when they are studying at tertiary level. I say that as one who had to leave his home in the country and come to the city.

I had considered covering a number of subjects, but the last subject that I will talk about is this State and its inability to allow constructive criticism.

The Hon. R.I. Lucas interjecting:

The Hon. M.J. ELLIOTT: Give me an example of something you have done that's really good.

The Hon. R.I. Lucas interjecting:

The Hon. M.J. ELLIOTT: No, give me one thing. I am sorry, but it is a generous offer.

The Hon. R.I. Lucas interjecting:

The Hon. M.J. ELLIOTT: I have just made an offer.

Members interjecting:

The PRESIDENT: Order!

The Hon. M.J. ELLIOTT: I hope it has been recorded that I did make an offer to the Leader of the Government in this place that if he could think of something really good that the Government has done (and he could not think of anything) I was prepared to consider giving praise. What I am talking about happened in the Bannon days as well, with such projects as the MFP. In fact, our Party took the position that the MFP sounded like a fair idea on paper and we were prepared to give it a go. When the legislation came into this place we offered some criticism and that criticism was about location. Members may recall that we sought to amend the Bill so that Technology Park would be incorporated into the MFP.

We argued that the proposed site had a number of significant problems and that the MFP needed to get runs on the board quickly, and that the most obvious thing to do was to go into the Technology Park area where there was much vacant land that was already well serviced. Those sorts of suggestions were seen as being negative carping. I only note that now, years down the track, if anything happens it is likely to happen on the Technology Park site. There is a place—

The Hon. R.R. Roberts interjecting:

The Hon. M.J. ELLIOTT: Yes. It appears to me that the Government must recognise that a criticism does not mean that the whole thing is terribly wrong. The criticism can sometimes be directed at a particular aspect, and it is only fair and reasonable that there should be proper debate about those sorts of issues. On a number of occasions we have sought to question aspects of something but, of course, the Government response is, 'This is knock, knock, knocking.' That sounds very much like Bannon, when people started questioning the State Bank. There was a great tirade about people being negative and that we must give these things a go, and it is not dissimilar from the sorts of reactions we get now from the Government when questions are being asked about outsourcing.

The major issue the Democrats have sought with respect to outsourcing is to have proper and adequate scrutiny. That is all we have asked for. While we have opposed some aspects of outsourcing, with others we have been prepared to say that they have possibilities and potential. But we have argued that the scale of outsourcing is unprecedented and that there really needs to be some level of scrutiny. One would have thought that, after the experience of the State Bank under the previous Government, the new Government would say, 'Yes, we will encourage and allow scrutiny,' but that has not been the reaction at all. Like Bannon, this Government has said, 'We have got it right. We have not made a mistake. Stop being negative and trust us.'

From where we sit the Government's performance on these issues sounds identical to the sorts of performances that Bannon was putting on when questions were being asked about the State Bank. There really has been a double standard. If the present Government were in Opposition, I can guarantee that it would be strongly critical of the way the Government is currently behaving, and would be in the committees, I would say, fighting a damn site harder than the Labor Party currently is to ensure that there was proper and adequate—

The Hon. R.I. Lucas: That is the philosophy of outsourcing. The honourable member does not understand the whole basis of what is going on. The Liberal Party supports the whole notion of contracting out and outsourcing.

The Hon. M.J. ELLIOTT: The debate I am trying to have at this stage is not about the merits of outsourcing or having a philosophical debate about outsourcing itself. What I said is that we have opposed some aspects of it and on other aspects we have an open mind.

The Hon. R.I. Lucas: You said that we would be opposing what the Labor Government did.

The Hon. M.J. ELLIOTT: No, I did not say that. I did not say that in Opposition you would be opposing outsourcing: what I said was that you would be insisting on far greater scrutiny than the scrutiny that is currently occurring. You would be screaming blue murder and expressing great outrage about withholding information and the lack of proper accountability. The word 'accountability' was said time and again during the last State campaign. I began talking about freedom of information and I have returned again to accountability. The reality is that this Government does not genuinely believe in accountability and does everything it can to obstruct the processes of accountability. Certainly, I have been given a chance to range across a couple of issues to save the moving of at least five or six private members' motions. To some extent, it has been a useful exercise. I support the motion.

The Hon. G. WEATHERILL: I welcome His Excellency the Governor's remarks from the Liberal Government in relation to the improved key economic indicators in South Australia. I wonder how many people in South Australia have seen any improvement over the past three years. I would welcome a trend towards improved employment opportuni-

ties, as would all South Australians. In my view, employment is the single most important social problem we must tackle in this State. Undeniably, unemployment is the biggest cause of poverty and distress in our community. Stress associated with being unemployed, such as the financial pressures of not being able to meet debts and financial commitments, is amongst some of the most debilitating pressures that people have to face. The lack of hope which accompanies being unemployed for long periods—when a person cannot find gainful employment and faces constant rejection—is a serious problem confronting many in the community. The Brown Liberal Government has been very successful in privatisation and increasing the dole queues. Yet it still finds time to meddle in the affairs of the Adelaide City Council and ignores the biggest single issue—unemployment.

I now address my attention to the country's policy on immigration, in particular Asian immigration. While this is a Federal responsibility, I feel that it is too important to ignore in this forum, so I intend to add my views to the current debate. As members would be aware, the question of immigration has again become a controversial political football. Ms Hanson was allowed to continue her biased remarks and comments until the Deputy Prime Minister, Mr Fischer, spoke out against them. I understand that the Prime Minister is reluctant to comment. During my speech in the Address in Reply debate in 1988, I referred to the bias against different people and different nations in this country which had raised its ugly head. I said then:

> The 'one Australia' policy has been leaked by...Senator Stone and Mr Sinclair who have both clearly stated that the 'one Australia' policy is a means toward reducing Asian immigration: a 'white Australia' policy in fact. They refer to multiculturalism as a facade for the increased 'Asianisation' of Australia. What they ignore is the demographic reality that Australia is, and always has been, a multicultural society. It is not some sort of Labor Party creation—it is a reality. Four out of every 10 Australians were either born overseas or are children of immigrants—is Mr Howard accusing 40 per cent of our society of being un-Australian? Mr Howard's recent comments on immigration [in 1988] seem at odds with comments he made in 1986, when he called for a dramatic increase in immigration as part of a plan for the economic salvation of Australia. In the *News* of 24 November 1986, Mr Howard stated that immigration was the answer to our economic woes.

Mr Howard said at that time that he would increase immigration and support the Government of the day to increase immigration. That never happened. Also in 1988, I referred to another Liberal member of Parliament, but going back some 100 years to 1888: Sir John Downer—who I think was the great-great-grandfather of the Mr Downer who is in Federal Parliament at the present time—in his Address in Reply contribution in Parliament on 6 June 1888, was reported in *Hansard* as follows:

> The large numbers of Chinese who endeavoured to get into the colonies in Victoria and New South Wales were not of a desirable class but were of a class we would not like to see land here.

He went on:

> No action he took was against the Chinese as a people. He did not oppose them as a people, but he strongly opposed the class of Chinese who found their way into the colonies.

