LEGISLATIVE COUNCIL

Wednesday 25 February 1998

The PRESIDENT (Hon. J.C. Irwin) took the Chair at 2.15 p.m. and read prayers.

LEGISLATIVE REVIEW COMMITTEE

The Hon. A.J. REDFORD: I bring up the fifth report of the Legislative Review Committee.

QUESTION TIME

BLOOD TESTING

The Hon. CAROLYN PICKLES: I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning a question about the future of compulsory blood testing.

Leave granted.

The Hon. CAROLYN PICKLES: I refer the Minister to a media report which suggests that the State Government is planning to abandon compulsory blood testing. This controversial measure is apparently being introduced by the Government without any public consultation, let alone any consideration of the implications of such a move in the area of road safety. I understand that this matter was raised in this place nearly three years ago. However, I do not believe any public consultation in this area has been undertaken by the Minister since then. Will the Minister listen to this?

The Hon. Diana Laidlaw: I am trying, but another honourable member is distracting me.

The Hon. CAROLYN PICKLES: Perhaps he is giving you some advice. Will the Government confirm the Government's plans to introduce plans to abandon existing requirements for compulsory blood tests; has a draft Amendment Bill been prepared; has such a proposal been considered by Cabinet in either the form of a Cabinet submission or a discussion paper; and when was the Minister planning to bring this to the public's attention?

The Hon. DIANA LAIDLAW: I thank the honourable member for her question, because I certainly would have got a question asked by members on this side about the matter in the paper today.

An honourable member interjecting:

The Hon. DIANA LAIDLAW: A dorothy dixer. I can advise that a draft Bill has been prepared for consultation—the very consultation that the honourable member has suggested—and I certainly intended, as did my parliamentary colleagues, that such consultation be undertaken. That Bill has not gone back to Cabinet, so it has no status; it has simply been prepared at my request for the consultation process.

The Leader is right in stating that this matter was first raised in this place in question to me by the Hon. Terry Cameron, shadow Minister for Transport at the time. The question was on 23 February 1995 and the honourable member's son at that time had been admitted to the Flinders Medical Centre following a motor vehicle accident and had been required to undertake a compulsory blood test. The Hon. Terry Cameron had followed up that matter with the Flinders Medical Centre's Dr Christopher Baggoley, Director of Emergency Medicine. Dr Baggoley advised the honourable member that his son was required to undertake such a test under section 47(1) of the Road Traffic Act, which had been in place since 1972 and was introduced by the Labor Government of the day. Dr Baggoley said that he and various committees through the hospital system, with the police, had been seeking for some time to get changes to this legislation.

I answered that I would contact Dr Baggoley and make further inquires with other casualty units. I subsequently did so and it was apparent to me that, in terms of the perspective of the casualty units and the stress within those units at the time, with individuals who arrive following a motor vehicle accident, and the value in health terms as perceived by doctors and nurses in casualty, it was important that we review this issue. Dr Baggoley and other health professionals have made contact with me on a continuous basis since that time to advance change in current practices. I am well aware from other discussions with the police, Director of Public Prosecutions and the like, that there is considerable concern about the question of getting rid of the test.

In terms of the honourable member's remarks in the paper today, at no time have the casualty departments and health professionals, the police or the Director of Public Prosecutions ever seen or addressed this issue in money terms or as a means to save money. It has been addressed at all times in road safety terms. Because of the variety of views in the community, all held earnestly, I felt that it was best to prepare legislation in draft form in order to have further formal discussions with a number of individuals. That is the status of the Bill: simply for further discussions as the Leader has urged. I always intended to undertake such. In terms of these discussions the Leader should speak closely with her colleague, the Hon. Terry Cameron, who has strong views on this matter and expressed those views as shadow Minister for Transport. I felt they had some credibility and status and on that basis undertook and have since pursued this matter out of respect for the shadow Minister of Transport. We have a new shadow Minister and clearly a new opinion. Perhaps discussion within the Labor Party might be a good first step in terms of advancing discussion on this issue overall.

COAG NATIONAL COMPETITION POLICY

The Hon. P. HOLLOWAY: Will the Treasurer provide a breakdown of the competition payments for specific areas of reform from the Commonwealth to South Australia that are conditional upon compliance with the COAG national competition policy?

The Hon. R.I. LUCAS: I am happy to do that. It comes to a total of about $1.1 billion or $1.2 billion over the next nine years. I am happy to provide that information.

PORTS CORPORATION

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning (or possibly the Minister for Government Enterprises) a question about the sale of the Ports Corporation.

Leave granted.

The Hon. T.G. ROBERTS: In the weekend *Financial Review*—

The Hon. A.J. Redford: Is the MUA going to buy it?

The Hon. T.G. ROBERTS: If it had the money. Its role and responsibility is to look after the membership, not to involve itself in private sector operations, and to work with the Government to get the best possible operation. The

Financial Review on the weekend carried an advertisement indicating the scoping duties for the South Australian TAB—which apparently is far more important than the Ports Corporation because it comes first—the Lotteries Commission and the Ports Corporation: provisions for an advisory service to the South Australian Government. It goes on to outline the scoping information required for the first steps of a public indication of sale.

The previous negotiations on restructuring around the Ports Corporation, which members of both sides of the Council would agree have been quite successful in this State, have involved the Maritime Union of Australia (MUA), the Ports Corporation, the previous Marine and Harbors Board, Bulk Handling Services and everyone else who is involved, including the car industry. They should all be congratulated on the way in which those negotiations are being carried out.

The advertisement which appeared in the weekend *Financial Review* certainly surprised one section of the negotiating body, and that was the MUA. The union has received information that the scoping investigation will include the possible sale of the Ports Corporation, and it would like to be informed of and involved in those negotiations.

The responsibility for negotiation rests, in part, with the Government to involve unions at that level. The union has been responsible for compiling confidential information and it has also been seen to be responsible up to this point for all the restructuring that has gone on within the Ports Corporation, so it would like to be included in any further negotiations that might involve the future of its membership. My questions are:

1. When was the scoping review initiated and commenced?

2. What consultation took place with the Ports Corporation board and the Ports Corporation board senior management?

3. Why has not the MUA been consulted, as were the Marine and Harbors Board and Cooperative Bulk Handling Limited, when those sales were foreshadowed?

The Hon. DIANA LAIDLAW: The honourable member would be aware—and I am surprised that the MUA is not—that the scoping study for the Ports Corporation was outlined by the Premier on Tuesday last week as part of a broader statement about various scoping studies. There is no commitment to sell. I am amazed that the MUA has been taken by surprise in this instance because it did not note the statement by the Premier last week. Perhaps it could have been distracted by some activities on the waterfront in Melbourne.

As I recall, the scoping study has been led by officers within Treasury, and I think the Treasurer can probably answer in terms of the involvement of other parties in all the matters that will be canvassed in the study.

HOUSING TRUST REFORMS

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I seek leave to table a ministerial statement made in another place today by the Minister for Human Resources on housing reforms.

Leave granted.

EXCISE DUTY

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister for Transport a question in relation to court actions on excise duty.

Leave granted.

The Hon. M.J. ELLIOTT: The *Advertiser* on 12 February this year details plans by Adelaide Brighton Cement to sue the State Government and its Ports Corporation for about $20 million over port charges and unspent moneys from Government-operated trust funds into which the company has paid since it began shipping limestone across Gulf St Vincent in 1965.

The report states that documents which have been filed in the Supreme Court this week claim that some charges which were described by the company as compulsory excises were unconstitutional under section 90 of the Constitution. The company claims that about $6 million was paid for the right to use the Government jetty at Klein Point on Yorke Peninsula and Birkenhead Wharf at Port Adelaide. It is also asking that about $12 million paid for maintenance of facilities should be returned plus interest if and when the agreement to use the facilities expires.

The court documents allege that a large part of the fees paid were essentially excises, and the company claims that the Government had the power to seize its vessel and sell it in order to recover unpaid money. We have had recent experience in the High Court ruling on the question of fuel and tobacco excise under section 90 of the Constitution.

An honourable member: Is this not *sub judice*?

The Hon. M.J. ELLIOTT: Well, let me keep going; I am going beyond the court case. This case highlights the Government's vulnerability in relation to the past enforcement of excise payments. I understand that should Adelaide Brighton Cement be successful with its court action the Government would be exposed to further action in relation to charges pre-dating 1994. I understand that at this stage the court action relates only to post 1994, when the Ports Corporation came into operation.

Further, I understand that other companies including Mobil, the Australian Phosphate Corporation, the Wheat and Barley Boards and the South Australian Shipping User Group could initiate action in relation to excises. I also understand that Santos could make a similar claim to that being made by Adelaide Brighton Cement in relation to trust funds, and that the amounts involved in relation to Santos could be anywhere from $48 million or, if interest is taken into account, up to $200 million.

The *Advertiser* article quoted a Ports Corporation spokesperson as saying that, 'The Ports Corporation had been taken by surprise by the action.' I have been told that in relation to a possible section 90 action under the Constitution the previous State Government was warned as long ago as 1988 of potential action. In relation to potential action on trust funds, the Department of Transport was aware as early as February 1996 of potential action in this area. My questions to the Minister are:

1. Is the Government assessing its risks following the High Court determination on excises in relation to these matters?

2. What is the total exposure of the Government in relation to past excises, in relation not just to Adelaide Brighton Cement but also to other companies?

3. What exposure does the Government also have in relation to trust funds of the type to which I referred?

4. What action is the Government taking on this issue?

The Hon. DIANA LAIDLAW: The Ports Corporation no longer reports to me but, rather, to the Minister for Government Enterprises, so I will refer the honourable member's question to the Minister. I suspect that the Treasurer may also wish to have an input to the reply.

LABOUR EXCHANGE PROGRAM

The Hon. CARMEL ZOLLO: I seek leave to make a brief explanation before asking the Treasurer, representing the Minister for Youth and Employment, a question about the regional labour exchange program on Yorke Peninsula.

Leave granted.

The Hon. CARMEL ZOLLO: I would like to remind members of the initiative that was launched in February 1997 by the then Minister for Employment, Training and Further Education. Exactly one year ago, the $300 000 regional labour exchange program at Kadina on Yorke Peninsula was established to provide job seekers registered with the exchange opportunities of work and training. Four hundred unemployed or casual workers were to be targeted over two years. The Minister hoped that some 30 full-time jobs would be established by the end of 1997 in the Copper Triangle region covering the Kadina, Yorketown, Ardrossan, Maitland and Wallaroo districts. Therefore, my questions are:

1. How many full-time jobs have been established through this program and are they long-term secure positions?

2. Will the Minister guarantee that these workers have not been disadvantaged with regard to WorkCover, pay conditions and working hours?

3. How much has the Yorke Peninsula program cost to date?

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

WEST TERRACE CEMETERY

The Hon. J.F. STEFANI: I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning a question about the West Terrace Cemetery.

Leave granted.

The Hon. J.F. STEFANI: Some time ago I attended the funeral of a family friend who was being buried in the Catholic section of the West Terrace Cemetery. The elderly lady's husband had previously been buried in this section of the cemetery in 1954. Two of the children travelled from overseas to be at the funeral of their mother. Members would be aware that West Terrace Cemetery is under the administration of the Enfield General Cemetery Trust. My questions to the Minister are:

1. What plans are being implemented for the general maintenance of the grave sites and cemetery grounds at the West Terrace Cemetery by the Enfield General Cemetery Trust?

2. What are the long-term objectives to deal with the restoration of historic grave sites at the West Terrace Cemetery?

3. Can the Minister advise whether the Enfield General Cemetery Trust has considered the employment of young unemployed people for the maintenance of the West Terrace Cemetery grounds?

The Hon. DIANA LAIDLAW: The last suggestion is certainly worthy of further exploration and I will make inquiries. Certainly, with respect to the first two questions, much work has been done through reports and considerations, with the matter even being debated in this Parliament. I do not have all those details with me at this time but I will bring them back.

GEPPS CROSS BOWLING CLUB

The Hon. R.R. ROBERTS: I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister for Primary Industries, Natural Resources and Regional Development, a question about the Gepps Cross Bowling Club situated on the old SAMCOR site.

Leave granted.

The Hon. R.R. ROBERTS: Last year the Asset Management Task Force negotiated the sale of SAMCOR, after numerous problems with the whole sale process, to Agpro Australia Pty Ltd for just under $5 million. This company is headed by Mr Roostam Sardi and is allegedly backed by the small Russian Republic of Tartastan. Prior to this, in fact over two years ago, the bowling club sought assurances from the relevant Ministers, including the Hon. Dale Baker and the Hon. Rob Kerin, that the club land would not be sold off. I had some involvement in that with the Hon. Dale Baker and I know that those people were assured that an accommodation would be made. An assurance was given by the Hon. Rob Kerin that land would not be sold off, and this was registered in the *Sunday Mail* of 27 April 1997. This bowling club has indeed proved to be a successful bowling club, winning two pennant flags in more recent years. As members are probably aware, there was a measure of bungling involved in the process of selling SAMCOR and this story appears to be no exception. Instead of the Asset Management Task Force organising for the land not to be included in the sale, it was and I believe that the bowling club is now owned by Agpro Australia Pty Ltd. Therefore, my questions to the Minister are:

1. Can the Minister confirm whether Agpro Australia does in fact own the land upon which the bowling club is situated?

2. If it is the case that Agpro Australia Pty Ltd owns the land, what has the Government done to rectify the assurances that were made to the bowling club?

3. Is it the case that the Government is paying rent to Agpro Australia Pty Ltd? If it is, how much is the Government paying for the use of the bowling club and for how long?

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

MOTOR VEHICLE INSURANCE

The Hon. T. CROTHERS: I seek leave to make a precied statement prior to directing questions to the Minister for Justice on the subject of car insurance.

Leave granted.

The Hon. T. CROTHERS: In a recent decision handed down by the New South Wales appeals court it was held by the three judges presiding that people who were injured as a consequence of a car accident could not make the vehicle insurer pay their medical costs for injuries arising as a consequence of the accident they were involved in. The particular person involved in this vehicular accident was a three month old boy who survived the accident as a quadriplegic (he is now four years old). Unfortunately, his young

parents were killed whilst his two younger brothers survived intact.

As a consequence of these events his two older brothers are being raised by the paternal grandparents, whilst he is under the guardianship of his maternal grandmother. The results of his injuries were so severe that he required constant care and attention. As previously stated, the child is now four years old and recently whilst lifting him his grandmother injured her back. She then applied to the car insurer for additional assistance in respect to the child's care. The upshot of that was that the insurer took her to court, which resulted in the decision being given to which I have previously referred. Some members of the legal profession opine that caught up in this New South Wales decision is the State of South Australia. My questions are:

1. Are the Minister and his department monitoring the consequences of this decision as it could apply to South Australia?

2. As the decision is most likely to go to the Australian High Court by way of appeal, what consideration is the Minister giving to implementing any necessary changes to State law in order to remove any uncertainty in respect of car insurance which could, I am told, flow on to South Australia as a consequence of the decision of the appellate court of New South Wales?

The Hon. K.T. GRIFFIN: Obviously this is not a case with which I am intimately familiar. If the honourable member can give me the names of the parties involved, that might help (not necessarily on the public record). When I have those details I will see whether I can obtain some information and bring back a reply.

GAMBLING REVENUE

The Hon. CAROLINE SCHAEFER: I wish to ask the Treasurer the following question. Can the Treasurer provide me with details of: the percentage of revenue to this State which is derived from gambling; a comparison between this and other States; and the proportion of that revenue which comes from gaming machines as opposed to racing and other forms of legal gambling?

The Hon. R.I. LUCAS: I am happy to take that question on notice. The honourable member did indicate that she would be asking a question of this nature and I indicated that, whilst I have some broad figures to hand, in terms of the detail she is seeking I will need to take advice. I will bring back a reply as soon as I can.

MOTOR ACCIDENT COMMISSION

The Hon. P. HOLLOWAY: I seek leave to make a brief explanation before asking the Treasurer questions about the Motor Accident Commission.

Leave granted.

The Hon. P. HOLLOWAY: The most recent annual report from the directors of the Motor Accident Commission notes that during the year the MCA found it necessary to seek approval for a premium increase of 8.2 per cent from the Third Party Premiums Committee. Approval was given. However, the Government determined that legislation should be drafted to enable implementation of various claims cost control measures and that the benefit of these measures should be applied to reduce the necessary premium increase to 5 per cent. It is also reported in the annual report that, pursuant to section 5(3) of the Motor Accident Commission Act, a direction dated 11 June 1997 (I point out that that was just before the election was called) was given to the board by its Minister, the Treasurer, in respect of the setting of premiums for policies of insurance under the Motor Vehicles Act.

In light of that, I ask the Treasurer: why has the Government not yet introduced legislation to implement claims cost control measures? Also, given that the Government vetoed increases in third party premiums recommended by the Motor Accident Commission on the basis that legislation would be introduced to reduce the necessary premium, does this mean that larger increases in third party insurance will be necessary this year?