These people arrived in Robe in 1888, having decided to land in South Australia rather than in Victoria or New South Wales because there was a charge put on them if they arrived in either Victoria or New South Wales, that charge being about £10, which was a lot of money in those days. He also said that he did not really oppose the Chinese people. I think that what he was actually saying, if you read between the lines, is that he did not oppose them as long as they stayed in their own country and did not come to Australia.

I am pleased that members of the Liberal Party in this Parliament have spoken out strongly in favour of continuing non-discrimination in migrant policies as well as continuing the policies of multiculturalism. I should also point out that the Australian Democrats have strongly supported and continue to support these policies. Political leaders should provide leadership and integrity on issues as important as immigration. Leadership entitles them to dispel ignorance and fears, rather than to rely on votes. Leadership should entail the promotion of tolerance rather than fomenting divisions for the sake of a few votes. The Labor Party in this country has always believed in multiculturalism, and I feel that the Federal Government, the Federal Opposition and the members of the South Australian Parliament are now finally all getting together and trying to dispel these terrible remarks made by this terrible person in Federal Parliament.

I hope we can put it to bed now and do not have any more of these totally ignorant comments against people of a different race, as most of us are in this country. What we should do now is forget about these comments and start concentrating on what our supporters are crying out for in this country, and that is employment.

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I thank members for their contributions and seek leave to continue my remarks.

Leave granted; debate adjourned.

MULTICULTURALISM AND ABORIGINAL RECONCILIATION

Adjourned debate on motion of Hon. R.I. Lucas:

> That the following resolution transmitted from the House of Assembly be agreed to:
>
> That this House—
>
> (a) affirms its support for policies relating to multiculturalism and Aboriginal reconciliation being based upon the principles of non-discrimination, racial harmony, tolerance and the Australian concept of a 'fair go' for all;
>
> (b) recognises that South Australia is a multicultural society which places value on the significant contribution which continues to be made to the development of the State by all South Australians, irrespective of ethnic or racial background;
>
> (c) reaffirms its support for the ongoing process of reconciliation and achieving a greater understanding between Australians of Aboriginal and non-Aboriginal background and recognises the special needs of Aboriginal communities, especially in health and education; and
>
> (d) calls for the conduct of public debate concerning multiculturalism and Aboriginal reconciliation to be undertaken according to these principles.

(Continued from 17 October. Page 195.)

The Hon. CAROLYN PICKLES (Leader of the Opposition): I rise briefly to contribute to this very important debate. I made some remarks in my Address in Reply speech in quite some detail on this issue, but I am pleased to see there will be unanimous support for this important resolution. When I first took over this position, one of the first pieces of legislation I had to deal with, acting on behalf of the shadow Attorney-General, was four Bills on the native title legislation. They were South Australia's contribution to that process of Aboriginal reconciliation, and I believe that we in this Parliament did take some quite important steps forward towards that process of reconciliation.

When looking at this motion, we are reminding ourselves of why we have to move it, and that is because there are some people in our society who have minds the size of peas but mouths that are somewhat bigger. I am referring, of course, to the Federal member for Oxley. I believe that her comments have generated debate in this country which has led to hurt and damage to Australia, damage to Australia's reputation overseas and damage to the good work that we as a nation have done. All political Parties have worked together to try to progress Australia's standing, particularly in our Asian community, which of course is so close to Australia and which we are trying very hard to penetrate as a future economic provider to Australia.

It seems to me that Ms Hanson's remarks are unfortunate, to say the least, but she is not alone, and her comments have been fostered and supported by all sorts of people at all levels of society. She claims to speak for the majority of Australians. I believe she is wrong to make that claim. There is certainly a small percentage of people in Australia who share her views, and I think those views are very ignorant. Unfortunately, one of them has been very vocal in South Australia, and I refer to the Mayor of Port Lincoln.

I first came across the Mayor of Port Lincoln many years ago when I was spending a holiday in Port Lincoln, before I came into Parliament. He runs a tourism enterprise, taking people around the harbour. I was horrified when getting off his boat to be handed a pamphlet from the League of Rights. So, it is not a new thing for the Mayor of Port Lincoln to have racist views, but I think somebody in his position should do the decent thing and resign. It seems that the whole council, apart from one other member, has resigned in protest over his comments, and I think he has damaged forever the tourism industry in Port Lincoln by his absolutely disgraceful remarks.

We can perhaps take a positive viewpoint from the fact that, at least in this Parliament, we have people from many different backgrounds and races. We have people with Asian backgrounds, we have people with a European background and we have people with a British background. I myself am a migrant to this country. I recall that I had been in Australia for only a few weeks when I visited a part of Western Australia with some of my relatives and was introduced to and greeted by a very unusual old fellow who was a farmer in Western Australia. This is probably unparliamentary language, Mr President, but he said, 'Oh my God, not another pommy bastard.' I was shocked at being spoken to in that way because that was not terminology that I was used to at that time. Since I have been in Australia now for many years, for most of my life, I realise that it is somewhat a term of endearment.

Since I have lived in this country there have been waves of racism in Australian society, and each wave of racism has been, if not suppressed, at least put to bed by the fact that at the national level we have had a tolerance for our genuinely multicultural society. From speaking with people overseas I found that, until recently, Australia was the envy of many countries, because we managed to be such a tolerant nation with a very successful immigration program. In the area of dealing with our Aboriginal people we have not always had a very happy history, but in the last few years we have made great steps forward in trying to right some terrible wrongs that were committed in the past. Until a nation can do that and face its wrongs I do not believe it can truly progress as a nation of the future.

I am pleased that the Premier and the Leader of the Government in this place have moved this motion. On behalf of the Opposition I am pleased to support the motion strongly, but we should not have to move these motions in the Parliaments of Australia. We should not have to listen to the words of people such as the member for Oxley in the Federal Parliament. She should have more sense of responsibility. The media has not helped this issue. From now on I hope that, for example, we will see on the frontpage of every newspaper in the nation the fact that we have passed this motion, in the same way as we have seen the most unfortunate remarks of the member for Oxley—but I very much doubt it. It seems that people who make these remarks can become much more popular than those of us who show more tolerance and concern for our nation. I am pleased to support the motion.

The Hon. SANDRA KANCK: The Democrats have no difficulty supporting this motion. With respect to paragraph (a), of course the policies of multiculturalism and Aboriginal reconciliation should be based on the principles of non-discrimination, racial harmony, tolerance and a fair go for all. As to paragraph (b), recognising that South Australia is multicultural is almost passé. It is almost self-evident, like recognising that night follows day. Whether we recognise it or not, night does follow day and, in the same way, we are a multicultural society.

Paragraph (c) refers to support for Aboriginal reconciliation, recognising the special needs of Aboriginal communities, especially in relation to health and education. Again, that seems very self-evident. It is paragraph (d) that deals with the thing that we have the least control over, and that is that the debate about multiculturalism and Aboriginal reconciliation should occur with those foregoing things in mind. Obviously, one has to ask the question: why are we debating this motion in the first place? Obviously, we are debating it because of the publicity surrounding the remarks being made by the Federal member for Oxley.

I think the Liberal Party has a covert agenda to try to keep up the ethnic vote for itself. I wonder at its motives, particularly in regard to Aboriginal reconciliation. The present Government's attitude toward the Hindmarsh Island issue has not exactly been conciliatory towards Aboriginal people. On two occasions when the State Government has had the opportunity to demonstrate its credentials on Aboriginal reconciliation as regards Aboriginal sites at Hindmarsh Island and Laffer's Triangle, the Minister for Aboriginal Affairs has chosen to use his powers to agree to the destruction of sites. I will read some information which the Kumarangk Coalition put together and which has some bearing on the Liberal Party's relationship to certain interests in the community, particularly those that are rather ambivalent towards Aboriginal people. I quote from 'Fact sheet 4', which refers to an article by Geoffrey Partington called 'Determining sacred sites: The case of the Hindmarsh Island bridge', published in the *Current Affairs Bulletin* in February-March 1995. It states:

> The commonality of information included in this article by Partington, that used by Ian McLachlan in his speeches in the Federal House of Representatives about the bridge issue around November 1994, and that used by Chapmans' lawyers in their appeal against the Federal Minister for Aboriginal and Torres Strait Islander Affairs in August/December 1994, is of note. This suggests that there is a carefully coordinated campaign to discredit Aboriginal people in the eyes of the general community, and to divide the Aboriginal community and so weaken their resolve.

This sheet further observes:

> Partington's book is of course an attempt to discredit the research of Henry Reynolds. So we decided to try to identify who had published *The Australian History of Henry Reynolds* and who was distributing it, because these details are missing from the book and the book had been distributed anonymously. We discovered that its printing is being funded and distributed through Homestead Homes in this State, and in particular, one of their directors, Bob Day. It is being distributed free.
>
> The book has the acronym AMEC on its front cover. This acronym stands for the Association of Mining and Exploration Companies, a Western Australian based association of more than 400 mining and exploration companies. We understand that funding for printing and distribution in Western Australia is being provided by this association. It is being distributed free in Western Australia, too. When Homestead Homes was contacted to obtain copies of the book, they were posted in an envelope on behalf of the H.R. Nicholls Society, and inside was a compliments slip from that same organisation. The H.R. Nicholls Society was formed in the mid-1980s with the express purpose of breaking the power of the unions and destabilising the conciliation and arbitration system... Prominent foundation members of the H.R. Nicholls Society were John Stone, Charles Copeman, Peter Costello... Hugh Morgan was its inaugural speaker.

I will not read everything here, but the authors conclude by stating:

> So Partington's work is being used to try to discredit Mabo by all sorts of powerful right wing elements in our society.

It is significant to me that there is a Liberal Party connection in all that. We are apparently seeing an increase in racism in our society at the present time, and one has to ask why it is occurring. I believe that first there has been a failure to address the fear and anger of the community. When jobs are lost, people lose economic security and their capacity to be a contributing part of society, and they look for scapegoats. I can recall as far back as 1988 arguing with people about some of the myths that exist in our society about Aboriginal people, and I am sure most members have heard them, such as the stories that Aboriginal children are provided with a free bicycle, that Aboriginal people getting behind in their car payments have governments picking up the tab, and so on.

I was not in Parliament then and I do not know whether other politicians were aware of those sorts of mythologies that were being pedalled at the time, but it certainly appeared to me as an outsider to Parliament at that point that there was a real failure by the people in power to address these perceptions. The only real attempt that I have seen to address those issues was a booklet put out by the former Aboriginal Affairs Minister in the Keating Government, Mr Tickner. He had a very comprehensive booklet which addressed about 15 of those myths. I sent away to his office and received about 50 copies and I have probably given away about 30 of them. I certainly hope that the present Federal Government has continued to produce something of a similar nature.

Looking particularly at the sorts of comments Pauline Hanson is making on matters such as foreign ownership of our companies and our land, I can but agree with her. We must address the valid comments she is making because, if we do not address them, it will be very easy for her and the people supporting and encouraging her to pull people along with the other ideas that go with them. I observe that the mining lobby is one group that stands to gain from having a deep suspicion ingrained in the community about Aboriginal people, their land rights and native title claims. The fourth issue contributing to the overt racism that appears to be emerging involves the Prime Minister's remarks some weeks ago about political correctness. Former Democrat Senator, Sid Spindler, commented on those remarks and I cannot say it better than he. He said:

> It is time we accepted that being correct is better than being obnoxiously wrong. If it is politically correct to take a step towards greater fairness, equality and decency, then the term should be worn as a badge of honour.

Whether or not the Prime Minister intended it to be so, the effect of his statement has been to give a blessing to those who want to be overtly racist in our community.

I turn now to the issue of multiculturalism. I am not sure at this stage what has happened with the Government's Racial Vilification Bill. I recall what happened earlier in the year with that Bill; that is, it was determined that the courts would be the only place that could deal with disputes about racism. That type of headstrong approach can only add further to public disquiet about multiculturalism.

The Hon. A.J. Redford: How many letters have you had complaining about that?

The Hon. SANDRA KANCK: Do I have to have letters before I raise things in Parliament?

The Hon. A.J. Redford: How many complaints have you had about racial vilification?

The Hon. SANDRA KANCK: I do not have to have letters to raise things in the Parliament. Anyhow, time will tell what the Government is doing on this matter and whether or not it has seen the light. I am learning Vietnamese at the moment and in my class on Monday night I asked the people, who are all of European origin, about the effect of Pauline Hanson's comments on the various Vietnamese people with whom they work and associate. In that group of eight people one person reported intimidation and others reported a fear of intimidation among the Vietnamese community. Just as with issues of Aboriginal people, there are myths associated with the Vietnamese people. One of them, for instance, is that the Vietnamese refugees all arrived with suitcases full of money.

Members interjecting:

The PRESIDENT: Order! There are too many conversations. I ask honourable members please to quieten down. I cannot hear the speaker.

The Hon. SANDRA KANCK: I visited Vietnam in January and found that the value of their currency is extremely low compared to the Australian dollar. I checked yesterday with a bank and received an indicative rate at the present time of roughly 8 720 dong to the Australian dollar. If you work that out, a 100 dong note is worth just over 1 cent. So even if it is true—which I doubt—that so many of these Vietnamese migrants arrive with suitcases full of money, one has to query whether it is worth anything.

I have an article from the *Australian* dated 17 November 1992 written by the Economics Editor, Alan Wood. Those figures had at that stage some unpublished data from the ABS up to May 1992 showing the percentage of immigrants arriving from English-speaking countries and other countries who had jobs. They make for some very interesting reading. For those immigrants arriving from January 1991 to May 1992, those from English-speaking countries had an unemployment rate of 18.7 per cent, while for those coming from other countries the figure stood at 47.4 per cent.

This puts a bit of a lie to those people who argue that immigration is good for us. It might be in the longer term, because if we look at these figures, which cover comparative periods for both the English-speaking and other countries, we see that the longer they have been in the country the more chance that they will have a job. For instance, they go back

to pre-1966 arrivals. For those coming from English—speaking countries the figure is 8 per cent unemployment and from other countries before 1966 it is 8.2 per cent. So, they gradually become more like the rest of the population in relation to their ability to be part of the work force.