The Hon. R.I. LUCAS: The responsibility will rest largely with the Hon. Mr Holloway and his colleagues. Unlike other issues such as West Beach and the sale of ETSA and Optima, are they prepared to act responsibly with respect to any proposed legislation that the Government might bring to the Parliament's consideration?

An honourable member interjecting:

The Hon. R.I. LUCAS: No; he had no idea.

The Hon. P. Holloway: Answer the question for a change.

The Hon. R.I. LUCAS: Well, I intend to. The Government will be bringing in legislation, but the precise nature and form of that is subject to further consideration by the Government. A group of Ministers is actively looking at the various proposals to try to reduce the costs of the scheme. Given the nature of the question the honourable member has just asked, we look forward to his and his Party's support for any measures that the Government might introduce by way of legislative amendment to seek to reduce the costs of the scheme and therefore the cost of premiums to South Australians. I am surprised that the Hon. Mr Holloway should be critical of a decision by the Government to try to reduce the level of cost imposts on South Australians, whether it happens to be in July or at any stage. In one of his set piece speeches to the Supply Bill or the Appropriation Bill, the Hon. Mr Holloway criticised increases in taxation revenue, yet now on the other hand he criticises the Government for seeking to reduce the level of increases and imposts on taxpayers in South Australia.

Governments must respond to requests from the Third Party Premiums Committee and the Motor Accident Commission, and the Government did so. It is fair to say that in the intervening period attention was diverted toward both fighting an election and then commencing a new Government. That is a natural by-product of any election process where major decisions such as that are not taken as a matter of convention and no work was proceeded with during the lead-up period to that election. In recent weeks a number of Ministers have met to discuss the various options which might be considered and (we hope) agreed by the Government and which would then be considered by the Parliament.

The Hon. P. HOLLOWAY: As a supplementary question: has the Motor Accident Commission subsequently recommended further increases in insurance premiums?

The Hon. R.I. LUCAS: I would need to check the precise advancement of this process. The commission goes through a process where it holds discussions; it then goes to the Third Party Premiums Committee and it then comes to the Government. I would need to check how far down the process they are this year, and I am happy to reply to the honourable member in due course.

BEVERLEY URANIUM MINE

The Hon. SANDRA KANCK: I seek leave to make a brief explanation before asking the Minister representing the Minister for Aboriginal Affairs a question about the Beverley uranium mine.

Leave granted.

The Hon. SANDRA KANCK: My office has received disturbing reports regarding the conduct of a meeting organised by Heathgate Resources for the Aboriginal people of the Flinders Ranges on Saturday 21 February 1998. The meeting was called to discuss the proposed Beverley uranium mine and took place at the Hawker racecourse. The reports my office has received indicate that the meeting was conducted in a high-handed manner that was designed to intimidate members of the Aboriginal community opposed to the uranium mine. I am informed that the member for Stuart, Graham Gunn, was installed as Chair of the meeting, despite the concerns of some Aboriginal people that Mr Gunn would not be impartial. They felt that a member of the Aboriginal community would have been much better suited as a Chair for this meeting. People objecting to Mr Gunn's being installed as Chairman were apparently threatened with eviction from the meeting.

I am also told that much of the information about the proposed mine was presented in technical speak that was largely incomprehensible to many of those attending the meeting. In addition, three police officers were present at the meeting. The feeling amongst many attending the meeting was that the police were present to do Heathgate's bidding and that the police presence was part of a general air of intimidation deliberately cultivated to silence dissenting voices. Will the Minister conduct an investigation into this meeting to ascertain whether Heathgate is approaching consultation with the Aboriginal community in a fair and honest manner?

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

The PRESIDENT: Order! It was very hard to hear how the Minister answered that question.

ENTERPRISE BARGAINING

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning a question about enterprise bargaining.

Leave granted.

The Hon. T.G. ROBERTS: Earlier I asked a question in relation to the timing of the scoping of the Ports Corporation sale. I received an answer for which I respect the Minister. I am not sure whether she has been reported to fully in relation to all the details of the sale, but it appears from the answer that Treasury is in the box seat in relation to the responsibility for the scoping of the sale and that the Ports Corporation may or may not have been contacted in the early stage of those negotiations. The implication of the question was that there was a change in industrial relations, given that Treasury had the front seat in devising the scoping requirements for that sale and that perhaps the Ports Corporation board may not have been involved in those negotiations in the early stages. Industrial relations rely on mutual respect between all parties. Nationally and in this State we had been moving towards a base where both capital and labour representatives were encouraged to sit around and discuss important matters such as the sale of an operation or any major changes within such operations.

My questions to the Minister are: does the Government believe that enterprise bargaining does rely on mutual respect for both parties in equal balance in negotiations and that a knowledge of industry sale or pending sale would be one of those pieces of contemporary knowledge that both parties should have; and does the Government believe that unions have a right to participate at that level and hold confidential information such as that?

The Hon. DIANA LAIDLAW: I am surprised that the honourable member has not referred this question to the Treasurer. I have already indicated the Treasury's lead role in these scoping studies and their conduct. I would still love to have the Ports Corporation as one of the very few profitable parts of the old transport portfolio. That is not to be and I can understand why it is part of a Government enterprise portfolio led by the Hon. Michael Armitage. The overview of these matters on a daily basis is not my responsibility any longer. The conduct of industrial affairs and the transport portfolio generally, whether it be in ports or public transport, have always been conducted on the basis outlined by the honourable member. I will refer the question to my colleague.

TRAFFIC LIGHTS

The Hon. T. CROTHERS: I seek leave to make a precied statement prior to asking the Attorney-General a question on the law as it relates to speed cameras and traffic light breakdowns.

Leave granted.

The Hon. T. CROTHERS: The other day on my way into Parliament House I happened to pass a set of traffic lights where one of the lights was not functioning.

Members interjecting:

The Hon. T. CROTHERS: It is better than being on the road to Damascus again, my friend.

The Hon. A.J. Redford interjecting:

The Hon. T. CROTHERS: This might even be more a privatisation issue. They are not even servicing the traffic lights now.

The Hon. L.H. Davis: Was there a flashing light behind you?

The Hon. T. CROTHERS: I was in a taxi. One of the lights was not functioning, possibly due to the fact that the light bulb within the structure of the lights had blown. I then commenced to ponder the question of what would be the case if such an event were to occur at a set of lights where speed cameras also were operating. It further occurred to me as to what would be the case should the whole set of lights malfunction, thus making them all inoperable. I wondered whether both the lights and speed cameras were connected electrically in such a way that if the lights failed the cameras also might become inoperative. With the foregoing in mind, I pose the following questions to the Attorney:

1. Is it a defence, when photographed apparently running the lights, for a defendant to justly claim that some portion, or indeed in totality, the lights were not operating?

2. If the answer to question 1. is positive, is this particular defence explicitly in the law which applies or contained in the statute itself or is it a defence because of case precedents previously established?

3. If in fact these matters do not constitute a defence, particularly when going through lights where the light on the side of the driver in question has failed, will the Attorney in

conjunction with the Minister for Transport look at the matter and will the Attorney or the Minister for Transport bring back a reply?

The Hon. K.T. GRIFFIN: It is not often that the honourable member seeks free legal advice—

The Hon. T. Crothers: I always do.

The Hon. K.T. GRIFFIN: It is only worth what you pay for it. He may cast his mind back to the time of my predecessor who always declined to give legal advice in the Chamber and for the quite obvious reason that, if you give legal advice not knowing all the facts, something may well come back to haunt you. It is a hypothetical case. I could easily say that because it is hypothetical, even though the honourable member was reflecting as he rode in a taxi past the traffic lights, and therefore was not a person liable to be prosecuted if he was a passenger—

The Hon. T. Crothers: I might be if I had said to the driver, 'Ignore that, keep going.'

The Hon. K.T. GRIFFIN: The passenger in those circumstances would not be a foil for the driver. The driver could not blame the passenger. Some people do like to blame back seat drivers, but in this instance I do not think the honourable member can gain much comfort from that. Nevertheless I will have a good look at the question raised. If there is a way of providing information without giving advice—

The Hon. T. Crothers: The cameras can be wired in with the lights so that if they malfunction—

The Hon. K.T. GRIFFIN: I am not the Minister responsible for red light cameras, but I will refer the question to the appropriate authorities. If it is possible to bring back a reply, I will do so.

EMPLOYEE OMBUDSMAN

The Hon. R.R. ROBERTS: I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister for Administrative Services and Minister for Information Services, a question on the Employee Ombudsman's Annual Report 1996-97.

Leave granted.

The Hon. R.R. ROBERTS: In his annual report the Employee Ombudsman, Mr Gary Collis, highlights some of the problems associated with the public sector. In particular Mr Collis highlights certain developments he views as not being encouraging for the position of industrial relations in this State. For example, he highlights the number of telephone calls and the content of calls made to his office last year. These numbers have tended to increase with 3 156 contacts being made in 1996-97 compared with 2 164 in 1995-96 and 1 222 in 1994-95. He goes on to say:

> Part of this increase is probably due to this office becoming better known, which is good, and part may also be due to the increasing numbers of enterprise agreements being negotiated, which is also encouraging.

However, of concern to Mr Collis is the number of contacts concerning various forms of unfair or inappropriate management practices, which continue to increase, particularly such practices as underpayment of wages. Complaints on this issue have nearly doubled since 1996-97 compared with the previous year; discrimination has increased by 75 per cent; harassment and victimisation has increased by more than 40 per cent; and redundancy related issues have increased by 45 per cent.

As is correctly pointed out in the annual report, this picture is only part of the problem. It does not take into account those employees who have not contacted the Employee Ombudsman but instead have complained formally and informally to their unions. It would appear that the number of complaints received from State Government employees has also increased. At page 7 he states:

> In last year's annual report I discussed at length the implications for the Public Service efficiency and effectiveness of poor management practices. It is suggested that the poor morale arising out of such practices could do much to cancel any benefits to be obtained through enterprise bargaining.

I note that Mr Collis suggested one solution to deal with the obvious problems of the public sector, that is, the formation of a committee. That committee could comprise union representation, representation from the Employee Ombudsman and perhaps representation from various departmental heads. My questions to the Minister are:

1. In light of the most recent annual report by the Employee Ombudsman is the Minister prepared to form such a committee to oversight public sector enterprise bargaining and industrial relations?

2. I note that after the recent election the Premier proposed a number of changes to the public sector, including the amalgamation of certain departments. Will the Minister detail how these changes will cure the current problems within the public sector or are further changes planned for public sector employees in this State?

The Hon. K.T. GRIFFIN: Everybody would like more resources when the number of contacts goes up. It happens right across the public sector and one has to try to set some priorities and put them into perspective. In relation to the Employee Ombudsman, whilst I am not familiar with the content of his report, if issues need to be addressed and they involve resources, their priority has to be assessed by the relevant department or Minister and ultimately by the whole of Government in respect of the claims on the budget. If the number of contacts is increasing, a number of questions are raised: for example, how many of the contacts are established to be of substance?

The Hon. R.R. Roberts interjecting:

The Hon. K.T. GRIFFIN: Well, we have a number of agencies of Government—the Equal Opportunity Commissioner, the Ombudsman, and the courts themselves—where contacts are frequently made, sometimes through inquiries, sometimes by way of a complaint, but ultimately they crystallise into matters which can be substantiated. The number which can be substantiated frequently is a very small proportion of the contacts which are originally made. I am not suggesting that that is the case with contacts made with the Employee Ombudsman. Those issues need to be addressed by the appropriate Minister who, I am sure, would not be particularly persuaded to form yet another committee. However, without pre-empting his response, I will ensure that those issues are referred to the Minister and that a reply is provided.

INFORMATION TECHNOLOGY

The Hon. T.G. CAMERON: I seek leave to make a brief explanation before asking the Treasurer, representing the Premier, a question about the results of a recent survey of South Australian information technology leaders with regard to the Government's IT vision.

Leave granted.

The Hon. T.G. CAMERON: In a recent survey, 15 of South Australia's information technology leaders branded the Government's IT vision for South Australia an abject failure. The survey is part of a report by the South Australian Centre for Economic Studies commissioned by three Government agencies. It details industry anger at secrecy surrounding the nine year EDS deal to manage Government computer needs. The computer chiefs condemn the excessive secrecy surrounding the $565 million EDS contract with the State Government, complaining that it has set back many local companies. They say that the secrecy prevents accurate study of the impact on jobs and local industry.

One business chief said that Government related business had dried up completely since the deal was signed in 1995. The report dismisses as fanciful claims that South Australia is the nation's IT capital, and it says that the industry has not undergone a massive job spurt. Furthermore, Government plans for a world class industry in some sectors are labelled 'organisationally absurd', export assistance is deemed non-existent, and handling of a scheme for bills to be paid from home computers is called 'a total farce'. My questions are:

1. Will the Treasurer respond to the information technology leaders' criticisms that the Government favours overseas firms when buying products, that there is no evidence of local investment by EDS, and their rejection of Government claims that multinational companies such as EDS are transferring skills to South Australia? They argue, in fact, that the reverse is true.

2. Considering the importance that the Olsen Government has placed on the development of IT industries in the State's economy, will the Treasurer please explain what steps are being taken to address the criticisms raised in this damning survey?

The Hon. R.I. LUCAS: I am happy to take advice on the honourable member's questions and bring back a reply.

PASSENGER TRANSPORT BOARD

The Hon. CAROLYN PICKLES: I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning a question about the Passenger Transport Board.

Members interjecting:

The PRESIDENT: Order! It is hard to hear.

Leave granted.

The Hon. CAROLYN PICKLES: I note that late last year there was an advertisement calling for applications for the position of Executive Director of the Passenger Transport Board. The closing date for applications was 19 December 1997. My questions are:

1. What progress has been made to date regarding the filling of the position?

2. Will the Minister outline the process for the interview, selection and appointment?

The Hon. DIANA LAIDLAW: The General Manager is appointed by and to the Passenger Transport Board. That is specifically provided for under the Act. Therefore, the five member Passenger Transport Board has been in charge of that process. I understand that three members of the board were part of the six member interviewing panel. I will have to seek further information on the progress that has been made to date.

GOVERNMENT CHARGES

The Hon. T. CROTHERS: I seek leave to make a precied statement before asking the Treasurer, representing the Minister for Local Government, a question about garbage collection and other related Government charges.

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order!

Leave granted.

The Hon. T. CROTHERS: The subject of a user pays garbage collection has recently attracted much general interest in the community. By and large this has been brought about by a floated proposal that has apparently emanated from Recycle 2000. A representative of the LGA, when approached, said that if the proposal is taken up it would, first, cut local government rates by up to $130 per annum.

The timing of the release of this proposal has been received by the wider South Australian community with, it would appear, considerable anger. Many letters have appeared in newspapers condemning the very thought of such a proposal. People have indicated to me that their belief is that it is a John the Baptist proposal. Indeed, they have further indicated that it seems to be the current norm for governments at all levels (local, State or Federal) to proceed ever further up the track of collecting tax by stealth.

First, they say that the Brown Government instigated the clean-up of the Torrens Valley catchment area by imposing a levy on all households located in that area. They then point out that the Howard Federal Liberal Government introduced a weapons buy-back scheme which was also funded by a so-called levy imposed on the State's taxpayers. Now people say that the proposed $2.40 rubbish collection charge is just the latest in the tax by stealth for Government revenue scheme. They ask why we cannot adopt the German system of rubbish collection: that is, to make the people who by and large are responsible for the production of the bulk of rubbish responsible for the collection of same.

In Germany, by law, large supermarkets are forced to provide different and varying receptacles for rubbish deposit. The German Government's rationale for this, as stated in the Parliament, is said to be that it is food and beverage producers who produce the bulk of the nation's hard to dispose of rubbish. Can you imagine that position occurring here? Fancy what might happen if the proprietors of our print media were made responsible for the collection and reprocessing of all the printed material they produce: newspapers, magazines, journals, periodicals, etc. My questions to the Minister are:

1. Given that South Australia is rapidly running out of waste disposal dumps, what progress is the Government making on the rectification of this large and looming problem?

2. What is the Government's view on the German method of waste collection and disposal? Does it support this system or oppose it? If it does not support it, why not?

3. Does the Government support tax by stealth policies?

4. Does the Government support the Recycle 2000 proposal of a $2.40 charge for the collection of household rubbish?

5. With the reduction in the delivery of health, education and other Government services to the people of this State, will the Government consider dropping to a lower level the current taxes and levies that it imposes on the State's taxpayers?

The Hon. R.I. LUCAS: I will refer the honourable

member's questions to the Minister and bring back a reply.

MATTERS OF INTEREST

GAMBLING

The Hon. NICK XENOPHON: I am sure members would be most disappointed if, on the first occasion I have to speak on a matter of interest, I did not speak on the issue of gambling.

Members interjecting:

The Hon. NICK XENOPHON: I hope you won!