Those are the sorts of figures which make the people who are frightened of multiculturalism even more frightened, and I believe that as politicians it is not good enough for us to say, 'You are wrong.' We must address the fact that these people are coming to Australia, that there are large numbers of unemployed in their ranks and that they will be competing for jobs.

The high unemployment rate and the poverty and the consequent social problems within ethnic communities in Australia exist, but because of the anger in the community about multiculturalism it also does not allow any compassion for the plight of the people in these situations. So, politicians generally have failed to address both the myths and the truths.

Australia's record on immigration per capita is one of the highest in the world. I could not find any up-to-date figures, but we may well over the last 40 years have had the highest rate. Certainly, it is in the top three. I think that it is a record of which we can be proud, because we have been one of the most hospitable nations in the world. However, Australians at large are now questioning the need for that policy to continue. We should be listening to them.

I mentioned in my Address in Reply debate contribution yesterday that we need to develop a population policy, and immigration levels are an important part of developing that population policy.

Pauline Hanson and her ilk talk about how they are expected to feel guilty for what happened to the Aboriginal people. I do not feel any guilt about the Aboriginal people. From my dealings with them, they are asking that the white people of this country recognise that the Aboriginal people were in possession of the land in 1788, and they want us to recognise that the dispossession of that land had a profound effect on the collective psyche of their people. In taking away their land we also took away their way of life. In taking away their children we took their identity and their support systems. When I use the word 'we', I am not saying that I am personally responsible.

I am not asking Pauline Hanson to accept personal responsibility, but collectively I know that I come from a group of people that is much more advantaged than many Aboriginal people. Most of the people who are in that privileged position come from a European background; hence, I use the term 'we' in that way. I am very comfortable with saying that 'we' took away their land. I do not have any guilt about it at all. I recognise it as a fact and, if most people in this country could recognise it in those terms, without becoming emotional about it, a lot more could be done for the welfare and development of the Aboriginal people.

I have made fairly clear that this is a political motion. A couple of days ago when this was being debated, I noted that the Hon. Mr Lucas was upset that an honourable member had become political. This is political. What we are saying in this motion runs counter to the views of the rest of the community. We are not just parliamentarians: we are politicians as well. As long as we do not address the fears and the angers of the community, or if we address them only with platitudes, the deep suspicion and hostility that is welling up in the community will continue. The Fitzgerald inquiry in 1988—

The Hon. Carolyn Pickles: You don't support further immigration, either, do you?

The Hon. SANDRA KANCK: No, I spoke about that in my Address in Reply contribution yesterday.

The Hon. Carolyn Pickles: I read that one. It was very unusual.

The Hon. SANDRA KANCK: It is not unusual at all. What I said yesterday is that Democrat policy is that immigration should equal emigration and that the emphasis on bringing people in should be on refugees.

The Hon. Carolyn Pickles: Who are we going to send out?

The Hon. SANDRA KANCK: That is an interesting question, because yesterday I asked who was going to play God, and that is what we do. If we adopt a more humane attitude on immigration, we will be a long way ahead. As I said yesterday, business immigration comes a long way down the list of priorities.

In 1988, the Fitzgerald inquiry recommended to the Hawke Federal Government that the Government should 'develop and explain to the public a rationale for immigration'. While postwar there was a rationale for immigration which was known and generally accepted by the Australian people, which if members recall was a populate or perish one—

The Hon. Carolyn Pickles: Does Cheryl Kernot share your views?

The Hon. SANDRA KANCK: I do not know whether Cheryl Kernot shares my views. I know what Democrat policy is.

The Hon. T.G. Cameron: You said it was Democrat policy.

The Hon. SANDRA KANCK: It is Democrat policy, but I also said that Democrats have the right to a conscience vote on everything, so if she does not agree—

The Hon. T.G. Cameron: So your policy is meaningless.

The Hon. SANDRA KANCK: Our policy is not meaningless because we have to face a vote of all members when it comes to preselection.

The Hon. T.G. Cameron: So every eight years now you face your own election.

The Hon. SANDRA KANCK: At the present time, yes.

The Hon. T.G. Cameron: In the meantime, the policy is useless.

The Hon. SANDRA KANCK: No, it is not useless and I am upholding it most strongly. While postwar we had that attitude of populate or perish, and the public generally accepted that, now if there is some sort of rationale to our immigration policy the public either does not know what the rationale is or they do not accept it. Without a rationale, and without knowledge and acceptance of that rationale, we face the danger of social disintegration.

I accept the wording of this motion and I think that it is a 'good thing'. What will the Government do about it when it is passed? Is it just words telling the public that they are stupid and wrong? If so, it will not achieve anything than make us, as politicians, feel good. However, I support the motion.

The Hon. A.J. REDFORD: I, too, support the motion. When the motion first came into this place, I thought that I would rush out and obtain a copy of Ms Hanson's maiden speech. I spent some time analysing it and found that it is a most unexceptional speech. For those members who have not read it, I will highlight the salient points. As I point out those

salient features, I ask members to be aware that this speech has created one of the great media frenzies that it has been my misfortune to witness. First, she called for the abolition of ATSIC. Secondly, she called for the repeal of the Family Law Act. Her third point was a radical review of immigration policy, and the fourth was the abolition of multiculturalism. I am not exactly sure what multiculturalism means: it seems to mean many things to many people but, for my purposes, I take it to mean that people can come to this country, continue to embrace their own customs but at the same time acknowledge and embrace the concept of being Australian, accept our democratic principles, our principles of justice and our rule of law.

In support of her call for the abolition of migration, Pauline Hanson quoted Arthur Caldwell as follows:

> Japan, India, Burma, Ceylon and every new African nation are fiercely anti-white and anti one another. Do we want or need any of these people here? I am one red blooded Australian who says 'No' and who speaks for 90 per cent of Australians.

She went on and drew the inference that 90 per cent of Australians still support her. Her next point was that Australia must review its membership and funding of the United Nations. She went on and suggested that we withdraw from the United Nations. She then suggested that the Government should cease all foreign aid immediately and apply the savings to generate employment here at home. She also called for the introduction of national service for a period of 12 months. Following that she said that we should increase tariffs on foreign goods and drew the conclusion that reduced tariffs on foreign goods to compete with local products cost Australians their job. Leading the cry, she said, 'Wake up Australia before it is too late. Australia needs leaders who can inspire and give hope in difficult times.'

Finally, she said she was going to fight hard to keep her seat in the Federal Parliament and that that would depend on the people who sent her there. That has to be one of the most unexceptional maiden speeches it has ever been my misfortune to read or deal with in all my years. Notwithstanding that, it achieved massive publicity across this country, publicity way beyond the intellect and capacity behind that speech. Two things spring to my mind from reading that speech. The first—and I am sure that members of all political persuasions would agree—is that we have all heard these comments before, generally in the front bar of various hotels scattered throughout metropolitan and country areas. We have all heard the person in the front bar come up with his or her theory of how society can be magically made perfect, whether it involves a racist or non-racist answer and whether it be an economic voodoo theory. Of course, as politicians we take the diplomatic way out by avoiding an argument and going home.

I defy any politician to stand here and say that there have or have not been occasions when persons have put up some of these theories and we have said, 'That is your opinion; I'll catch you later; I have to go and talk to somebody else.' Notwithstanding that, Pauline Hanson has this extraordinary publicity, and now we have to deal with these rather idiotic views. I suspect that the cause of all the publicity and people like Pauline Hanson is, to some extent, our suppression of the debate on some of the real issues in this country by calling people bigots rather than dealing with their debate.

We had a simple example from the Australian Democrats in the guise of Sandra Kanck immediately before I rose to my feet. It went like this: Sandra Kanck, who has expressed a viewpoint on the Hindmarsh Island bridge on many occasions in this place, decried the fact that a publication was put out under the guise of Homestead Constructions, followed by a compliments slip contained within the book from the H.R. Nicholls Society. She then drew the conclusion that the book was bad and this was a disgrace. Not once when she raised that issue did she deal with the argument or the debate contained within that book. Quite frankly, the sort of debate we have had—and we witnessed that from the Hon. Sandra Kanck not long ago—is the sort of debate that has created people like Pauline Hanson.

The Hon. T.G. Cameron: Hear, hear!

The Hon. A.J. REDFORD: I note that the Hon. Terry Cameron agrees with me. This media monster in the guise of Pauline Hanson has elevated the talk in bars throughout Australia. People feel frustrated, because many of us in political circles have been too afraid to confront some of these issues. We go on, and we get another political point on the racial vilification issue. The honourable member has not had any letters or correspondence on it. We have played politics in this place. I am on record as saying that I disagree with it simply because I do not believe that it will achieve anything, and I am one out of 22 in that regard. She wanted to play politics on it and not deal with the issue.

That is the problem with this whole debate on political correctness. I agree with John Howard's initial approach of ignoring Pauline Hanson. She is a pimple on the pile of politics. Unfortunately, at the end of the day, the media picked it up and ran with it and the Prime Minister had to deal with it. I agreed with his initial strategy of ignoring it. On reflection, perhaps he should have come out earlier than he did and speak out against what she said.

People like Pauline Hanson have been elevated because of the concept of political correctness. It is like the rule of physics: action and reaction are equal and opposite. If we play a game of political correctness where we suppress people from questioning issues such as migration and Aboriginal funding because of political correctness—and I will use the term because it is something that most people understand—we must expect the sort of rabid and silly comments that come from people like Pauline Hanson. People like Pauline Hanson come from the Right, but there are people like Graeme Campbell who come from the Left, if we regard Labor as being on the Left and Liberal on the Right. Both political Parties spawn their own aberrations in that regard. I would hope that, as we near the twenty-first century, we adopt a more mature approach.

I wish to put my views on the record. I abhor Pauline Hanson's comments about migration and, in particular, her comments about Asians. I think the Asian community has made an extraordinary contribution to this country, not just in the past few years but in the past 200 years. It was Chinese immigrants who landed at Robe in the South-East of South Australia and travelled to Ballarat who did much of the hard work in taking the gold out of the Victorian goldfields.

The Hon. T.G. Roberts: And the Irish.

The Hon. A.J. REDFORD: And the Irish, although Pauline has not got onto the Irish yet. I well remember as a young person at school seeing on television an Asian man with a broad Australian accent talking about what was good or what was bad for the people of Darwin. I refer to the person who was the Mayor of Darwin for a number of years. I recall visiting Darwin and seeing what I believe to be a truly multicultural society where I could sit around a table and have a beer with Australians and Asians—and I will not put them all into one category—Indonesians, Indians and

Vietnamese, and play cards until 4 a.m., have an absolutely great time and make some very close friends. I knew that the next day they would drag themselves out of bed, as some of us do on occasions, and go out and produce goods and services and make a positive contribution to Australian society. I am disappointed that Pauline Hanson does not appear to have enjoyed those times.

The Hon. L.H. Davis: She was busy wrapping flake.

The Hon. A.J. REDFORD: She was wrapping flake, as the honourable member says. I congratulate the eight out of 10 Port Lincoln councillors for the strong stand they took against the loony Mayor Davis. I am sure that the Hon. Legh Davis has written to him and requested that he change his name as he has brought great shame—

The Hon. L.H. Davis: There is no relationship.

The Hon. A.J. REDFORD: The Hon. Legh Davis interjects that there is no relationship—and I have no doubt about that. I think we must be careful about the Pauline Hansons of this world. I watched *60 Minutes* on Sunday night. When she started, she sounded reasonably plausible. As the program developed she started to get herself into trouble, because she generalised so much about important elements of our community. The program went to a commercial break, and when it came back there was a visit to Palm Island. I found some of her comments to be of concern and upsetting. However, by the same token she said, 'If these people are on the dole and they are concerned about their communities and their environment, why is there so much rubbish lying around; why aren't they doing anything about it?' I must say that my instinct and my initial reaction was the same—'Why aren't they doing something?'—but I am sure there are very good reasons for that. What we must worry about is that on occasions the Pauline Hansons of this world appear to be superficially attractive. We must deal with the issues they raise not by sitting there and saying, ' She's an idiot, she's wrong' or 'She's hopeless' or 'She doesn't know what she's talking about', but by responding in a dignified fashion. I am grateful that this debate—

The Hon. T.G. Roberts: That's a challenge.

The Hon. A.J. REDFORD: It is no greater challenge than the whole of the Aboriginal problem. It perplexes me. We have spent so much money and provided so many resources for the Aboriginal problem—and that has been done on both sides of the political fence—yet, when we look at it, after all that effort and money the Aboriginal community is still at the bottom of the socioeconomic structure. It is still one of the most powerless elements within our society. I wake up in the morning and I think that perhaps money is not the answer and that perhaps there is another answer. I do not stand here and profess that I have the answer, but I think those things are important to debate and consider without rancour and without accusing people of being racist.

By the same token, I believe that the approach of short-term answers and simple solutions adopted by the Pauline Hansons of this world are equally dangerous. I suppose that the only positive aspect about the Pauline Hanson approach is that at least we have all had the opportunity to stand up and confirm the importance of multiculturalism and confirm all our desires, from both sides of politics, that we would like to see the position of Aboriginals improve in our community, so that they can take their rightful place as proud Australians and as proud Aboriginal Australians. To take a positive stance, I hope that, through this whole process, we can develop a more constructive and innovative approach to dealing with some of these very difficult and important issues. I support the motion.

The Hon. P. HOLLOWAY: I believe that it is necessary for this motion to be passed unanimously by the Parliament. However, I also believe that it is even more necessary for a similar motion to be passed by the Commonwealth Parliament which, after all, is the Parliament that has responsibility, under our Constitution, for immigration and Aboriginal affairs. Sadly, this motion is before Parliament for only one reason. An individual member of the House of Representatives used her maiden speech to attack the concepts of multiculturalism and reconciliation with the indigenous people of this country, and used it to advocate migration on a racially selective basis. These issues were given wide media coverage around the country, and the national leadership of this country failed to speak out against those views.