The PRESIDENT: Order! A comment like that is guaranteed to take 30 seconds off the honourable member's speaking time!

The Hon. NICK XENOPHON: Thank you, Sir. In particular, I would like to inform members of studies both in Australia and the United States which clearly link compulsive gambling and crime with a consequent cost, both economic and social, to the community as a whole. The overwhelming expert evidence indicates that where there is an increase in gambling losses, particularly with electronic gaming machines, there is a corresponding increase in levels of problem gambling and, with it, increased levels of crime.

Professor Robert Goodman of the University of Massachusetts, in his book *The Luck Business*, an indictment of the US gambling industry (and I have provided a copy to the Treasurer to read and, hopefully, he is not using it as a coffee coaster), had this to say about the link between gambling and crime:

> Problem gamblers often declare bankruptcy. Those who do pay what they owe may get their money through criminal activities such as writing bad cheques, engaging in fraud, embezzling money from their employers. . .

He goes on to say:

> Criminal activities translate into economic losses to those victimised and into increased costs to the taxpayers who process the people who commit the crimes through the courts and gaols. The public also bears a cost of increased insurance premiums as insurance companies pay claims resulting from fraud or theft by gamblers and then pass those costs on to their policy holders.

Professor Goodman quotes Professor Henry Lesieur, of the University of Nevada, who reported in 1987 that pathological gamblers in the US were responsible for $US1.3 billion of insurance-related fraud each year. Professor Goodman goes on to say:

> Examining the combined costs which are produced by the behaviour of problem gamblers, including bankruptcies, fraud, embezzlement, unpaid debts and increased criminal justice expenses, researchers have arrived at yearly estimates of how much these people cost the rest of society.

Estimates of the yearly average combined private and public costs range from $20 000 to $30 000, with some studies talking about $52 000 per problem gambler. Professor Goodman in his studies arrived at a much more conservative estimate of $US13 200 per problem gambler per year.

If members accept conservative statistics that there are some 7 000 problem gamblers in this State, that could potentially add up to an enormous cost to our community. I do not know whether the figures cited by Professor Goodman are applicable to Australia—whether they too low or too high—but I do know that there is a distinct lack of information in this State as to the costs of problem gambling, particularly since the introduction of gaming machines, and it is those negative social and economic costs which are very much the flipside of the Government revenue that gambling brings in.

Closer to home, studies in New South Wales bear out the link between crime and compulsive gambling, and it is referred to in research carried out by Professor Blacyzcinski and others, and referred to in a research paper 'Who's Holding the Aces' published late last year. Professor Blacyzcinski examined a control group of 115 problem gamblers in New South Wales and found that 58.3 per cent of the group admitted to a gambling-related offence and that 22.6 per cent had been convicted of or charged with such an offence directly related to their gambling problem.

I refer members to similar United States studies which indicate that individuals charged with gambling-related offences by and large have not been in the courts previously. Generally, they are people with exemplary records who have turned to criminal behaviour as a result of problem gambling—a problem that these individuals did not have before the aggressive expansion of gambling opportunities in their local community.

The authors also point out statistics that bear out hidden costs in terms of damage to families and children. The authors report that in Central City, Colorado, there was a six-fold increase in child protection cases notified in the year after casinos arrived. The State Attorney for Deadwood, South Dakota, cited a similar increase in the year after casinos were introduced in his jurisdiction.

The researchers also complain that there is a lack of research on the issue of gambling and crime in Australia, and they point out that it may be because Governments are reluctant to investigate a politically problematic area of concern where they have a dependence on revenues from gambling.

The consensus amongst State Governments may be that it will cost too much to engage in such comprehensive research, but to that I say that this Government cannot afford not to engage in such research so that the people of this State can engage in a spirited debate as to the true cost of gambling in our community.

PLAYFORD PROMS CONCERT

The Hon. J.S.L. DAWKINS: I wish to speak briefly about the inaugural Playford Proms concert which was conducted by the Elizabeth-Munno Para Uniting Church parish in the Great Hall of the Elizabeth City Centre on Saturday 14 February, Valentines Day.

The Hon. T.G. Cameron: I missed it.

The Hon. J.S.L. DAWKINS: It was a good show, Terry. This successful event was based on the famous Proms concerts held in London. It also served as a means of celebrating the recent amalgamation of the cities of Elizabeth and Munno Para to form the City of Playford. I was pleased to represent the Premier at this function, which attracted more than 600 patrons, including his Excellency the Governor and Lady Neal, and the members for Elizabeth and Napier in another place.

A welcome was extended by the Mayor of Playford, Mrs Marilyn Baker, and the wide-ranging program was in the hands of Dr Gordon Greig as master of ceremonies. The program initially featured the South Australian Police Choir (conducted by Ray Kidney) and soloists Norma Knight and

Robert Angove. The respective accompanists were Jennifer Chapman and Malcolm Day.

Other individual performers included harmonicist Kim Van Dokkum, who was accompanied by his wife, Brenda, and young pianist Edward Ananian-Cooper. The Proms also featured performances by the Norwood Symphony Orchestra conducted by David Reid and led by Erica Lewis, and the Adelaide Plains Male Voice Choir—and I was pleased to hear them because I live on the Adelaide Plains—under the baton of Don Bubner, accompanied by Marjorie Lush and complemented by the voice of soprano Patricia Herbert.

The evening came to a close with a memorable combined performance by the orchestra, choirs and soloists. This concluded with spirited community singing of Elgar's 'Land of Hope and Glory' and W. Dudley Messenger's 'Australand'. At this point, Mayor Baker's prediction that the roof would be lifted by the assembled voices seemed close to fruition.

The significant proceeds of the evening were divided between two worthy organisations: the Playford Inter-church Council Secondary Schools Ministry and, secondly, the Northern Regional Hospice Support Group which includes representatives of the Modbury and Lyell McEwin Hospitals, the Gawler Health Service and the Barossa Hospice Group. Cheques were presented to both organisations by his Excellency.

I congratulate Mr Barrie Frick, who proposed the concept of the Playford Proms and then persuaded his fellow members of the Elizabeth-Munno Para Uniting Church to support this worthy initiative. The Proms could not have eventuated and become such a success without many months of preparation by Mr Frick and his team of helpers, including Dr Greig, Helen Baker and Val Driver. The support of Peter Lee of the Elizabeth City Centre management was crucial in making best use of the unique venue only a few hours after closing time on a busy Saturday.

The success of the evening was also assisted by the efforts of the Elizabeth Park scouts and guides as well as local members of St John. This function was a great example of what can be achieved when community groups, local government and businesses work together.

JET SKIS

The Hon. T.G. CAMERON: Before I begin my speech, I would like to place on the record my appreciation to the Transport Minister for following up my questions on blood tests regarding my son. In all my discussions with the Minister, the issues were never health or cost. The fact that the Opposition can raise a matter with a Minister in this place which is followed up with draft legislation has restored my faith in democracy.

Mr President, over the summer months my office has been inundated with telephone calls and letters from constituents complaining of the anti-social behaviour of some jet ski riders on our suburban beaches. The complaints received include: underage people using jet skis; jet skiers speeding within metres of children swimming; jet skiers acting in a dangerous and reckless manner; jet skiers failing to wear life jackets, as required by law; jet skis being unregistered; and the excessive noise of jet skis disturbing other beach users and nearby residents.

Only this morning I received a complaint about jet skis being used until 9 p.m. last night, I think at Henley Beach, despite the beach's being full of families trying to escape the heat. One Henley Beach resident told my office that the noise from jet skis is so loud that it even penetrates the brick walls of her home. It is unacceptable that the safety and enjoyment of the majority of beach users is being destroyed by a few selfish and reckless hoons.

The operation of jet skis is currently covered by the Harbour and Navigation Act 1993 which sets a speed limit of four knots for boats and jet skis within 30 metres of a person in the water. Riders of jet skis must be over the age of 16 years, hold a boat licence and wear a life jacket, and the craft must be registered.

Jet skis are not toys: they are powerful machines which range in size from 60 horsepower to 130 horsepower, weigh up to 200 kilograms and reach speeds of 120 km/h. Currently, there 850 licensed jet skis in South Australia—150 more than last year. This summer, water police have already cautioned more than 40 jet skiers, with fines ranging from $27 to $57. Early last year, in a Question on Notice, I asked the Minister for Transport and Urban Planning if the Government would be prepared to consider introducing legislation to ensure jet ski by-laws were made consistent for all seaside councils. In her reply the Minister stated:

The Hon. Diana Laidlaw interjecting:

The Hon. T.G. CAMERON: I am looking forward to legislation coming forward on jet skis, Minister. You did such a good job on the last one for me. In her reply the Minister stated:

> The issue of uniform legislation will be canvassed by the Department of Transport's Marine Safety Section and seaside and river councils through the Local Government Association, together with the Jet Boat Sporting Association, and other interested parties as part of ongoing consultation over the use of jet skis, restricted areas and the like.

As far as I can determine, the issue of uniform legislation is still being canvassed. The *Advertiser* recently carried a story which quoted Mr John Mathwin, Chairman, Metropolitan Seaside Councils Committee, as stating:

> . . . new legislation limiting jet skis is needed in time for next summer. We want speeds reduced, a review of their use in the shallows and have designated areas where they are banned and where they can be used. We have to get strong legislation with teeth in it so we can do something about this.

In the interest of public safety the Minister, after consultation with the Department of Transport, the Local Government Association and the Jet Boat Sporting Association should consider: the introduction of uniform legislation for all seaside councils on the use of jet skis; restricting the use of jet skis to designated zones at suburban beaches; introducing compulsory education programs for jet skis drivers; requiring jet ski owners to take out third party insurance; limits on jet ski noise emissions; a sunset curfew for jet skis; and a heavier policing of the sport by the Department of Transport's Marine Safety Section.

It is becoming more and more obvious that self regulation by jet ski riders is not working and it is now time that we had legislation on this matter. If legislation is not introduced, I fear that someone is going to be seriously injured or killed. I ask the Minister to bring to bear on this issue the same compassion she did on the last matter she sorted out for me and perhaps we will have some legislation covering this matter before next summer.

CYPRIOT COMMUNITY ASSOCIATION

The Hon. J.F. STEFANI: Today I wish to speak about the Greek Cypriot community of South Australia, which is celebrating the fiftieth anniversary of the foundation of the Cyprus Community Association. When we speak about Cyprus and its people we are speaking about a country which prides itself on being the living continuation of one of the world's most ancient civilisations. Like Australia, Cyprus was created many millions of years ago, in the depths of a great ocean, the remnants of which constitute the Mediterranean, Caspian Sea and the Black Sea. Cyprus is the third largest island in the Mediterranean, covering about 5 700 square kilometres, which is somewhat larger than Kangaroo Island.

The early Greek Cypriot migration to Australia, before the Second World War, was not particularly large. The censuses record fewer than 10 Cypriots in 1881, about 30 in 1911; 500 in 1933; and 700 in 1947. After this time Greek Cypriot immigration began to increase quite rapidly and 5 800 arrived in 1954; 10 700 in 1966; 22 000 in 1976; 24 000 in 1986; and about 26 000 in 1987.

The larger scale post-war Cypriot migration to Australia is closely linked to civil tension and disturbances in Cyprus itself. We are all aware of the immense sufferings endured by the Greek Cypriot people caused through the forced occupation of Cyprus by the Turkish forces. For more than 23 years now the Turkish troops have divided Cyprus and have occupied more than 37 per cent of the island. Many Greek Cypriots have been killed and thousands have been wounded; the fate of many of those taken prisoner is still unknown. Hundreds of thousands have been evicted from their homes, causing them to become refugees in their own country. During my visit to Cyprus in 1995 I became much more aware of the heartbreak and suffering of the Cypriot people who live in the hope of returning to their homes, their villages and their churches.

I was deeply moved when I visited the Green Line, which divides Cyprus; the Famagusta Gate and the Freedom Memorial monument dedicated to those who fought for freedom. I met with a group of refugees from Kyerinia, a city now occupied by the Turks. I shared their anguish and sufferings as they talked to me about their experiences as refugees. Therefore, I feel privileged that, during February this year, I was able to share with many of my friends within the South Australian Greek Cypriot community, the importance of the fiftieth anniversary celebrations of the foundation of the Cypriot Community Centre in Adelaide. I was especially honoured to be sharing the fiftieth anniversary celebrations because I have developed a very strong personal bond with many Cypriot people and because I share their deep feelings about the oppressive invasion of their beloved homeland, which I was privileged to visit.

Since the early arrival of the Cypriot people in South Australia, they have accepted the challenges of starting a new life in a new country and, at the same time, they have built a strong community spirit, enhancing the social, cultural and religious life of other fellow South Australians. In paying tribute to the contributions made by the Cypriot people to the development of our State, I would like to say that they have never forgotten their motherland—Cyprus—a beautiful country which will always remain in the hearts of the Cypriot community and which today is represented in our diverse multicultural society through the culture, language and history of its people.

Finally, in offering my warmest congratulations to the President of the Cypriot community in South Australia, Dr Paul Toumazos, and to all the Cypriot people on the fiftieth anniversary celebrations commemorating the foundation of their association, I take the opportunity to express my sincere hope that one day freedom, justice and peace will return to Cyprus and its people.

GREEK COMMUNITY TRIBUNE

The Hon. CARMEL ZOLLO: I rise to offer my congratulations to *Parikiako Vima*, on the occasion of its fourth anniversary. *Parikiako Vima*—the *Greek Community Tribune*—is the only Greek newspaper printed in South Australia. The paper is produced monthly in Renmark and circulated widely not only in the Riverland but through the whole of South Australia, and also in Victoria and New South Wales. Last Saturday evening I had the pleasure of representing the Hon. Mike Rann, the Leader of the Opposition, at the celebrations organised at the Renmark Hotel.

The evening was also designated to raise funds for the Renmark Paringa District Hospital Inc. hostel units and I am pleased to say that in the space of half an hour over $1 000 was raised in just the raffle alone. The event, attended by over 250 people, was so popular that ticket sales had to close several weeks in advance. The evening was a great success with support for the evening coming from as far afield as Victoria with a whole busload coming over to enjoy South Australia's Riverland, as well as a bus from Adelaide. The evening was so successful that locals are now considering making it an annual three-day festival, providing the opportunity for many people to enjoy the Riverland.

Evenings like Saturday night are important community events which recognise the significant role that the media plays in our lives. As the only Greek language newspaper printed in South Australia—and now a colour newspaper at that—the paper is a very influential one and plays an important role in the dissemination of information to its many readers. However, the evening was also an important one because the opportunity was taken to support multiculturalism and denounce racism. This follows a recent visit to the Riverland by that Federal MP who is able singularly to divide people and raise passions by her one or two short sentences of inarticulate gasps of nonsense.

We all know from our history that democracy was started in Ancient Greece and I found on Saturday evening that Greek Australians are not shy about voicing their disgust at the racist utterances of certain individuals and groups of people. The people of Renmark articulated that they would have no such nonsense and were happy to reaffirm their commitment to multiculturalism and to celebrate our ethnic diversity. The *Greek Community Tribune* is an example of multiculturalism as a reality of Australian life. It is significant to note that the newspaper was established and is published in Renmark. Renmark is a microcosm of the diversity of our society. Many communities are represented in the Riverland, including Greek, Italian, Turkish, Sikh and more. They make important contributions to the economic well-being and social fabric of our society.

It was a very enjoyable and happy evening with local community organisations benefiting from the funds raised. I congratulate the Editor, Peter Ppiros, who is the driving force behind this community newspaper. I also commend his comments on the night. He stated the importance of the successful example of Australians, regardless of their

backgrounds, working side by side, harmoniously and productively. Once again, happy birthday, *Parikiako Vima*!

DRINK DRIVING

The Hon. CAROLINE SCHAEFER: As many of you would know, I have served for at least four years on the Policy Committee for Transport with the Minister from this place, Hon. Diana Laidlaw, and as such I have some interest in the drink driving report which was issued late last year by Transport South Australia's office. I thought some of the statistics that evolved from that report were worth discussing briefly today.

I note that most of the statistics report on the offences finalised in the Magistrates Court of South Australia to the end of 1995, even though the report was not issued until 1997, and in fact came across my desk on 22 December 1997. I am at a loss to know why the most recent statistics are two years old by the time we got them.

The Hon. Carolyn Pickles: They are from the Police Department?

The Hon. CAROLINE SCHAEFER: From the Adelaide Magistrates Court. Some 16.4 per cent of cases finalised in the Adelaide Magistrates Court for that year were drink driving offences. Men were involved in 85.5 per cent of those, and the majority were younger men—67.5 per cent were less than 35 years old and 86.4 per cent were less than 45 years old. Aborigines were over-represented as drink drivers compared to their incidence in the population. The majority of cases involved only one charge. However, again, male drink drivers were more likely than women to be facing more than one charge. Twenty per cent of those convicted had had a prior drink driving conviction within the past five years and recidivists were again more likely to be male and more likely to be aged between 25 and 34.