That was moral cowardice and political opportunism on a grand scale. I am pleased, at least, that this State Parliament and the leaders of this State are prepared to speak out on this matter, but it is very sad that the Commonwealth Parliament did not respond quickly. It is not a new phenomenon that an individual member of the Commonwealth Parliament should attack Asian immigration or assistance to indigenous people: that has happened plenty of times in the past. But what is a completely new phenomenon is that the Prime Minister of Australia should go out of his way to avoid rebutting such arguments.

Much has been said by members in the debate with which I agree. We must take very seriously the extent of the problem. While we will, in this motion, reiterate support for Aboriginal reconciliation and multiculturalism, we first need to be aware that many Australians do not really understand what those terms mean. Our understanding of multiculturalism may not be the view of many people in the community, largely, I believe, because of ignorance as to what these terms mean. One only has to listen to some of the talk-back radio programs in this country to know that a considerable proportion of our population believes that Pauline Hanson is some sort of new political messiah because she presents, as the Hon. Angus Redford said, simple solutions to complex problems.

I believe that the answer to the problems she has raised is not just to move motions such as this: we must go further than that. What is needed is that the misinformation that is pedalled—and that is what it is, essentially—must be rebutted strongly, firmly and frequently. I believe that the previous Federal Labor Governments did that. I would say that they perhaps did not always do it as well as they might, and undoubtedly there was some political cost to it, but at least they sought to protect some of the groups in our society that were under attack.

As has been pointed out by other members, there are many myths amongst the public. Many believe that there is some preference for Asians under our migration system. Again, you hear that on talkback radio stations every day. There are many people in our community who believe that Aboriginal persons are given all sorts of benefits, yet it is quite undeniable when you look at any reasonable social index that Aboriginal persons are way down the bottom, whether you are looking at health, employment or infant mortality. Whatever index you take, Aboriginal persons are nearly always down the bottom. It is undeniable that they are disadvantaged.

I certainly agree with the Hon. Angus Redford that we should be able to debate some of these issues, such as the levels of migration to this country and where the money goes in Aboriginal affairs. But we do not need the sort of simplistic generalisations that have been given so much prominence of late.

There is an aspect to this that we really need to bring out. I will go through the chronology of events that led to the moving of this motion. Pauline Hanson made her maiden speech on 10 September and, of course, it was given considerable media coverage. The media deliberately tried to provoke debate by putting up people such as Charlie Perkins to ensure that there was a lot of confrontation and that there was wide coverage. There was then a responsibility on the political leadership of this country to step in, and I believe that would have happened in the past. But what happened? On 22 September, some 12 days later, the Prime Minister of Australia spoke to the Queensland branch of the Liberal Party and said:

> One of the great changes that have come over Australia in the last six months is that people do feel able to speak a little more freely and a little more openly about what they feel. In a sense the pall of censorship on certain issues have been lifted. I think we were facing the possibility of becoming a more narrow and restrictive society and that free speech could not be taken so easily for granted as we might in our calmer moments have assumed. I think there has been that change and I think that is a very good thing.

That speech was given wide coverage, and in the aftermath of all the media coverage given to Pauline Hanson. I would have thought that was a strong signal—an open invitation really—to the Pauline Hansons of this world to carry on. Indeed, it is interesting that on 24 September, a couple of days after that, that Pauline Hanson was reported in the *Advertiser* as saying that John Howard was a strong leader. She was responding to Mr Howard's claim that Australian people can now talk about certain things without living in fear of being branded a bigot or racist. She said that he was listening to the views of the majority of Australians on issues such as immigration. So the process was continuing.

On *A Current Affair* on 26 September, just a few days later, the Prime Minister was asked specific questions about whether Aboriginals and Asian migrants should be protected from people such as Pauline Hanson and he said:

> I would say in a country such as Australia people should be allowed to say that...she had a right to say what she thought.

Again, in this whole process, during some two or three weeks, there was never any attempt made by the Prime Minister or other senior Federal Ministers to rebut the basic errors in Pauline Hanson's speech. She has the right to say what she likes: no-one disputes that. But I believe that the leaders of this country have a responsibility, when public figures make statements that are clearly wrong, to rebut them. I would like to quote from the transcript of an ABC *Media Report*. Interviewed on that program was Andrew Jakubowicz, from the University of Technology in Sydney. This is what he said, and to me it sums up this debate pretty well:

> I think Gerard Henderson made the point extremely well when he wrote recently that the crucial news story about Pauline Hanson is not that some right-wing idealogue from Queensland is making neo-fascist, racist statements, but that the Prime Minister is making no comment at all about them, and that the Minister for Immigration and Multicultural Affairs is making no comment, effectively, about them; and that the Minister for Aboriginal Affairs is keeping his mouth shut with a great smile on his face, because Pauline Hanson's doing his dirty work for him. That's really the news story, and it's interesting to see that the news media, for the most part, really haven't pursued that as the story... Public opinion emerges through an interaction between public opinion leaders and the broad mass of the population in various ways. If the space is left vacant to idealogues of the hard right, then the whole sense of what the debate is about lurches across in that direction.
>
> It's the tactic that Margaret Thatcher used to extreme benefit in Britain during the period when she was concerned to bring in more and more restrictive and racist immigration Acts. She made very few statements herself; she allowed the National Front to make the political and populist running, and as the popular press moved into the space following that debate, she stood up as the voice of moderation. Two or three years before, her position would have been seen as racist and right-wing; in the context where there is a racist right-wing overtly out there, she becomes the voice of moderation. And I think this is essentially what is occurring at the moment. People like Campbell, and particularly Hanson, are given the rope to run with because that allows Governments which have those sorts of agenda in the long term to take a slightly more moderate position and appear to be flexible and liberal. Whereas in fact they are becoming more and more racist and reactionary in their own practices.

They were the comments of a commentator on the *Media Report*. I hope that they are not correct, although I believe his comments in relation to Britain are probably correct. I hope that is not the case here. I hope that it was just an under-reaction on behalf of a new Government here. One would hope that is the case. Nevertheless, we will need to look and see over the next few months. Regardless of that, I am at least pleased to say that the leaders in this State have been prepared to stand up and take a strong stance. I look forward to our Federal leaders doing the same thing.

They have the constitutional responsibility to protect the minority groups within our community that are under attack, and all the evidence appears to be that they are increasingly under attack. It is their job to defend them. If misleading statements are put out about the level of Aboriginal assistance, I believe that the Federal Minister for Aboriginal Affairs has a responsibility to rebut them. Whereas I am pleased that this Parliament is accepting its responsibility and placing on record its views, I look forward to the other parts of Australia doing the same. I commend the motion.

The Hon. T.G. CAMERON: It was not my original intention to speak in this debate but, after hearing the emotional and impassioned oratory of the Hon. Angus Redford, I seize this opportunity to get to my feet—because for the first time in my two years here I agree with him. I agree with almost everything that he said. I hasten to add that I am not sure whether I heard correctly the entire contribution from the Hon. Sandra Kanck. I intend to look at her contribution tomorrow, because I detected some rather conflicting and worrying sentiments being expressed on this subject by the Australian Democrats.

I am more than happy to support the resolution. As with other speakers, one could question its political motives. Whilst it is a fine sounding and very carefully worded statement it is, after all, only words. The mere passing of this resolution unanimously by both Houses of this Parliament will serve little purpose unless it is followed up by determined action not only by the Government but the Opposition. Judging from some of the remarks I have heard tonight, one hopes that the Australian Democrats will look at what the Democrats' policy says. Not that it means much, of course, because its members do not have to follow it as they have a conscience vote.

It was interesting to note that the Hon. Sandra Kanck does have to face the members of the Democrats. I guess they get together once every eight years for preselection in a telephone

box where she stands there and confesses all her reasons as to why she did not support policy. I seem to be picking up that she does not agree with her own policy, and it would appear from the sentiments she expressed that she does not agree with the Hon. Cheryl Kernot.

I am not sure how much time I have tonight and, as I said, I have not prepared this speech. I will briefly run through some of my own history in relation to multiculturalism. I do not know whether I read the right books when I was a young lad or whether I did not pay enough attention to school but multiculturalism was not a word we heard very often in Rosewater Gardens; I may have missed it. I was born in 1946 and, as I mentioned the other day for the Hon. Caroline Schaefer's benefit, I spent the first years of my life on a farm. My father was a farmer and as is often the way with farmers the going was a bit tough. He used to supplement a farming income by shearing.

As members would recall, my father was a Senator at one stage in his life. He impressed upon me at a very early age that it does not matter what colour a person's skin is, it does not matter what the shape of their eyes are and it does not matter where they come from, because we are all the same and one should not like or dislike anyone because of the colour of their skin. I would be the first to say that there are lots of white caucasian people whom I am not very fond of at times. But my father had a very pervasive influence on my attitude towards this question of multiculturalism. Again, I cannot ever recall his having used the word. What he did impress upon me at a very early age was that we are all the same.

I attended the Pennington Primary School. For those members who might not know, it is just off Addison Road at Rosewater Gardens and Pennington. In the early 1950s and for a decade or so after there was an enormous influx of migrants into the Pennington hostel. Having come from a family that was not financially well endowed, at an early age I sold newspapers. I used to sell newspapers at the Pennington hostel. Not only did I make many friends whilst doing that, I also made many friends whilst at the Pennington Primary School. These were people who came from Poland, England, Scotland, Ireland, Germany and Bulgaria. I can recall the influx of Hungarian, Czechoslovakian and Croatian migrants; I could not begin to name all the nationalities I went to school with.

The Hon. T.G. Roberts: You just did, didn't you?

The Hon. T.G. CAMERON: No, I did not name them all. I cannot recall too many Asian migrants, and the real reason for that is that there was very little Asian migration to this country back in those days and the few who did come here certainly did not end up in the Pennington hostel. The only migrants who ended up in the Pennington hostel were the poor ones, those often referred to as the ten quid Poms. I made many friends during those years. It was quite some time after that, back in the 1960s, that my father went into the Senate and befriended the Chinese community here in Adelaide. That was nearly 30 years ago, and I am pleased to say that even today some of the Chinese people whom my father befriended nearly three decades ago come around to see him at Christmas time to say hello. Again, my father reinforced the lessons he taught me as a child that, irrespective of what colour skin a person has, the shape of their eyes, etc., we are all the same—migrants from a whole host of countries, whether they are from South-East Asia, Eastern or Western Europe, the UK, Scotland and Ireland. I still believe that Scotland should be listed separately when one talks about England, but that is because my ancestors came from Scotland.

The Hon. T. Crothers: What brought them here?

The Hon. T.G. CAMERON: Poverty. The Hon. Mr Crothers interjects, 'What brought them here?' It was probably what brought him to this country: poverty.

The Hon. Diana Laidlaw: Or persecution?

The Hon. T.G. CAMERON: Or persecution. I understand that that was not the case with my ancestors, but it may well have been with the Hon. Trevor Crothers. It is not my intention to stand here and bore you about how migrants have enriched our society, but one has only to go back to the 1950s and 1960s to see how migration and overseas cultures have enriched our society in the areas of food, wine, music, the arts, clothes—the list is almost inexhaustible. It is not my intention to edify the comments that Pauline Hanson has made. I for one believe that too many people are paying too much attention to what she is saying and, before we know where we are, we will all end up having to be politically correct and stand up and be critical of the views she is espousing. It is a sad fact that, unfortunately, there are people out there in our community who support the views that she has been expressing.

It is heartening, with the exception of the Democrats, to see that every speaker from both sides of this Chamber has not only roundly condemned the racist views being put forward by Pauline Hanson and others but risen to defend the contribution that migrants have made to our society, as well as addressing the question of Aboriginal reconciliation.

It should be said that—and this is my view; it is not a view concerning which I can point to any academic research for support—many of the racist sentiments running rife in our community at the moment are being fuelled along by people's concern about the high levels of unemployment in our country. As misguided as they are about the reasons for the high level of unemployment, in particular the high levels of youth unemployment, they have quickly singled out migration, and in particular Asian migration, to blame for the high level of unemployment in this country. It may well be that high levels of migration to this country may in some small way have contributed to the level of unemployment in this country, but to single out Asian migrants, the majority of whom fall into the categories of being refugees or are part of our family reunion program, is unfair in the extreme.

The people who are pointing to the high level of unemployment and saying, 'It wouldn't be at 8.6 per cent [or whatever the national average is at the moment] if we didn't have these high levels of migration.' Any economic analysis that I have seen undertaken on the impact of migration into a country demonstrates that it is employment positive. What do people think migrants do when they come here? They eat, they drink, they buy clothes, they spend money on consumer goods and, above all, they have to be housed. As soon as they are on their feet earning a few bob they buy a motor vehicle. They are buying consumer goods, goods that they were unable to buy in their own country because of the extreme poverty existing there. If I am wrong on this, I believe that it is incumbent upon people such as Pauline Hanson to point to the academic research demonstrating that high levels of migration have contributed to the high unemployment in Australia.

I will not play politics during my contribution and, although I was not a member of Parliament for most of the time that the now Liberal Government was in Opposition, I guess that members of the then Opposition would point out

constantly that the high level of unemployment in Australia was solely the responsibility of the then Federal Government. I will not stand here after the present Federal Government has been in office for six months or so and lay the blame for the high level of unemployment in this country solely at its feet. Both the outgoing Labor Government and the incumbent Liberal Government have to share some responsibility for the high level of unemployment. To attribute it solely to immigration is a nonsense. Anyone with any degree of commonsense would understand that the Australian economy is going through a period of restructuring. Technology is having its impact on employment. One only has to look at the level of unemployment in the OECD countries and the high levels of unemployment in countries such as France and Germany, which are two excellent examples.

It is not so long ago that there were race riots in Germany about temporary workers from other countries who were there on work visas. We have seen similar racial riots take place in France where people, not able to cope with the ravages of high unemployment, thrashing around and seeking to blame someone, blame immigration for the high level of unemployment.

The Hon. Diana Laidlaw: Often it's women who are blamed.