It became clear from the report that legislation and enforcement of drink driving counter-measures have been positive. Over the 10 years since 1987 the proportion of drivers with blood alcohol levels greater than .08 per cent fell by 72 per cent and the proportion of drivers who had been drinking fell by 54 per cent. So there is little argument that the measures that are being taken are successful. However, drink driving is still a problem. The problem that I saw particularly was with repeat offenders. Each year approximately 460 drivers are referred by the courts to the South Australian Driver Assessment Clinic because they have recorded two offences at least within three years. We do not have a clear understanding of the characteristics of repeat drink drivers, but according to the report a picture is beginning to emerge.

Approximately six in 10 cases involved defendants with a prior conviction for at least one offence of drink driving or a previous conviction of another type. Almost one in five defendants had been convicted of at least one drink driving charge within the past five years; 18.5 per cent had been convicted on one or more drug charges; over half had been convicted on one or more non-drink driving charges; and, significantly again, a higher percentage were male drivers who had a prior conviction of any type—64 per cent—and prior drink driving convictions—21 per cent. This compares with 11 per cent for females.

Defendants aged 25 to 34 years were more likely to have a prior conviction for drink driving. The percentage of defendants for a previous drink driving conviction in any other age group ranged from 9.3 per cent for drivers aged between 55 and 64 to nearly 20 per cent for 35 to 44-year-olds. Aboriginal defendants were more likely to have a prior conviction of any type—86 per cent compared with 60 per cent for non-Aboriginals—and prior convictions for drink driving 35 per cent compared with 19 per cent for non-Aboriginal defendants.

The PRESIDENT: Order! The honourable member's time has expired.

VEGETATION CLEARANCE

The Hon. R.R. ROBERTS: I rise to bring to the attention of the Council a problem that is occurring in the Nelshaby and Telowie area as an ongoing sequel to the set-up for privatisation of ETSA. There has always been a passionate debate about the clearance of vegetation under powerlines. Over a number of years I have been involved in discussions with constituents concerned about trees which they had lovingly planted and nurtured, which were getting to a certain height, but which were to be bollarded by ETSA.

Members would realise that the regulations have recently been changed with respect to vegetation clearance from, I believe, four metres from the powerlines to seven metres from the powerlines. I raised questions in this place some 12 to 18 months ago when it was revealed that ETSA was changing the legislation so that it could get rid of workers. These workers basically came from country areas and their full-time vegetation clearance jobs were to ensure that we did not have another Ash Wednesday.

Recently, residents in the Telowie and Nelshaby area awoke to the roaring sounds of a group called Hydro Axe, which was engaged in vegetation clearance. What we found was that native vegetation, including at least 50-year-old bullock bush and native pines, was being scrunched to the ground. I am advised that Hydro Axe is a Victorian company which did some work in the South-East, and I am informed that there were great outcries by the residents in the South-East about the operations of Hydro Axe.

Mr Davis, a well-respected resident of the area, has said that he observed very closely what was going on and said that in some areas only about a metre of the vegetation needed to be removed to maintain what he believed was the mandatory seven metre clearance. What is happening out there is that this Hydro Axe comes out, it hovers above the tree and is then lowered down like a mulcher and mulches it into the ground, throwing debris, stones and so on in all directions.

The residents have complained bitterly to their local member. They went to their local member, Rob Kerin, and complained about what was taking place. They pointed out to him that they had never had this problem in the past and that they had been told that he would have the matter stopped immediately and that no further work would be done there until such time as he and the residents had had a meeting. So the residents went back to their respective homes, sat down and had a cup of coffee and rang around and said, 'It's all been stopped. You can relax. It's going to be fixed. No work will be carried on.'

However, while they were supping their cups of tea they looked out and observed that the dust and stones were still flying. So a call was made to the local member's office again. They were assured not to worry because it was all in hand, that a meeting would fix it up, that no further work would take place. One constituent was not happy with that, contacted ETSA and complained bitterly, only to be told, 'I don't know what you are worrying about. This is being done with

the full compliance of the local member.' He named the member and said that it was Mr Rob Kerin, and in fact said, 'He is the person who signed the vegetation clearance.' Mr President, you can imagine that my constituents are most concerned.

I was also approached by another resident who, some three years ago, had a problem with vegetation clearance and I was able to assist and intervene on her behalf to get a sensible outcome with respect to some clearance of trees and the bollarding of her trees to ensure that they were saved. It has never been a problem. Under the new scheme she has been told that her trees will be bollarded to a metre above the ground. She complained again. She wrote to me and went to her local member (this is not a Party political thing) and was advised by the local member that she ought to be very careful about this, because what may well happen is that on a hot or windy day ETSA would probably switch off the power in her area and make it widely known that the reason the power was off in that area (and you can imagine what that would be like on a 41 degree day) was that this particular constituent would not allow them to come in and flatten their growth. This is another example of the suffering of people in country areas at the hands of this Government as it sets up ETSA for privatisation, as it has been doing for the past two or three years; and obviously the problems will only get worse.

AUDITOR-GENERAL'S REPORT

The Hon. R.I. LUCAS (Treasurer): I move:

That the report of the Auditor-General 1996-97 be noted.

In moving this motion I indicate that this has been the new practice that we have adopted in recent years as a result of the early delivery of the budget in May and therefore the discussions of the Estimates Committees in June or July, whenever that happens to be. The Auditor-General's Report is not available at that time, and this will be an opportunity, together with the extended Question Time we had last week, for any member on each of the remaining Wednesdays of this session—or indeed coming sessions if they wish—to speak at length and in detail on any aspect of the Auditor-General's Report.

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

MUTUAL RECOGNITION (SOUTH AUSTRALIA) (EXTENSION OF OPERATION) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 24 February. Page 384.)

The Hon. P. HOLLOWAY: The Opposition supports this Bill, which extends the sunset clause provision over the Mutual Recognition Act until 30 June 1999. I will make some comments in relation to this Bill. First, in relation to its background, the Mutual Recognition Bill was introduced in Parliament by the Arnold Government in March 1993, and I well remember speaking to that Bill. Indeed I think that I was the only member in the House of Assembly apart from the shadow Treasurer and the Premier who actually spoke on it, although I believe it was an important piece of legislation. In its original form the Bill was defeated in the Upper House and it lapsed following a conference which could not come to an agreement, and the Bill was laid aside in April 1993.

In September of that year the Bill was reintroduced and passed with amendment. The original Bill sought to enable South Australia to enter into a scheme for the mutual recognition of regulatory standards for goods and occupations within Australia. The original Bill's principal aim was to remove artificial interstate barriers to trade in goods and mobility of labour caused by regulatory differences across the Australian States and Territories. This Bill arose from an agreement at the Special Premiers' Conference in 1990, and an intergovernmental agreement on mutual recognition, which was signed in 1992. I guess one could say that in many respects this is a companion to national competition policy.

It is interesting that, when that Bill was debated in Parliament, in opposing the Bill in its original form the Hon. Trevor Griffin, who was then the shadow Attorney-General, stated:

> The benefits which are going to arise from this package have been substantially exaggerated. It seems to me that it is going to increase bureaucracy in many respects.

I refer there to *Hansard* of 21 April 1993 on page 1972. The original Bill was defeated because of the perception amongst the then members of the Opposition, now the Government, that it would lower standards across Australia. I well remember that, during the debate in the House of Assembly and the subsequent conference, one prominent member of the Opposition who is now no longer in the Parliament commented that South Australia should be different from the other States because we were not derived from convict stock, unlike people in New South Wales and presumably Tasmania. The Hon. Trevor Griffin said at that time (*Hansard*, 30 April 1993):

> The Liberal Party wants to put South Australians first: it does not want to become part of an amorphous mass of lowest common denominator standards across Australia. That is what this Bill will do.

An amended Bill was eventually passed in September 1993. The Bill that was then passed was similar to the original Bill, but with an amendment moved by the Hon. Trevor Griffin that imposed a sunset clause for the legislation to end on the fifth anniversary of the day fixed in the Commonwealth Act. So, the very reason that we are here today debating the removal of that clause was because of the amendment then moved by the Hon. Trevor Griffin in 1993. I do not think I could let the opportunity go; it is rather a pity that the Hon. Trevor Griffin is not here because, given those comments he made in the Bill that he had great concerns about this measure and that he thought the benefits would be overstated, perhaps he should now provide the Parliament with an account about whether the concerns he expressed back in 1993 were ever realised.

I doubt that they were, because the Office of Regulation Review, which undertook a preliminary assessment of mutual recognition in January 1997, found that the scheme appeared to be working reasonably well and had achieved its primary goal of removing regulatory barriers to the movement of people in registered occupations and the interstate trade in goods. The review also recognised that the scheme had brought about a significant increase in mobility. So, contrary to the negative expectations of the Liberal Party, the review found that the process had actually contributed to the development of national standards in a range of sectors. The

review also found that the scheme did not appear to have resulted in the sale of goods with an unacceptably low standards.

Even though we may not have been derived from convict stock like those in other States, it appears that we can work with people in other States to try to get one national economic market. The point I made when this Bill was being debated back in 1993 was that if the people from Europe, from a number of different countries, different languages and different social customs, with many having fought each other in wars down the years, could get together and agree on these sort of things, we should be able to do the same thing in Australia.

That is what has happened. The review appears to have found that the mutual recognition scheme has worked reasonably well. The Office of Regulation felt that by creating a national market, mutual recognition creates new opportunities for business by increasing competition and reducing business costs, which it believed would lead to a more dynamic and expansive economy and lift Australia's competitiveness. The experience is that mutual recognition is working well and has achieved its objectives despite the concerns the Hon. Trevor Griffin expressed back in 1993 when he added the sunset clause. The Opposition is quite happy to support the extension of the sunset clause so the processes of mutual recognition can continue to the economic benefit of this country.

The Hon. M.J. ELLIOTT: I support the second reading. It is at this stage simply an extension of the sunset clause of 15 months. I understand a report is being prepared and is only just getting under way at this stage. I have had no complaints brought to my attention about how things have worked over the past couple of years and therefore do not have any problems with the further extension of the sunset clause.

The Hon. R.I. LUCAS (Treasurer): I thank members for their indication of support for the second reading of the Bill. Members have indicated the essential purpose of the Bill, namely, to extend the sunset period. On behalf of my colleague the Attorney-General I wish to briefly respond to some comments made by the Hon. Mr Holloway. Government members think it is entirely appropriate that something as significant as this, when ultimately passed, is passed with an appropriate period for review. That was done under the guise of a sunset clause or amendment, which I can only presume was supported at the time by the Hons Ian Gilfillan and Michael Elliott as representatives of the Democrats to enable this provision to be included in the legislation.

We are advised that the review to have been concluded by the end of the five year period has not been concluded and, whilst initial assessments have indicated generally positive feedback, there has not been a wholesale review of the operation of the scheme and the jury is still out in relation to both the benefits and any potential costs there might have been as a result of the implementation of this scheme. I certainly reserve my position. I am not aware of any detailed analysis that has been done; it has not been provided to me to my recollection. The Government's position clearly, as indicated in the Bill, is that we would like to see the analysis in the review rather than relying on anecdotal information. We want to see something comprehensive to assess the advantages and disadvantages, if any, of the introduction of the scheme: indeed, what exemptions and exceptions have been allowed.

From some of my reading there have been some interesting attempts at exemptions. I am told the ACT is looking to request an exemption to a battery caged hen legislation proposal they have where they want to ban the sale of eggs produced from hens kept in battery cages. Clearly some members in the ACT want to support it. There may be some members in the Labor Party or the Democrats in South Australia who want to support legislation like that.

One of the issues is that under mutual recognition one needs to seek exemptions to move such pieces of legislation in the States or Territories. I would be interested in the Attorney's view on the legal status of what options remain for sovereign States and Territories to make decisions in relation to what they want to do. If they want to ban eggs produced in a certain way or whatever, is it the role and responsibility of the mutual recognition legislation and those who support it, like the Hon. Mr Holloway, to indicate that they should not? Maybe it is sensible. I do not proffer a view. The Hon. Mr Holloway clearly has a view that, if the mutual recognition legislation holds sway, as he supports, if somebody in a State or Territory would like to ban eggs produced in a certain way—

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: His view would be that if the majority view is that they should not, the individual State or Territory should not be able to make that sort of decision. It raises the issue raised by the Premier and the Hon. Mr Elliott of State sovereignty. It raises the issue of the NCC (National Competition Council) and the ACCC and their roles and the issue of whether or not we should be allowed to make a decision to have one casino. The Hon. Mr Holloway has to—

The Hon. P. Holloway: That is not mutual recognition.

The Hon. R.I. LUCAS: I know that it is not, but it raises the same issue of State sovereignty. The Hon. Mr Holloway needs to think through the streams of thought he has—

The Hon. M.J. Elliott: He is a centralist.

The Hon. R.I. LUCAS: The Hon. Mr Elliott suggests he is a centralist. He did work for Ralph Jacobi for some time and still has a touch of the old Canberra in him. They rise to the top on occasions. On another issue he said that this is how Canberra resolved a particular issue—they drafted legislation in this area. On occasions the old Canberra centralist model arises in the operations and thinking processes of the Hon. Mr Holloway. He is now a representative, we hope, of the State of South Australia, admittedly working within one country. We want to work cooperatively to the greatest extent possible, but the issue the Hon. Mr Holloway, being such a wholehearted advocate and supporter, unabashed and critical of the Hon. Mr Griffin for even putting in a review period or sunset clause—

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: I think there was a touch of criticism evident in the contribution of the Hon. Mr Holloway. If he is such an unabashed supporter of mutual recognition policy, he needs to think through the issues of State sovereignty and in the end we may all come to the same conclusion. I do not indicate on behalf of the Government or personally what the end result of this review may be. Maybe it is inevitable that many of these nationally cooperative schemes will remove some of the powers that States have had previously. This is an issue of great concern to you personally, Mr President, not that you have the opportunity these days to exercise your opinion in this Chamber on some of these issues.

They are important issues and in the review I hope Governments, leaders of Governments and Parliaments will get enough information to look at how the scheme has gone but also to broach this vexed question of State sovereignty and how we might be able to have a sensible mutual recognition scheme which operates sensibly but nevertheless does not operate to such a degree where every little thing that a State or Territory wants to do is stopped because of a mutual recognition principle in this case, a competition competitive neutrality principle in another case, a competition policy principle in yet another case or competition payment in another case operating to force the State or Territory to do something against the majority wishes of the Parliament.

I thank members for their indication of support and look forward to the results of the review and to what will be an informative and well-informed debate about whether or not these sorts of schemes have been of benefit to South Australians as well as to all Australians.

Bill read a second time and taken through its remaining stages.

SELECT COMMITTEE ON THE VOLUNTARY EUTHANASIA BILL

The Hon. CAROLYN PICKLES (Leader of the Opposition): I move:

1. That a select committee of the Legislative Council be established on the Voluntary Euthanasia Bill 1997;

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

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

4. That Standing Order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating; and

5. That the minutes of proceedings and evidence to the Legislative Council Select Committee on the Voluntary Euthanasia Bill 1997 be referred to the select committee.

I thank members for agreeing to bring this matter on early. As I have indicated I am here this evening, and I appreciate the opportunity to speak in this debate today. For that I thank the Government and my Labor colleagues, the Democrats and the Independents. I would like briefly to speak on this motion because the views on this matter were canvassed extensively in 1996-97 during the debate in this place. I recognise, of course, that we now have new members and that they also must wish to express their views on this issue.

The Hon. Anne Levy introduced a Bill on voluntary euthanasia in November 1996. In July 1997 that Bill was sent to a select committee with the concurrence of this Chamber. I understand that there were only two meetings of that select committee before the Parliament was prorogued. Those two meetings were merely to set in train the processes, to place advertisements in the newspaper, to advise people that the select committee was in existence, to call for submissions, and to elect a Chairperson.

As members are obviously aware, the Hon. Anne Levy is no longer a member of this place. For a great many years—I am going back some 25 years—she and I shared our belief in this issue. So, it is not a new issue for us, and I would like to pay a tribute to Anne's perseverance with respect to this issue.

I think I said this morning in a radio interview that the select committee received 3 000 expressions of interest and/or submissions. I understand that that figure is nearer 3 500. So, clearly there is an enormous amount of interest in this issue. There are very polarised views on both sides. A vast number of people support voluntary euthanasia; equally, a large number of people are opposed to it, for whatever reason. Many of those people have strong religious convictions on this issue. I respect those religious convictions, as I hope those people respect my strong view that we should have some legislation to deal with the issue of voluntary euthanasia.

In a second reading speech that I gave on 5 February 1997 I made clear that I believe that people suffering from a painful wasting disease, who no longer wish to live and who have given some kind of advanced directive or a personal directive, should be allowed to end their life. There is nothing worse than being a family member of a person who is suffering from a very painful illness. Many members of this place have had that kind of experience. It is particularly distressing when those people have a high level of integrity and believe that they should comply with the law but also believe that they should have the right to do with their life what they will. That certainly was a dilemma for my husband, John. The debate was raging all the way through his very long illness. I saw how painful he found it, both emotionally and physically, to have to deal with the issue knowing that his death was imminent.