The Hon. T.G. CAMERON: The Hon. Diana Laidlaw interjects that often it is women who are blamed. The growing participation rates in the contribution made by women in Australia have been enormous. I think what the Hon. Diana Laidlaw has reminded me of with her interjection is that the growing participation rates of women, economic pressures and declining standards of living here in Australia (which have been occurring now for 15 to 18 years) have necessitated women having to go out into the work force to supplement their family's income. We have also seen a rise in the number of single women who have gone into the work force to support their family. So, rather than blame women—

The Hon. Diana Laidlaw: Or migrants.

The Hon. T.G. CAMERON: Yes; rather than blaming women or migrants, people should look at some of the real reasons.I recall that my first job was at the South Australian Gas Company. I think I was a delivery boy. I started work there when I was 16. About eight months afterwards someone was taking up a collection for one of the young ladies in the office who was leaving and I threw in my 5 cents, I think it was, like everyone else, and she came around afterwards to thank everybody for contributing. I cannot recall her name, but I can recall asking her why she was leaving. She said 'Well, I have to. It is the policy of the Gas Company that when you get married you have to resign.' That was the Gas Company's policy at the time: if a woman got married she had to resign her job. So, I think that the higher level of women in the work force is another one of those contributory reasons why unemployment is such an intractable problem in our country, irrespective of who is in office.

It has become pretty popular over the past few years to have a go at the high levels of Asian migration to this country. In recent years a significant proportion of migrants who have come to this country have come from countries like Vietnam and Cambodia. I do not know whether any members have been to Vietnam or Cambodia, but I have had the pleasure of visiting both of those countries in the past couple of years. I nearly stood on a land mine in Cambodia, and there is no need for the Hon. Mr Lucas to smile in anticipation—I missed the land mine. When one visits those countries one cannot help but be shocked by the poverty. A large part of the Asian migration in the past few years has come from these countries. Another factor involved in Asian migration to Australia is the family reunion program that we have here.

Even with our current laws, which people say are far too loose, it can be pretty tough to get out here under the family reunion program and, if a person cannot get out here under that scheme or if that person does not have a partner or a spouse—that is, if that person is an ordinary Filipino, Laotian, Cambodian, Vietnamese or from any South-East Asian country—it is extremely difficult to get here.

Over the years I have had the pleasure of visiting a number of South-East Asian countries, and I have spent a considerable amount of my time in the Philippines. I have dined at Malanancang Palace with President Ramos, I have eaten fish heads off a dirt floor in a squatters' camp in Zambales and I have done worse in Sikihor. I have had the pleasure of travelling quite a bit throughout the Philippines and, whilst this would come as no surprise to any honourable member here, my partner is Asian and she comes from the Philippines.

I find somewhat distressing and hurtful the current wave of anti-Asian sentiment sweeping across Australia in certain sections of our community. It gives me no joy to stand in this Chamber and advise you, Mr Acting President, that in the last few months I have felt revolted and disgusted as I have listened to Asian women tell me stories of how they have been spat on, how they have had things thrown at them from motor vehicles, how they have been abused in the streets and how they have been subjected to other activity which I will not go into at this stage.

I am sure every member of this House finds deplorable the current attitudes being expressed by Pauline Hanson and her ilk, and I doubt that anyone in either House would support those sentiments. As I have said, and as the Hon. Angus Redford and others have said in this debate, I hope that members are not playing politics with this motion. It gives me a great deal of pleasure to support the resolution that the House of Assembly has passed, but I hope that it is more than lip service. I hope that it is more than a cleverly crafted resolution which is designed to say all the right things and which is soothing and sounds good.

The motion needs to be supported, not for what it says but for what it intends to convey to the Australian electorate, namely, that, notwithstanding the contribution made by the Hon. Sandra Kanck tonight, I am sure that the Australian Labor Party, the Liberal Party and the Australian Democrats wholeheartedly support this motion and, having passed it, will work towards ensuring that the fine-sounding words contained in it are put into practice.

The Hon. T.G. ROBERTS: I will be short and, for those who wish to read my speech on this important motion, I refer them to my Address in Reply debate contribution because I covered it there. I would like to make a couple of extra points. I endorse the Hon. Paul Holloway's expressions, particularly his reference to the situation in Britain, where rampant racism turned violent because there was not intervention by leaders in Britain.

For over 20 years Enoch Powell had been a favourite advocate for sending Jamaican migrants back to their own country and making statements which always ensured that racism was on the political agenda. In the main Britons are a tolerant people who have lived close to each other in suburbs with high proportions of Commonwealth migrants of all varieties. They are a good example of the melting pot

theory working. Occasionally there are some outbreaks of violence, but generally it comes after political leaders have made exaggerated statements about race divisions and sowing seeds of dissent between competing interests, particularly in regard to competition for social welfare and employment opportunities.

The only difference in Australia is that there is a financial vested interest that can be gained out of creating divisions amongst non-Aboriginals and Aboriginal people in Australia concerning land rights and associated questions. I would like to give two examples, one good and one bad, where the issues of race, Aboriginality and land rights claims have been handled differently. I refer to the *Warrnambool Standard*, which ran an article with the headline 'Koori Pain' as a reference to Aboriginal people in south-western Victoria when money was withdrawn from a program to do with employment opportunities for young Aborigines and the difficulties encountered in training Aborigines for jobs.

Then, in the *Border Watch,* a recent headline quoted the former or present Secretary of the Victorian RSL, Bruce Ruxton, who advocated that the Aboriginal land rights claim around the lower Glenelg River in the south-west of Victoria and the South-East of South Australia should be opposed. There were general statements about divisions emanating out of the Mabo claims.

All speakers tonight have said that issues that need to be discussed to put distance between racist advocates and those of goodwill on both sides of this Council, the Lower House and at the Federal level, should be done by people coming out and making explanatory leadership speeches and statements so that, when the racists do emerge, talk-back radio and the popular press have identifiable leaders who are making statements to counter the arguments based on prejudice and ignorance in general cases and set the record straight.

The proof of the pudding will be in the eating. As we head into land rights claims and Mabo-style negotiations there will be opportune times for people to address in a logical manner the questions that emanate from those claims. Some claims will be difficult to explain because the handling of the claims involves investigation and a whole series of events follow. They take time and there is much frustration and uncertainty. Again, the responsibility is on the leaders of the community—including members of Parliament—to ensure that the general population is informed along the way about what are the rights of Aboriginal people regarding those claims.

Also, there are responsibilities on Aboriginal people themselves and their leaders to ensure that the claims are explained and kept in line with what would be regarded as reasonable claims under the guidelines that have been set. I hope that we will go through a maturing process, given that this debate has been brought on by the negative side of the argument.

I hope not only that the motion is supported by those who have been on their feet and who have gone into *Hansard* as supporting the motion but also that when the issues that start to emerge in the community come forward those who have not contributed but who will be supporting the motion become leaders in their own communities by defending the sentiments expressed not just in this motion but also what every free-minded and fair person in Australia would be thinking.

The Hon. DIANA LAIDLAW secured the adjournment of the debate.

ADJOURNMENT

At 11.50 p.m. the Council adjourned until Thursday 24 October at 2.15 p.m.