I appreciate the opposing views of people who say that this is some kind of legalised murder. I do not agree with that view. We must remember that we are in the process of setting up a select committee that will canvass all views. I have served on some select committees in the past that have had to deal with very difficult issues. I remember one committee on which I served which dealt with AIDS and another which dealt with child sexual abuse. People had quite polarised views on those subjects, but in the end we were able to come to some sort of a collective decision.

I do not believe that will happen with this select committee if it is set up—I believe those polarised views will remain—but I think there are other issues that we can canvass and some sensible ways in which we can deal with this matter in the future. It will not go away. There is a large body of view that believes the law should change. I understand that a private member's Bill entitled the Criminal Code (Euthanasia) Amendment Bill was introduced into the Northern Territory Parliament on 17 February. I understand that that Bill is also trying to deal with this issue. An unfortunate situation occurred in the Northern Territory when the Bill had passed the Parliament and been made law but the Andrews Bill in the Federal Parliament overrode that Bill because it was a Territorian Bill. I am pretty sure that they cannot do that to a State. So, clearly that could not be the case in South Australia.

I stress again to members that this is a select committee. If it is set up we should address ourselves to the varying issues involved in the process of dying and those people who wish to terminate their life and who do not wish to prolong a painful situation. I do not believe that we have canvassed those issues adequately. I applauded the introduction of the Consent to Medical Treatment Bill, initially by the Hon. Martyn Evans and subsequently by the Hon. Michael Armitage. It went a long way, but not the whole way, towards helping the situation. I believe that a select committee can canvass the application of that legislation as well as deal with the issue before us.

Because members have paid me the courtesy of bringing this motion on early, I will not take up further time of the Council. I understand that another member would like to speak briefly on this matter. In her second reading speech upon the introduction of her Bill, the Hon. Anne Levy dedicated her Bill to her husband, Keith, who was also a friend of mine and who died of cancer many years ago.

I would like to dedicate this motion to the many thousands of people who are suffering from a painful terminal illness and who do not wish to prolong their lives. I also dedicate this to my husband, John, who believed in voluntary euthanasia and whose passionate love of life was terminated by cancer late last year.

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I support the motion moved by the Hon. Carolyn Pickles. I supported the motion moved by the Hon. Anne Levy last session, and on 28 May 1997 I spoke to this measure. I remain firmly of the view that there is reason for a review of law and practice in this State, and I remain firmly of the view that a select committee is the best way in which this Parliament, and especially this Council, should address this issue.

On the last occasion this matter was before the Council, members supported the process of the select committee. That process has commenced. Submissions have been called and the Hon. Carolyn Pickles noted that 3 500 submissions have already been received. I think it is very important that the process now started be continued in the current form of a select committee, albeit that some, but very few, members will change in terms of the composition of that select committee.

I know there are suggestions that this matter be referred to the Social Development Committee of this Parliament, but I believe that, because of the importance of the matters raised, the sensitivity of the concerns and the fact that the process has started by way of select committee, the matter of death and dying should warrant special consideration by a select committee of this place.

In terms of palliative care legislation, I want to highlight, again, remarks that have been made by the Minister for Health when this matter was debated, I think two years ago in the other place, and he pointed out, very clearly, that the palliative care legislation which has been passed by this Parliament does not suit all circumstances. He said:

> Certainly, it is a fact that medical science has made huge advances in terms of dealing with the issue of pain, but it does not have all the answers.

He said also that because medical science does not have all the answers people should not be entitled, in terms of dignity of the individual, to all the choices. This is the essence of what we are debating in this place: fundamental human rights, human dignity and choice. There can be no bigger question in terms of democracy and, as a protector of rights at all stages in human life, this matter of death and dying with dignity in very limited circumstances of extreme pain should be addressed by this place and by special focus of a special select committee for this purpose.

When speaking to this matter on 28 May, I also related personal circumstances, not so recent as the tragedies that have been experienced by the Hon. Carolyn Pickles, but the death of my mother over 30 years ago. And it does not matter, I would say to the Hon. Carolyn Pickles, at what time and over what space the death has taken place: the circumstances of those deaths of a loved one when extraordinary pain and dignity are involved are never lost on the people who loved the person who died.

That is certainly my view in this matter. If my mother could have been given one special thing it would have been that she died with the dignity with which she had lived her life, and I think that is the issue that drives me in this debate. It may be that a whole lot of people do not ever want to choose such an avenue, but there are others who do, and the matter we should address is how we can accommodate the views, with safeguards and in special circumstances, of those who have the ultimate choice not how they live their lives but how they leave this earth.

The Hon. CAROLINE SCHAEFER secured the adjournment of the debate.

DENTISTS (DENTAL PROSTHETISTS) AMENDMENT BILL

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

The Hon. A.J. REDFORD: I move:

That this Bill be now read a second time.

The Dentists Act first passed by this Parliament provided for the registration of dentists, clinical dental technicians and dental hygienists. It also regulated the practice of dentistry for the purpose of maintaining high standards of competence and conduct by dentists, clinical dental technicians and dental hygienists. The 1984 Dentists Act, passed nearly 14 years ago, repealed the Dentists Act 1931. Since then the Act has been amended twice: once in 1989 and, secondly, in 1993.

In October 1996 the Hon. Paul Holloway introduced a Bill to amend the Dentists Act to enable suitably qualified clinical dental technicians to supply partial dentures directly to the public. The Bill was ultimately passed by this place and, as a consequence of the intervention of the recent State election, the Bill lapsed in the Lower House.

It is important to note that recent figures from health fund data indicate that approximately 34 000 full dentures and 34 100 partial dentures were fitted in Australia over the past 12 months.

In explaining the Bill, I point out specifically to members that the Bill is introduced in my capacity as a private member and does not necessarily reflect the Government's views or the views of the Parliamentary Liberal Party. Those views will be determined at some future time.

The purpose of the Bill is six-fold. First, and most importantly, it enables a dental prosthetist (sometimes known as a clinical dental technician) to fit partial dentures where that prosthetist has satisfactorily completed a specified course and provided the patient has obtained a certificate of oral hygiene from a dentist registered under the Act. A dental prosthetist can only fit a partial denture under this Bill where a patient has obtained a certificate of oral hygiene from a Dentist not more than six months prior to the fitting of the partial denture. That reflects the Victorian position.

The second objective of the Bill is to recognise the term 'dental prosthetist' as an alternative to 'clinical dental technician', bringing the terminology in line with other States.

The third objective is to make incidental amendments to the membership of the Dental Board and the Dental Professional Conduct Tribunal to ensure that there is an appropriate representation from dental prosthetists in appropriate cases.

In the former, there is no provision for dental prosthetists to be represented on that board even though the board has responsibilities in relation to dental prosthetists. I have not addressed this issue in relation to dental hygienists, who are also not formally represented on the board even though the board has responsibility for them. In relation to the tribunal, the Bill provides that if cases involve dental prosthetists then the tribunal comprise a dental prosthetist and that they not be 'outnumbered' by dentists.

The fourth purpose of the Bill is to make consequential amendments to enable corporate practices to have a single director, reflecting recent changes to the Federal Corporations Law.

The fifth purpose is to allow complaints concerning professional incompetence or incapacity to be made by the Dental Technicians and Dental Prosthetists Society of SA Inc. to the Dental Board.

The sixth purpose is to amend the Dentists Act so that, where a person is suspended for a fixed period of time, that person automatically receives back their right to practice rather than re-apply unless otherwise specifically ordered by the tribunal. The existing Act makes it a compulsory aspect of a suspension that they actually reapply rather than be automatically reinstated.

The important feature of the Bill, in addressing criticisms of the past, is to require that a patient must see a dentist and obtain a certificate of oral hygiene prior to engaging the services of a dental prosthetist for the fitting of a partial denture. This in my view addresses many of the criticisms by the Australian Dental Association concerning oral hygiene and other oral health issues, including that of infection. The Dental Technicians and Dental Prosthetists Society of SA Inc. do not oppose this measure.

I adopt many of the arguments made by the Hon. Paul Holloway on 23 October 1996 in his second reading speech when dealing with his Bill. I think the arguments in support of the Bill can be put relatively briefly and succinctly. The arguments can be summarised as follows:

(a) That surveys and experience have indicated high levels of patient satisfaction with full dentures supplied by clinical dental technicians.

(b) The Australian Health Ministers' Conference has agreed that mutual recognition should apply to a number of health related occupations, including clinical dental technicians or dental prosthetists.

(c) That dental technicians have been allowed to provide partial dentures in other States, including Tasmania since 1957; New South Wales since 1975; the ACT since 1988; and Queensland since 1992. Indeed, my inquiries reveal that there have been no complaints made to those States' respective professional bodies in regard to substandard treatment of any significant nature.

(d) There is substantial support in relation to the qualifications for the course known as the Partial Denture Bridging Course for Advanced Dental Technicians conducted at the Royal Melbourne Institute of Technology. This course is recognised as one of the best of its type in Australia.

(e) That under competition policies, it is almost inevitable that dental prosthetists will be, and if one agrees with the principles of competition policies, it is inevitable that their qualifications will be recognised in this State.

(f) That changes in Commonwealth funding towards dental health programs have caused a significant blow-out in dental waiting lists for many disadvantaged people—significantly the elderly—in South Australia.

In relation to the last point, the prediction concerning the significant blow-out in dental waiting lists has been proved correct. I note that in her contribution in December 1996 the Hon. Sandra Kanck said:

> Of course the State Liberal Government cannot be held responsible for decisions of its colleagues at the Federal level, however their support of this Bill would alleviate some of the cost of dental services.

I wholeheartedly agree with the sentiments of the Hon. Sandra Kanck. I have received a report on complaints about partial dentures fitted by dental prosthetists from other jurisdictions. The information that I have been provided as late as June last year is as follows:

ACT: No record of complaints of this type since 1988.

New South Wales: There is no information which would indicate that there have been any complaints (where there are 600 registered dental prosthetists).

Queensland: No complaints of this type received about dental prosthetists permitted to fit and supply partial dentures since registration of dental prosthetists commenced in 1993.

Tasmania: No complaints of this type received since commencement of the Dental Mechanics Registration Board about 40 years ago.

Victoria: No complaints of this type received since the introduction of the provision for advanced dental technicians to supply and fit partial artificial dentures in 1995.

It has been indicated to me by the Australian Dental Association that the requirement for dentures is likely to severely diminish over future years as a consequence of improved dental hygiene, dental health and dental treatment techniques. That is to be applauded. Indeed, it seems to me that the opposition to date by the Australian Dental Association to allow the fitting of partial dentures by dental prosthetists should be viewed in the context of their view that the demand for dentures will diminish in the next few years.

In relation to clinical dental technicians or dental prosthetists and the provision of partial dentures directly to the public, the position insofar as training is concerned in other States in Australia is as follows:

New South Wales: Dental prosthetists training commenced in 1975. The training has always incorporated instruction on the provision of both full and partial dentures and there have been no specific problems identified regarding the provision of partial dentures.

Victoria: It describes its recognised dental prosthetists as advanced dental technicians. It has allowed advanced dental technicians to provide partial dentures directly to the public since May 1995.

Queensland: Dental prosthetists have been permitted to provide partial dentures directly to the public since 1991. A registered prosthetist must not supply and fit a partial denture unless a dentist or a medical practitioner has certified that the oral health of that person is satisfactory. There have been minimal complaints or problems.

Tasmania: Dental prosthetists have been permitted to provide partial dentures directly to the public since 1956 and there has been a requirement for a Certificate of Oral Health from 1956 until 1963. That was deleted in 1963.

ACT: Dental prosthetists have been permitted to provide partial dentures directly to the public since 1988 and there is no requirement for a Certificate of Oral Health.

I have also made inquiries with various insurance companies. It is interesting to note that Guild Insurance Limited, which provides professional indemnity insurance in this area, has advised me that it has had no claims in respect

of professional indemnity insurance since 1983 in Victoria, 1988 in Tasmania and 1993 in Western Australia, South Australia, Queensland and New South Wales. Federation Insurance has had a similar claims experience.

On 5 May 1997 I wrote to the Australian Dental Association. In that letter I said:

> I note that in other States in Australia, Clinical Dental Technicians are recognised and are able to carry out the sort of work that is envisaged should the above Bill, i.e. the Dentists (Clinical Dental Technicians) Amendment Bill 1996 be passed. I would be most grateful if you would forward to me your comments about how clinical dental technicians operate in other States, what problems have arisen and whether the matters which you have raised occur.

In its response of 12 May 1997 it stated:

> The operation of clinical dental technicians in other States is quite varied, and as yet no-one has been able to collate the various levels of experience or education upon which they draw. . .

It went on to state:

> Clinical dental technicians have stated that there have been very few problems with their activity interstate. They base this on the fact that there have been few, if any, cases brought before their respective Dental Boards. This comes as no surprise. In fact, very few cases in the entire profession come before Dental Boards. This is not a true indicator. . . I know you would want me to give you actual cases where inappropriate treatment occurs, but I cannot comply with such a request as that information is almost irretrievable from the system.

In my response I said:

> I have to say that your organisation would need to come up with some demonstrable cases to show that allowing clinical dental technicians to provide partial dentures direct to the public would not be in the public interest. From where I sit, if a Victorian or Tasmanian consumer has a right of direct access to clinical dental technicians, and there have been few if any cases brought before the respective Dental Boards, then South Australian consumers should have the same right.

I have had my attention drawn to a report entitled 'Education Imperatives for Oral Health Personnel: Change or Decay?' which was prepared by the World Health Organisation, a well-respected body. It recommends the creation of specialist dental auxiliaries to provide more economical health services. The following quotation can be found at page 38 of that report:

> Member States should now take the appropriate steps to investigate the desirability of adopting a multi-disciplinary approach to the development of oral health, professional and support personnel appropriate to national needs in both quality and quantity.

On the previous occasion that this matter was before this place, one honourable member, in her contribution to the parliamentary debate, said that, in principal, she supported the Hon. Paul Holloway's Bill. One of her principal criticisms was in relation to the area of control of dental disease. I believe that that has been adequately addressed in my Bill by the requirement of the obtaining of a Certificate of Oral Health. With all due respect, I think that is a substantial improvement on the Bill advanced by the Hon. Paul Holloway.

There is no evidence of any problems with infection control either interstate or with the fitting of full dentures in South Australia. The certificate will pick up dental disease and, secondly, ensure the soundness of the supporting structures. If there are serious infectious diseases the examination will also reveal that.

Whilst I do not think this Bill is revolutionary, I do believe that there are opportunities for dental prosthetists to provide a real and valid competitive service to dentists in a time of burgeoning medical costs. I believe that the Bill provides adequate protection to patients. Whilst it might be said that dental prosthetists do not provide a Rolls Royce service, they do in fact provide a cheaper service, and in some cases of the order of $100 to $200.

When one talks to a pensioner about the value of $100 to $200 one will quickly come to understand that that is a significant sum of money. Many of these people are elderly and are not anticipating the use of dentures for long periods of time, having regard to their life expectancy. I strongly argue that it is better to have dentures of some quality than no dentures at all. In many cases, that is precisely what happens. In making that comment I make no criticism of the ADA or its members, whom I know in many cases provide *pro-bono* or cheap services in the provision of dentures to elderly and disadvantaged people.

However, there are some who slip through the net, and I think it would be grossly negligent of this Parliament if we were not to take up the opportunity to address these disadvantages. I urge all members to support the Bill.

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

WATERFRONT REFORM

Adjourned debate on motion of Hon. T.G. Roberts:

That this Council condemns the Federal Liberal Government and the National Farmers Federation for their provocative approach to waterfront reforms in Australia, in particular—

1. their support for current and past serving members of the Australian Defence Forces to participate in an ill-fated overseas strike breaking training exercise; and
2. their support for the conspiracy entered into between Patrick Stevedores and a National Farmers Federation front company to establish a union busting stevedoring company at Webb Dock, Victoria,

and calls on the Federal Government and the National Farmers Federation to recognise that just and fairly negotiated settlements between management, unions and the workers involved can achieve more in terms of productivity and improved labour relations, as witnessed by the achievements at the Port of Adelaide, than by the use of the jackboot.

(Continued from 18 February. Page 318.)

The Hon. R.R. ROBERTS: When I saw this very worthwhile motion on the Notice Paper I thought,'How will those opposing the motion handle that?' How can they justify something that is so abhorrent to the average Australian?

Members interjecting:

The Hon. R.R. ROBERTS: I went through the options. They had to find amongst their ranks a political mug, an industrially illiterate lawyer, an absolute fool or someone who is a slow learner. So what did they do? They trotted out the Hon. Angus Redford.

The Hon. A.J. REDFORD: I rise on a point of order, Mr President. I know that the honourable member identified the Opposition in his opening remark. When I heard him saying that the member concerned was a fool and various other things I thought he was referring to one of his colleagues. But it does turn out that he is referring to me, and in that regard I ask him to apologise and withdraw.

The PRESIDENT: The Hon. Ron Roberts should know that he should not reflect on other members. I would ask him to withdraw and apologise.

The Hon. R.R. ROBERTS: I did not directly say that. I said that the Opposition would have to come up with certain criteria: that was my reflection. What I then said was that it decided to have the Hon. Angus Redford. I did not say it was him. I do not know which criteria he met, Mr President. The

Hon. Angus Redford is still smarting from the last hiding he got.

The PRESIDENT: Mr Roberts, are you still refusing to withdraw and apologise?

The Hon. R.R. ROBERTS: I will withdraw, Mr President.

The PRESIDENT: And apologise?

The Hon. R.R. ROBERTS: I will apologise to the Chair, Mr President. I will carry on. They really do not like the lash, this lot. As soon as you put a bit of pressure on them they squeal to the umpire. They are squealers, and I will have more to say about that in a moment. Who does the Government trot out to try to defend the indefensible? It trots out the Hon. Angus Redford, who is still smarting from the hiding he got when he tried to be clever with the Australian Workers Union over the transport dispute, when all he succeeded in doing was exposing the Minister for Transport's inability to conduct industrial negotiations.

It was that bad that the Government had to let it fall off the end of the Notice Paper. It was not game to respond. Members opposite come into this place and denigrate honest trade union officials, but they are exposed. It was not a pretty sight, Mr President: the Minister for Transport being exposed on her inability to conduct industrial negotiations was not a pretty sight.

The Hon. Angus Redford decided that he was going to show that he could be as tough as the Hon. Mr Reith and some of his other cronies such as his other clay god, Mr McLachlan in another place, that self professed postal peeping Tom. That is not a reflection, because he said it in the House—and he said he would do it again. This is the bloke who went into someone else's mail and read it and then had the temerity to go into the people's house and say that if he gets caught again he will do it. The then Opposition decided to do the right thing and took away his shadow Ministry, but when it won the election it put him straight back in again. We all know the backbone of the Hon. Mr McLachlan. So, in a bid to impress his superiors (because he does want to be a Minister one day; he is only in his apprenticeship at the present moment, as Chairman of a committee), the Hon. Angus Redford is trotted out. He is the greatest lightweight they have ever produced on that side; they would have to put two bricks in his pocket to keep him on the ground, he is such a lightweight.

The Hon. Diana Laidlaw interjecting:

The Hon. R.R. ROBERTS: The Hon. Diana Laidlaw makes a valid point: he is putting on a heck of a lot of weight. I have been told that if that belt breaks he will lose his feet for two weeks. I take the Minister's point. They trot out the Hon. Angus Redford. Let us look at what he said. In his speech the Hon. Angus Redford made a number of claims in relation to the waterfront in Australia. I want to take the opportunity to correct some of those myths and instead inject some fact into the motion. In his enthusiasm, the Hon. Mr Redford did not check out his facts but repeated what Mr Reith and others were saying that stevedores (that is, the wharfies) earned between $80 000 and $100 000 a year. He did not check that. In his enthusiasm to rush in with his head down and tear in where the angels fear to go, in he went. He did not listen to the Hon. Terry Roberts, who had explained just a few minutes previously that the average award rate for stevedores is only $30 000 a year for a 35 hour week. They can earn better money than that only if they work overtime for it. They have to work overtime, because for years their employers have been refusing to employ more workers. In fact, they have more trainees in some ports than they have workers.

Another claim that the honourable member made was that this push by the NFF is for farmers and exporters—people who have had to put up with the union for 20 or 30 years, people on small farms, wool growers, meat and beef growers who have had to put up with greedy, lazy workers. Once again he hides in Parliament under the cloak of parliamentary privilege and attacks people. At that stage I pointed out to him that many subsidies have gone to farmers which have offset that, and at that stage, Mr President, you invited me to make a contribution. I thank you for that and you can thank yourself for having the error of the Hon. Angus Redford's ways exposed in this way. He said that they were lazy workers. I said that there are many subsidies and he invited me to name some of the subsidies that apply to farmers and agriculturalists. He actually comes from the land but he has demonstrated that he is a slow learner.

They have fuel tax, subsidies on fertiliser, very generous sales tax regimes where they do not pay sales tax on a lot of things and very generous taxation laws so they can minimise their tax—unlike the wharfies who are PAYE employees and who are paying their fair share of tax. But the Hon. Mr Redford does not want to talk about that, because it does not suit his effort to try to ingratiate themselves with his Federal and local mates.

This motion is a response to actions taken in more recent times to destroy the MUA. In particular, the action has been taken by the NFF at Webb Dock, and we all know about the failed attempt at Dubai, where soldiers still in the armed forces were given travel visas and their passports were cobbled together within two hours to get them onto a boat to Dubai to scab on Australian waterside workers. It is interesting to note who is the Federal Minister for the army, and a little later perhaps we can look into that Minister's involvement with the MUA and how he paid it back.

We all know about the failed attempt in Dubai. Members should be clear that this is not an attempt to introduce a new operator at the Port of Melbourne to increase efficiency. It is clearly designed to do only one thing: it is an attack on the MUA and one that has been well planned and sanctioned by the Government. It is very clear that, as this dispute has unfolded, the waterside workers have revealed the duplicity and complicity of the Federal Minister for Industrial Relations, Mr Reith, and there has obviously been a conspiracy between himself, Smith Patrick and the NFF. It is interesting to note that the NFF has entered this dispute. It was very interesting to see that the Mr Wayne Cornish, the head serang of the NFF in South Australia, has rightly and courageously come out and said the waterside workers' work in South Australia is exemplary and that they had no problems. Having then been beaten about the head by Mr McGauchie and his thugs in the Federal NFF he came out the next day and recanted—but he did make an attempt to be honest and he ought to be commended for that.

The Hon. Angus Redford ought to know that Webb Dock in Melbourne handles no rural produce whatsoever. In fact, it appears that less than 10 per cent of the total tonnage through Port Melbourne is primary produce. So much for his passionate cry about the farmers who have been putting up with the union for the past 30 years. Furthermore, the move by the NFF is opposed by many farmers and grain growers. They have come out on the public record as saying they do not have a problem. That is not to mention the fact that a few State farming groups such as Western Australia and Queens-

land have condemned the move by the NFF. This is clearly a conspiracy, which has been promulgated by Mr Reith, Mr McGauchie and with the compliance and involvement of the Hon. Ian McLachlan. The President of the NFF, Donald McGauchie, is not one of those poor farmers whom the Hon. Mr Redford mentions; he is in fact a millionaire who has gone on the public record to state that the NFF—these poor farmers—have a significant fighting fund for any legal battles with the MUA, not to mention *carte blanche* access to all the resources of the Government and Mr Reith as he eggs them on to make sure that they get to do all these things at no cost to themselves.

It is interesting to note that there was not one word of condemnation from Mr Reith when Smith Patrick admitted publicly that it had broken its enterprise agreements. Let us look at enterprise agreements. This is the idea of the Liberal Party and the Employers Federation. They told the wharfies that they ought to go into enterprise agreements, and they had valid enterprise agreements which Smith Patrick has admitted on the public record that it has broken, but does Mr Reith say we ought to convict these people and fine them? No; he sits on the sidelines and eggs them on. He is a friend of scabs.

I am sure the Hon. Mr Redford is not aware of all the facts with respect to the MUA and I am sure that he does not even know that for the past 10 years all farm produce has been exempted from industrial action by the MUA. He comes in here, checks no facts whatsoever and comes up with this ridiculous speech that he made; in fact most of it is wrong. He used an example from his previous life when he was a full-time lawyer, when he mentioned an Italian exporter whom he claimed went broke over five pallets of wine. I do not have to tell the Hon. Angus Redford that he was not going to survive, anyhow. The Hon. Angus Redford did not indicate the problem that caused the dispute on the wharf. It could have been a valid issue such as safety. But, no, the Hon. Angus Redford does not worry about what the wharfies were fighting about. He said:

> I can still visualise very clearly the Italian wine grower in tears announcing to his legal advisers and accountants that he had no alternative but to close.

I suggest that the reason the tears were flowing down that man's face when he had to tell his accountant's adviser were that his bills were that high he could not pay them. He was obviously crying at the cost of the Hon. Angus Redford. That is why he was crying.

I take the opportunity to ask members on the other side of this Chamber how the introduction of the NFF on the Webb Dock site will reduce the cost of handling international containers with supposed benefits flowing through to the exporters and importers. As our Federal shadow Minister for Transport points out, Mr Reith needs to explain how the company that cannot actually handle international containers, and only has access to 20 per cent of Port Melbourne's total container traffic, even if it could establish a monopoly, will cut the rates for handling the international containers. They have not come up with that. Is it not about time they owned up and realised that the National Farmers do not have a gripe with the MUA?

The Hon. Angus Redford referred to the *Herald Sun* on the efficiency and reliability of the Australian docks. He has conveniently forgotten about enterprise bargaining which his Party proposed and which the waterside workers went into. It really irks these legal eagles when the wharfies, those working-class warriors, take their system and beat them about the head with it. They really get upset because they cannot take the lash at any time. To make it worst, they have to take it from what they believe are lazy and greedy wharfies. That is what they do not like. This is part of the class struggle.

Members interjecting:

The Hon. R.R. ROBERTS: You can hear the silvertails laughing now. We have more to come. Let us get some facts on the statement. The work force on the docks has been reduced by 50 per cent, but the volume of cargo has increased. Container lift rates have increased by approximately 20 per cent in the past five years to 1997. One might ask why. The person opposite, representing the Government, would not understand it. It is called 'enterprise bargaining' where the employers and employees, including Smith Patrick, have sat down across the negotiating table and come up with an enterprise agreement. When promoting this the Government said that workers could get more money. What they did not say was that they do not mind workers getting more money as long as they do not get anything like what they are getting and as long as it is not wharfies. The fact that this was done by enterprise agreement and by agreement escapes the mind of people like the Hon. Angus Redford.

Increased productivity is not of itself controlled by the union movement. Many other companies in Australia have recognised that productivity is not only dependent on the work force but on better machinery and up-to-date technology. I also point out that more recently P&O, one of the major companies at Port Melbourne, wrote to the workers congratulating them on their productivity increases achieved with the involvement of the MUA—a 34 per cent increase in one year and a record facility in South Australia. Last week I asked the Minister for Transport to acknowledge the wonderful effort put in by the MUA in making the South Australian wharves the most efficient in South Australia and she almost choked for 15 minutes trying to answer and could not do it. She would not even acknowledge that the MUA by and large, along with the Hon. Barbara Wiese before she left Parliament, has been the driving force with the efficiencies in South Australia.

It is well documented that there have been major improvements in the waterfront and such improvements ironically have continued throughout the term of the Howard Government. Despite you lot, those improvements have gone ahead. Under a Liberal Government we have not had one statement in relation to the improving the infrastructure of ports and nothing in relation to better port interfaces with land transport and nothing about ways to introduce competition between the stevedoring companies in the ports.

With regard to the Hon. Angus Redford's claim as to how much it costs to unload containers, on average waterfront services account for about 4 per cent of agriculture and mining export prices and around 2.7 per cent of manufacturing export prices. So, it is not a problem. This is just a beat up by Mr Reith trying to make himself look hairy chested because he is deficient in other areas. It would seem, according to the New South Wales Office of Marine Safety and Port Strategy, that about two thirds of waterfront charges are terminal charges, while port authorities account for about one quarter. Further the myth is dispelled.

I say to the Federal Government and members opposite that, contrary to their present mode of thinking, there are a number of problems within the waterfront. They are not necessarily in the work force. Other issues that should be addressed include the efficiency and intermodal connections and information technology.

I put to the Hon. Angus Redford that many professions can earn much more than a stevedore. The South Australian Supreme Court Rules, schedule 4, outline what a solicitor can charge. This is what the Hon. Angus Redford and his mates can charge, but they are professionals. They can whip in the charges. Let us look at what the Hon. Angus Redford could earn in a day. If he was to do a little job for about an hour or hour and a half, what could he or would he claim? The mind boggles! If he had to photocopy one document, he would charge $1.35 per page. For attendance by a solicitor, it is $124 an hour: $124 an hour for the Hon. Angus Redford—talk about being robbed. For a little pre-trial conference he is entitled to charge $45. If he had to lodge documents in the court that is another $13. If he had to ring up a constituent and tell him what he had done for 35 minutes he would only charge him $72. If he had to put that in writing it is $25 per page. We can assume it is only one page, because detail escapes him and he cannot concentrate for a long time. If he had to fax it, he would have to have a personnel charge because someone would have to send it for him and he would charge another $6. So for about one to two hours work he can charge $286.35. Imagine what the wharfies would do with that sort of money. It is not bad money for a day's work. If a solicitor had a workload equivalent to the above, that is an annual income of $74 451. That is for one to two hours work and involving only one page and is without overtime.

Let us look at the rules. Counsel fees are prescribed— and I am sure the Hon. Mr Lawson would be interested. Under Supreme Court rules the fees contained in this part of the rules are not a scale of fees—it merely provides an indication of the range of counsel fees. If you want a junior counsel—someone like the Hon. Angus Redford—he can charge between $650 and $1 350. If I know the Hon. Angus Redford, because he believes he is a very good junior counsel it would be $1 350. He would have nothing to do with the $650. Senior counsel—someone of the eminence of the Hon. Mr Lawson—could charge $1 350 to $2 500. For a junior counsel to hear a judgment—just to sit and listen to the judge—they can charge $130 to $190. These are the people who criticise the wharfies!

The Hon. R.D. Lawson interjecting:

The Hon. R.R. ROBERTS: Yours is coming; don't get excited. Senior counsel get $190 to $250 to sit there and listen while it is read out. They do not have to write down anything, and they get 250 smackers in the kick. I now refer to opinions and advices on evidence: for a basic opinion they charge $260 to $570, and if it is complex—that means if it has got more than two sentences—they charge $570 to $830. That is what they charge.

I will come back to the contribution by the Hon. Angus Redford in a moment when he spoke about what the wharfies get. If junior counsel—someone like the Hon. Angus Redford—wait for a Full Court decision they charge $100 and senior counsel $125. So, for a daily trial senior counsel can charge $2 500 per day. Over a five day trial that works out to $12 500.

Let us look at the issues surrounding the class struggle. Members opposite do not mind professionals charging high fees, but they do not want the dirty working class people getting money. This is what really irks them. For 25 years they have been saying that the silly wharfies were on strike again and that they ought to go to the Industrial Court. When the labour force was fairly fluent, they always wanted us to go to the Industrial Court, but as soon as things got tight and they got the whip hand they said, 'We'll do away with the Industrial Court.' They told the wharfies that they ought to get an enterprise agreement. They said it was a great scheme and that the wharfies could get more money. The problem is that those silly wharfies, as they called them, tied them up in knots. For the first time, they negotiated (not won) with their employers decent working conditions for their employees.

John Howard was really saying, 'You can get better wages as long as you don't get near the professionals and as long as you are still on the border line of poverty.' This is what enterprise bargaining came to be. During the election campaign, the Liberals made a promise. The Hon. Peter Reith said that no worker would be worse off. It is now being revealed that he really meant that no workers would be worse off unless they were wharfies. It is the same old routine: at the last election the Liberal Government said, 'We won't sell ETSA.' Then they said, 'We didn't really mean that.' I do not know what they meant, but they broke their promise.

During his contribution, the Hon. Angus Redford referred to the issue of safety and safety gear. He ridiculed the wharfies regarding safety, saying:

> We call this the 'How to be well-dressed in the tropics rort' by the waterside workers in the tropics.

He did not emphasise that it was an award condition—an agreement between the work force and their employers. He said that under the award—it is actually an enterprise agreement, by the way—waterside workers at Townsville were entitled to be provided with the following clothing: rabbit fur broad-brimmed hat. They cannot wear those; they are for the squattocracy. Common old wharfies should not wear Akubra hats; they are for the hoi polloi and squatters such as the Hon. Angus Redford and his family.

The Hon. Mr Redford also said that they were entitled to safety boots. Isn't that terrible? They are only working in a hard and arduous industry, but they would not need safety boots! They were entitled to safety wellingtons if it was wet. Wharfies working in the bilge slush and in the water should not have wellingtons. They were entitled to shorts and trousers, shirts (long and short sleeves), overalls issued clean at work daily, a winter jacket, a safety vest, a hard hat, sun glasses, safety glasses, a dust mask, work gloves (one pair per shift), sun block-out, sun visor, raincoat with leggings, towels for showering, and a nylon carry bag (large). The Hon. Angus Redford is suggesting that they should not have this safety gear—the appropriate togs for the job. He went on to say:

> They are issued with the requisite clothing for the shift prior to the start of the shift, and they refuse to begin dressing—and I am sure they do not put it all on at once—

They would look a bit silly in shorts and a raincoat. He continues:

> Imagine the Hon. Ron Roberts coming to Parliament nude, and refusing to start his work until he got dressed.

That may give him some pleasure and it may make some of the female members on the other side happy, but he is really saying that people such as you, Mr President, and the table staff ought to put on your wig and gown at home, not here. I can imagine you, Mr President, trying to hail a taxi in the morning in your wig and gown. I am sure that you would not get picked up.

The Hon. Angus Redford was trying to be clever, but he revealed how ridiculous are his propositions and how minute his knowledge of the industrial scene really is. What he is attacking is the fundamental right to safety equipment, on which everyone agrees. He has also not acknowledged once

again that these conditions were agreed around an enterprise bargaining table by the employers and the employees.

I went to the Library and I got all these fees, and I am prepared to make them available. Now let us come back to what the Hon. Angus Redford said about the wharfie who works on a Saturday. This shows class bias and his absolute abhorrence of the fact that a wharfie could earn a decent day's wage. On a Saturday, a fellow can work 15 hours and receive $611. Let us work out what it would cost per day under the wharfies' award to have the Hon. Angus Redford turn up for the day. He would get 15 hours pay at the basic rate of $124. He would not have to write anything. The Hon. Angus Redford, lifting containers, would cost $1 860 for 15 hours, but if we gave him the overtime penalties that were agreed in an enterprise agreement between the waterside workers and their employers he would earn $4 185. That is what it would cost for the Hon. Angus Redford to do that work. I note that the honourable member suddenly sits in stunned silence, which makes us all very happy.

What we are really talking about is not the cost of the wharfies but the fact that members opposite hate to see the working class get a decent wage. The efficiencies that the waterside workers have achieved over the years are there for all to see. When I was an apprentice in Port Pirie some 28 years ago, there were 300 wharfies. Now we have eight. They shift more cargo than they ever did. The efficiencies are there for everyone to see, and they are prepared to do better.

What will not help this argument is the stupidity of and the interference in the industrial relations scheme by people such as Peter Reith and the Hon. Angus Redford, especially when the Hon. Angus Redford does not know what he is talking about. All he is charged with doing is speaking on behalf of the Government. He is not helping the industrial relations scene. The waterside workers have done nothing wrong. The big sin that the waterside workers have committed is that they have taken the Government system and used it better than the employers.

The villains in this exercise are Smith Patricks, the Federal Minister for Industrial Relations and the National Farmers Federation, because they have acted in collusion. They set up the Army people to go to Dubai. They are the ones who are whisking in the scabs by water to the Webb Dock today. One wonders who these new trainees are. I would be surprised if they are not the same lot of scabs that they wanted to send to Dubai.

The Hon. Diana Laidlaw interjecting:

The Hon. R.R. ROBERTS: Well, the Hon. Diana Laidlaw provokes me again. These scabs are not trying to undermine the lowest-paid workers in this State. No, they want to come in and scab on the most successful—the people who have done the job and paid their dues. These people do not want to pay their dues. They want to come in and black leg on the waterside workers' jobs, not on the low paid jobs. The Hon. Angus Redford would not mind the wharfies going onto low paid jobs. But these scabs do not like paying their dues. They are prepared to scab on the wharfies for the high paid jobs. I commend the motion—

The Hon. Diana Laidlaw interjecting:

The Hon. R.R. ROBERTS: Well, I haven't seen you on the wharf lately, but I am sure you are certainly there in heart supporting the Australians who are sticking to their award. You, Minister, could not even acknowledge the other day that the MUA in South Australia had done a wonderful job in making your ports the most efficient. But you do not like it; you and your class do not like working-class warriors. You do not like the wharfies, and it really gets up your nose that workers like we are on the same territory as you.

What is really worse is that you are the person who had the temerity the other day to come in here, again under the cloak of parliamentary privilege, to have a shot at Murray DeLaine for driving a second-hand Jaguar. You snuck in here and got the dorothy dixer question from the puppet, the Hon. Angus Redford. I asked you a question about him: did he actually represent passenger transport? You fudged that, but I now have the evidence: he did not declare an interest and he has done—

The Hon. A.J. Redford interjecting:

The Hon. R.R. ROBERTS: Yes, you have. You hate waterside workers. You hate workers. That is what your problem is. You do not mind professional fees; and you do not mind high fees, as long as you, and not the workers, get them. You are outrageous. This proposition put up by Peter Reith is outrageous and is unAustralian. This will lead to more and more anarchy.

I am confident that the waterside workers have shown themselves to be much smarter than the Liberal Government and all their clever lawyers with all their big fees, namely, $124 an hour. They have all this at their beck and call, but the wharfies have done them over cold, and the wharfies will win again in the long run because they are smarter than these people. If you take the silver spoons out of their mouths, they have nothing to say. If they cannot buy some clever lawyer, they will fail.

I hope the National Farmers Federation and the Liberal Party understand what they have done. They want competition, they want the brave new world, and they want competition on the waterfront. Let us look at all the other things. When the legislation comes up on the dairy industry, let us open that up to competition. When it comes to chicken meat and pork coming into the country, let us take away the barriers. Let us have some competition. These national farmers want the brave new world; well, let us give it to them. They will squeal and run to their political mates. No, they do not want competition: they want to screw the wharfies so that Peter Reith can look tough when they torpedo John Howard—as they did Dean Brown—and he can say, 'I am the hairiest-chested bloke here. You ought to make me President.' It is a disgrace and it ought to be condemned. I only hope that one person from the other side—

The Hon. Diana Laidlaw interjecting:

The Hon.R.R. ROBERTS: —and I would not expect the Hon. Diana Laidlaw with her class background to be the person—will get up and tell the truth about what is going on at Webb Dock. I commend the motion to the Council.

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

CRIMINAL LAW (FORENSIC PROCEDURES) BILL

In Committee.

(Continued from 24 February. Page 380.)

Clause 37.

The Hon. K.T. GRIFFIN: The issue which has arisen and in relation to which I moved that the Committee report progress and have leave to sit again related to access to the results of analysis and access to videos of the taking of a forensic sample. The issue was whether the accused or

suspect should be required to pay for a copy of the video, a copy of the analysis and a copy of the photographs or whether it should be free. I indicated yesterday that the model which we had incorporated in this Bill was the model already in the Summary Offences Act where a person was entitled to have the analysis, the video for example, shown to him or her at a time or place that was convenient but, if he or she wanted a copy of the video, for example, then that would be at his or her expense.

Since that time I had given further consideration to the issue and the amendment that I am now proposing, which is effectively a new clause 39—even though we are dealing with clause 37 now—is relevant to the issue, that is, that if the results of the analysis material can be accurately reproduced by photocopying, then a copy of the analysis is to be given to the person from whom the forensic sample is taken.

If the results are not in a form that can be accurately reproduced, there can be a viewing at a reasonable time and place to be nominated by the investigating police officer and, if the person wants a copy of the results in that more complex form, he or she can have them on payment of a fee fixed by regulation. That does not seem to be a problem. If the analysis is copyable, then the copy is made available and we do not have to go through the process of arranging a viewing. If they cannot be accurately copied, then the viewing comes into operation. If the photograph is taken, arrangements can be made at the request of the person whose photograph has been taken for a viewing of the photograph. If he or she wants a copy, then it is to be provided on payment of a fee fixed by regulation. The same applies with videos. The person can watch the video, the same with audiotaping with statements: if you want a copy, you pay for it. The amendment to substitute new clauses 39 and 40 picks up that approach.

Also, I undertook to obtain, if I could, the costs currently charged by police for videos, remembering that the fees are to be fixed by regulation and the regulations can be subject to disallowance by this Council or the House of Assembly. The cost of an audiotape or videotape recording of evidence—and this will just give an example—is $10. So, it is not a princely sum for an individual but, of course, if it occurs in a number of cases, it becomes a substantial cost potentially for law enforcement authorities. I believe the proposition is reasonable. I will move to leave out clauses 39 and 40 and insert new clauses 39 and 40. Clause 37 is appropriately left in and clause 38 is appropriate. I suggest that we move on with this clause and the amendment I moved on the last occasion.

The Hon. CAROLYN PICKLES: I believe it is appropriate to speak to all three clauses now to save the Committee's time. The Opposition is happy to support the amendment as it is a sensible compromise. Discussions and negotiations have been held with the Attorney-General, the shadow Attorney, myself and other members. It is a sensible compromise and is consistent with the present situation. In fact, I think it is moving some way towards being more generous than other Acts. We are in a spirit of compromise and are happy to accept the amendment.

The Hon. IAN GILFILLAN: I am amazed that the Leader of the Opposition should say that the Opposition is pleased to support this, because I understood yesterday that there was a strong feeling of indignation about what I believed many members felt was an infringement of a basic human right to a person in these circumstances being able to have copies of this material free of charge. I can understand that there may be some room for discussion and compromise to enable legislation to go through and I am also aware that the issue is bigger than just this legislation. Summary offences embraces a principle and I said yesterday several times that it ought to be an issue addressed and thought about on a broad front.

So, it is reasonable in these circumstances to tolerate an amendment on the basis that it is less bad than the earlier proposal was but, to welcome it and to sort of say that this is a lovely move forward, is a backflip and I would think that the body corporate of the Opposition might separate into separate chunks on this backflip. I would like to think that there is substantial principle in the Opposition which will continue to fight for the complete removal of a fee. Sure, $10 is not a monumental amount; nor would it be a monumental amount in the general budget in terms of the numbers we might get to which it would apply. It would be a relatively small cost to the Government. Again, I emphasise that the Democrats want it clearly understood that we oppose the principle in its entirety in the circumstances. As to the amendments that I have on file to clause 15, will we revisit them?

The Hon. K.T. Griffin: It is a technical matter and we will recommit.

The Hon. IAN GILFILLAN: I know that we are dealing with clause 37 and that technically the amendments have not been moved, but we are debating the matter, anyway. There is a small step forward in so far as the Government is magnanimously not going to charge for people to buy a photocopy. I am overwhelmed by that move. At least it indicates a principle which I hope in the fullness of time will be extended to the other areas as well. If we are to be magnanimous about the 25¢, 40¢ or 50¢—it maybe $1 under the current pricing regime—for a photocopy, I think we have put a chink into the global defence of these charges for material which I believe should be made available free of cost to the person involved. When the time comes I might repeat our position, but I indicate that we still oppose quite substantially the retention in the Bill of these charges.

The Hon. T.G. CAMERON: I will be supporting the Government's position on the question of charging a fee, but I agree with the sentiments expressed by the Democrats: I think it is a disgrace that a fee should be charged for this. I have questions to put to the Attorney-General. I understand that under section 47(1) of the Road Traffic Act the South Australian Government, whether it be with the police, the Forensic Science Institute or the Flinders Medical Centre, is currently holding tens of thousands of blood samples taken from road crash victims, drivers of vehicles and, in many instances like that of my son, from passengers sitting in the back seat.

Will the Attorney advise the Parliament whether any tests have been conducted by any Government department on blood samples other than for the reason they were collected, which was to determine their alcohol content? If so, is a databank being kept by anybody on the tests that have been undertaken on these blood samples? Who can access the information? If information is being kept on these blood samples, will this information be forwarded to the national databank?

The Hon. K.T. GRIFFIN: I understand the issue that the honourable member raises. I am not aware of the practices. Obviously, I did not come prepared to answer those questions, and even if I had one of my officers present he would

not know that information. However, I will undertake to endeavour to obtain answers to the questions which the honourable member has raised. I do not believe that any of that material will be on any national DNA database. This Bill authorises a DNA database in specific circumstances where you keep the DNA profile of a person convicted of an offence.

The Hon. R.R. Roberts: What about those samples for unsolved crimes—unidentified samples?

The Hon. K.T. GRIFFIN: There is no problem with unidentified material because there is no identifier on it. What we are talking about is the protection for the identified person from whom a sample has been taken. Under this Bill, if the person is not convicted or if the court does not extend the time for keeping the sample, it is destroyed after two years. That is the protection.

In terms of what the Hon. Mr Cameron is raising, that is not affected, as I understand it, by this Bill, because I do not know the extent to which those samples have been collected from persons who have been convicted of indictable offences, such as causing death by dangerous driving. If it is a passenger, there is no way that under this Bill it would ever be on this national DNA database.

The Hon. T.G. CAMERON: Are you confirming, under these examples, that anybody blood tested and subsequently charged with an indictable offence will have their blood sample forwarded to the national databank? Is that what you are saying?

The Hon. K.T. GRIFFIN: No. If a person has been convicted of an indictable offence the forensic sample relates to that particular individual in relation to that particular offence and then quite obviously the DNA profile will be on the DNA database.

The Hon. T.G. CAMERON: I thank the Attorney-General for his answer on that. It is my understanding that these blood samples have been accessed by people—

The Hon. K.T. Griffin: That is your understanding, not mine.

The Hon. T.G. CAMERON: It has been confirmed by the Forensic Science Institute and the Flinders Medical Centre: they have confirmed it to me. My understanding is that these blood samples are taken only for the purposes of being tested for alcohol.

The Hon. K.T. Griffin: Alcohol and related drugs.

The Hon. T.G. CAMERON: My understanding is that it is only for alcohol. If it is other drugs, will the Attorney-General please tell me under what authority Government departments or the South Australian Police Force are accessing these blood samples?

The Hon. K.T. GRIFFIN: I cannot tell the honourable member that because I have not had time to research it. I do not know what they are tested for or in what circumstances they have been otherwise used. I know the honourable member has a very genuine interest in and concern about this. He has raised the questions and I have undertaken to endeavour to obtain information for him which provides answers to those questions. I can do no more than that.

The Hon. T.G. CAMERON: I appreciate that. However, I have been led to believe, and this was subsequently confirmed today, that there are a range of tests—and I do not know what tests, everyone has gone quiet on the matter, as I suspect they might have with the Hon. Mr Gilfillan. If these blood samples have been accessed and various tests have been conducted for illegal substances, DNA or whatever—I am not quite sure what tests have been conducted—and if that information has then been placed on another databank in another department, will that end up on the national databank? What if the department is the South Australian Police Force and it has been accessing blood samples without legal authority and has gathered all this information? I know there are a few 'what ifs' there, but I am concerned about where this information could end up.

The Hon. K.T. GRIFFIN: With respect to the honourable member, that has nothing to do with this Bill at all. This Bill clearly establishes the parameters within which a national DNA database may be established, and it does not include blood samples of the sort the honourable member has taken unless they are samples which are taken from a person who is ultimately convicted of an indictable offence arising from the circumstances in respect of which the sample was taken—causing death by dangerous driving, driving in a manner dangerous to the public or any of those indictable offences which involve the use of a motor vehicle.

The Hon. T.G. CAMERON: If a Government department, the police or anyone else has been accessing these blood samples and conducting DNA tests on them, that information would naturally be stored somewhere. We live in an age of computers and databanks, and I am concerned that this information has ended up on a databank with the South Australian Police Force and may be sent off to the national database. It seems from what the Attorney is telling me (and I am only seeking confirmation) that that would only occur if the person was charged with an indictable offence. But for all the people who have had blood samples taken from them, for example my son, who was just a passenger in the back seat of car which someone ran into, what if DNA tests have been undertaken on their blood? Could that end up on this national DNA register, particularly if the illegal tests were conducted by the South Australian Police Force?

The Hon. K.T. GRIFFIN: I have said that I do not know what tests, if any, have been conducted on samples of blood taken as a result of authority granted under the Road Traffic Act. What I am saying is that that material will not end up on the national DNA database for which the parameters have been established by this Bill for the purposes of forensic procedures, and I am not talking about the ones that are there already. When this Bill comes into operation, if samples are taken from a driver of a motor vehicle under the authority of the Road Traffic Act and they relate to a person who is subsequently convicted of an offence arising out of that, it may well be that it ends up on the national DNA database. I cannot be 100 per cent certain of that, because I am not sure of the exact linkage between the Road Traffic Act and this Bill in respect of that particular set of circumstances. What I am saying is that, if you are a passenger and you have had your blood taken with proper authority under the Road Traffic Act, it will not end up on the national DNA database prescribed by this legislation.

The Hon. NICK XENOPHON: I indicate that I support the amendment, and in the context of the current legislation I congratulate the Attorney on there being at least some compromise. It is a welcome compromise, but I indicate to the Attorney my concern about a perception in the community over the cost of getting test results and other aspects of the civil and criminal courts. There is concern about the cost of access to justice for individuals in getting access to material. The Attorney has indicated that a $10 fee will be charged for a video, which seems very much a cost recovery basis. Will the Attorney assure the Council that costs will be pegged with respect to the obtaining of results

on a cost recovery basis rather than it turning into a revenue raising device, as it has in the civil courts, for instance, with respect to transcripts?

The Hon. K.T. GRIFFIN: I deny that it is a revenue raising exercise in relation to transcripts, but we will have that debate on another occasion. I did not say that the fee for the video would be $10. What I did say was—

The Hon. T.G. Cameron: He has been practising lately and has had to pay all these fees. You're the Attorney: you collect the money.

The Hon. K.T. GRIFFIN: I am saying that under the provisions of section 74(d) of the Summary Offences Act, which relates to the videotape or audiotape recordings of evidence of an accused person, that fee is $10. That was fixed on 3 March 1996, so that is nearly two years ago. All I can say is that you will have an opportunity to review the regulations when they come to the Parliament and, if you are not happy with the information which is provided, you can do something about it. There is certainly no intention of making this a revenue raising exercise. We want to cover the costs and ensure that persons do have access to information, remembering that you can still view this free of charge. In my view, that really does mean that there is no downside in relation to access to justice.

Clause as amended passed.

Clause 39.

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

Leave out this clause and insert new clause as follows:

Access to results of analysis

39.(1) Subject to subsection (2), a copy of the results of the analysis of material taken from a person's body by a forensic procedure must be given to the person.

(2) However, if the results of analysis are in a form that cannot be accurately reproduced by photocopying—

(a) arrangement must be made, on request by the person on whom the forensic procedure was carried out, for the viewing (at a reasonable time and place to be nominated by the investigating police officer) of those results; and

(b) a copy of those results will be provided to the person on payment of the fee fixed by regulation.

This has already been the subject of discussion.

The Hon. IAN GILFILLAN: I will not vote against the amendment, but at the risk of being repetitious I make the point again that we object to a fee being required for material which cannot accurately be reproduced by photocopying.

Amendment carried; new clause inserted.

Clause 40.

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

Leave out this clause and insert new clause as follows:

40. If, in the course of a forensic procedure, a photograph is taken of part of a person's body—

(a) arrangements must be made, on request by the person, for the viewing (at a reasonable time and place to be nominated by the investigating police officer) of the photograph; and

(b) a copy of the photograph will be provided to the person on payment of the fee fixed by regulation.

The Hon. IAN GILFILLAN: Was any thought given to the possibility that in some circumstances this photograph could be photocopied and therefore be available on the same basis as provided by clause 39?

The Hon. K.T. GRIFFIN: No consideration was given to that, I suppose partly because it would not necessarily provide an accurate reproduction. If you have tried to photocopy photographs you would understand they do not accurately depict the information in the photograph. With the advancement of colour photocopiers and printers that might be achievable, but we did not consider that, because of the very nature of photographs.

Amendment carried; new clause inserted.

Schedules 1 and 2 and title passed.

Bill recommitted.

Clause 15.

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

Page 7—

Line 14—leave out 'A copy' and insert:

Subject to subsection (7), a copy

Leave out new paragraph (fa) of subclause (1) and substitute:

(fa) that, if information is obtained from carrying out a forensic procedure and the person is subsequently convicted of the suspected offence (or another offence by way of an alternative verdict) or is declared liable to supervision, the information may be stored on a database and will in that event be available for access by authorities of this State, the Commonwealth and other States and Territories of the Commonwealth; and

The first amendment is to ensure consistency. The other amendment is to ensure that a national DNA database is not only accessed by authorities in this State and other States but also the Commonwealth and the Territories, so it embraces the whole of all of the jurisdictions of the Commonwealth.

Amendments carried; clause as amended passed.

Bill read a third time and passed.

[Sitting suspended from 5.57 to 7.45 p.m.]

WATERFRONT MERCENARIES

Adjourned debate on motion of Hon. T.G. Roberts:

That this Council—

I. Condemns the Federal Liberal Government for fostering a strike-breaking mercenary group of current and former serving members of the Australian Defence Force to undertake an overseas training program designed to allow those persons to scab on members of the Maritime Union of Australia, who may, in the future, be engaged in industrial action to defend not only themselves but organised labour in general; and

II. Calls on the Federal Liberal Government to immediately recall all current serving members of the Defence Force involved in this program.

(Continued from 10 December. Page 184.)

The Hon. T. CROTHERS: It is not with any pleasure that I make this contribution, given the rationale that underpins the presence of the subject matter on this evening's Notice Paper. I happened to look at a recent OECD *Observer* copy which was headed up 'The OECD jobs strategy under scrutiny'. In the opening paragraph of that article it states:

In 1996 there were almost 36 million people unemployed in OECD countries, some six million more than in the mid 1990s and almost 25 million more than in the early 1970s. At 7.5 per cent of the labour force, unemployment in the OECD area is a major source of social distress.

It is 7.5 per cent and the OECD—a large and important organisation—has said that the 7.5 per cent of unemployment within their area is a major source of social distress. Our unemployment levels in this State are better than 10 per cent and certainly overall in Australia for the past decade, under Governments of both political persuasions, unemployment has been in a higher order than the figure of 7.5 per cent referred to in this paper, which itself has described unemployment as a major source of social distress and economic waste. It further states that high and persistent unemployment is affecting social cohesion and raising doubts about the

capacity of the OECD economies to offer improved living standards for their citizens.

The report then goes on to point out some areas of hope in respect of nations which are within the area of the OECD, having managed against the tide to reduce the high levels of unemployment. It is fitting in the light of the motion before us to examine how they did that. The article states:

> The most encouraging recent development in the OECD area has been the success of countries like Ireland and the Netherlands in curbing their structural unemployment rates in the 1990s. Ireland, it says, has experienced a larger reduction although from a fairly high figure of unemployment. In continental Europe, however, the Netherlands offers another prominent example of a successful combat—

that is a very pertinent word in the light of the resolution before us—

> against unemployment. From being one of the countries with the highest rate of joblessness in the early 1980s, it managed to bring it down to substantially below the OECD average.

The keen observer would want to know how those two smaller nations of the OECD were successful in grappling with the unemployment of our modern society. It goes on to say:

> Ireland and the Netherlands combine inflation below 2 per cent with general government balances which were then surpluses or had deficits of less than 3 per cent.

We as a nation fit one of those categories, but we certainly do not fit the second one. The article goes on to say further:

> Ireland and the Netherlands carried out their reforms through a consensual process.

Keep in mind what we have in front of us. They carried out their reforms through a consensual process, and I am referring here to the two most successful nations of the 1990s in the OECD dealing with the spectre of very high unemployment levels which, the article maintains, destroys the social adhesiveness and, indeed, the social structure of society. That is not an unimportant consideration. I repeat:

> Ireland and the Netherlands carried out their reforms through a consensual process.

That is seen by the authors as essential for their implementation. In Ireland, several aspects of the reforms were subject to a form of trilateral bargaining between unions, employers, and the Government. Ireland recently extended that process of discussion to cover representatives of the unemployed.

The tripartite agreement to which I have referred typically committed the Government to some action including such things as tax reductions within a framework of sound fiscal policy. This was done in exchange for moderate wage demands. Similar agreements were concluded by the Netherlands in the 1980s but have since become less formal in that area, although employees and unions still have a strong say in labour market and social policies through their permanent representation in key semi-official institutions.

This is the OECD, the European community, much wiser, much more powerful fiscally than are we, and this is their recipe for dealing with the spectre of unemployment. Consider, therefore, the resolution standing in the name of the Hon. Terry Roberts which condemns the Federal Liberal Government for fostering a strike-breaking mercenary group and condemns the Federal Government in essence for being involved, however peripherally, in taking on the employees and members of the Maritime Union of Australia. Indeed, it refers to the fact—and it is almost certain—that the serving members of our Defence Force, which were sent to Dubai to be trained, form part of the new trainees currently being trained on the Webb Dock site.

I draw the attention of my colleagues back to what transpired in New Guinea nine or 12 months ago under the former Prime Minister Sir Julius Chan when endeavouring to try to deal with the problem of the breakaway province of Bougainville. He employed mercenaries—mostly former paratroopers and SAS troopers, recruited, as I understand it, in South Africa and other parts, known as the Sandline mercenaries—and brought them in at a cost of $40 million, it is said, in an endeavour to try successfully to deal with the armed rebellion that was taking place in that breakaway province. That is a not unimportant consideration, I suppose, for the New Guinea economy, given that the copper mine in Bougainville represented one of the main lines of overseas earnings for the Chan Government.

What do we find happened here with this same Federal Government that is now employing our own troops on the wharves? They are mercenary troops—you can call them scabs, but they are mercenary. We saw Alexander Downer, the Minister for Foreign Affairs, recoil in horror; We saw Ian McLachlan, the Minister for Defence, recoil in horror; and, likewise, we saw Prime Minister Howard perform in similar fashion in the eyes of the public.

I believe that the Howard Government and those two senior Ministers were correct in their opposition to the Chan Government's bringing in Sandline mercenaries because, as I understand it, most of the $40 million expended on paying them would have come from Australian Government grants to the Papua New Guinea Treasury which stands at some several hundred million dollars or more each year.

They recoiled in horror because they knew that the appearance of those mercenaries in New Guinea could cause an awful lot of unnecessary trouble for the New Guinea Government and more instability than that from which it was then suffering because of the activities in Bougainville. In my view, they were correct at that time (and I applauded them for it), in opposing the Papua New Guinea Government's bringing in outside mercenary forces to try to perform a task that had proven over a number of years to be outside the capacity of the Papua New Guinea defence forces.

Yet, the Hon. Mr Peter Reith, in the self-same Government some six months later, throws up his hands like Pontius Pilate, washes them clean and says, 'I know nothing.' I think, unfortunately, that he, too, will probably hang on the cross in the same fashion as did Jesus Christ and the two thieves whom Pontius Pilate threw to the wolves when he condemned them to crucifixion.

I fail to comprehend why Minister McLachlan knows little or nothing about serving Defence Force members being sent to Dubai for training. One assumes that they were still being paid as serving soldiers in the Australian Army. If they were not, then the law was being broken, because they are supposed to be paid if they are serving soldiers in the Australian Army. Either way, their gratuities would have carried on and their periods of service would not have been broken. No matter how you look at it, this is the first glimmer of the misuse of taxpayers' funds in this whole sordid issue.

This is the same Government which condemned the mercenaries going into Papua New Guinea but which thought it was all right if it gave some effect to their own narrow-minded ideological viewpoints. I believe they are just as wrong on this one as they were correct over the Sandline mercenaries going into New Guinea. I believe they are wrong for the same reasons that I thought they were right in doing

what they did in respect of the Chan Government's employing mercenaries to resolve the Bougainville problem.

There is no consistency whatsoever in this Government. What they condemn in others, they then practise themselves. The same result will occur in respect of what they have done on the wharves in the port of Melbourne as they believed would happen six months earlier in Papua New Guinea. Will their actions decrease the costs for South Australian exporters? Despite what Mr McGauchie, the President of the National Farmers Federation, says, the farmers will not reap the benefit of any cost savings that may occur at Webb Dock.

If members want proof of that, they need only to consider a number of considerable in-depth studies that have been done in England relative to rationalisation, union busting, and so forth, where it is said that the beneficiaries will be the users who are at the coalface of the export. I can quote those references for members if I must. In-depth studies were done by a couple of universities in England in respect of the Thatcher years and as to what happened relative to cost savings and where they went.

Almost in their totality, both surveys found that moneys saved passed into the hands of the operators as profit and did not go down to the coalface users as cost savings. Is that not something that bells the cat about some of the lies that are being peddled by some members of the Federal Parliament in relation to where those cost savings will go? That really does bell the cat. More than that, not only will I be surprised if Mr Reith knows nothing about it but also I will be even more surprised if Mr McLachlan knows nothing about it. Those of us who remember the dispute over halal slaughtering of sheep and the export of sheep live to the Middle East will recall that the same Mr McLachlan, who was then President of the Farmers Federation, occupying the same position—

The Hon. A.J. Redford interjecting:

The Hon. T. CROTHERS: Was that a voice from the South-East, where the live sheep exports closed down abattoirs and pushed out of work people whom this spalpeen is supposed to be representing? Well, I ask you!

The Hon. A.J. Redford: I was on that front line.

The Hon. T. CROTHERS: I have no doubt whatsoever that you would have been on that front line. You would be somewhat to the right, ideologically, of Genghis Khan. I would have no doubt whatsoever that the honourable member would have been in the front line. They say no sense, no feeling. Who knows? Anyhow, I refuse to be diverted by my little young friend over there.

I know the Defence Minister, the Hon. Ian McLachlan, very well because he was vice chairman of a very good organisation with which I used to do business on behalf of union members in another life; so I, too, know him very well. In respect of those live sheep exports, the very self-same principle and tactics that are being applied at Webb Dock were applied then by Mr McLachlan.

The upshot of all that was that 'little' New Zealand would not export live sheep and held off for some years until Australia was so doing, and that then forced New Zealand also to export live sheep. The consequence in rural areas—and the abattoirs at Naracoorte are particularly painful in my memory—was that many of the abattoirs that did halal butchering for the Middle East nations were forced to employ part-time workers, retrench many of their workers or close down.

What did we see being gained out of it? All we got was the export of Australian and New Zealand jobs to the Middle East. I do not believe for one second that the farmers benefited from that in respect of additional profits. Last year we exported 29 million sheep and 600 000 head of cattle, and I do not need to tell you, Mr President, as a man of the land, how many jobs would have been retained had those animals been slaughtered here; nor do I need to tell you, Mr President, that the value of that meat—

The Hon. A.J. Redford interjecting:

The Hon. T. CROTHERS: Mr President, I wonder if you could talk to butcher Redford over here. He is giving me a lecture on abattoirs when I am trying to address another matter. I do not need to tell you, Mr President, how many jobs would have been retained in this nation if those 29 million sheep and 600 000 head of cattle had not gone out live last year. Indeed, how the value of the meat—

The Hon. A.J. Redford interjecting:

The Hon. T. CROTHERS: I have all night. No-one needs to tell you, Mr President, how the value of that meat would have been enhanced had it been slaughtered here. Instead, we export live sheep and cattle and we export the additional profits overseas to the nations where the slaughtering is being done. That is gravely affecting our balance of payments, and if that is a result which is favouring Australia then I will stand hee.

I see Mr Gauchie, present President of the NFF, and I see members of the Defence Forces over which the Hon. Mr McLachlan is Minister, being used in this silent, nefarious exercise. Will it create additional employment in this country should the matter go adversely against the MUA? Of course it will not. Out of 20 nations in Europe, the Netherlands and Ireland stand supreme at the top of the pinnacle in dealing with unemployment. Have they not shown the way forward—that the best way to deal with unemployment—and, indeed, if you look at the European figures, possibly the only way to deal with it in Common Market terms—is by having consensual agreement between all the parties involved.

This Government has chosen not to do that on a number of counts. More than that, in so doing it has put the rest of our farms, producers and exporters in jeopardy. I think my friend, the Hon. Ron Roberts, in a contribution he made earlier today relative to another matter on the Notice Paper but allied to the one which I am now addressing, gave what I believe was the best narration I have ever heard in my many years of listening to public speakers.

It does not leave me much room in respect of this matter. I believe that this has been an act of foolhardiness in the extreme. It does not create additional employment—it does not do that. It does not assist the farmers through additional moneys saved through cost production—studies have shown that. As I said, it does nothing for our unemployed but what it does do is stir up a hornet's nest when none needed to be stirred up. I acknowledge that there have been problems on some of the wharves in Australia in respect of the slow or almost non-existent progress of productivity but, for every wharf where that problem is, there are two where it is not.

The South Australian wharves are prime examples of this. I refer to the work of the Hon. Barbara Wiese and I give the present Minister her due because she has taken a leaf out of her father's book. He was a good industrial operator in this State, one of the old school, not like some of the young rambunctious operators—most of them barristers—we get from time to time who, it must be said, like fools rush in where angels fear to tread.

This has put us and our export trade in its totality at risk from the predations of the international organisations that

represent seamen, wharfies and transport people. Let me say for those fools who really cannot see beyond the end of their noses that there are many nations out there in the market for our products who would gleefully assist the transport competitors of ours in the open market—transport unions—in bringing our docks around Australia to a standstill because of the competitive edge with respect to the availability of their products over ours that such action would give them.

This has been something brought forward in respect to narrow ideological views relative to the matter. It is significant for me that the Federal Treasurer, Hon. Peter Costello, who has never been known to shy away from a fight with a union, has remained fairly silent on the whole matter. I further suspect that involved in all this matter is Peter Reith's own interests whereby he seeks to demonstrate that he—

The Hon. R.R. Roberts: Old hairy chest.

The Hon. T. CROTHERS: Yes—through taking on the wharfies is the strong man that the Liberal Party needs to succeed John Howard when he shortly leaves office and that Peter Costello is not there—too much of a fop—and I suspect that John Howard is involved. I have no doubt that John Howard is no friend of Peter Costello, and I am told by a reliable source that Peter Reith has the numbers at the moment over the Federal Treasurer.

The Hon. A.J. Redford: Tell us your source.

The Hon. T. CROTHERS: If I told you my source, you might get expelled from the Liberal Party. You know what they say: when young fools put their head on the block the old axeman comes down and chops.

Members interjecting:

The PRESIDENT: Order! Do not spoil your contribution.

The Hon. T. CROTHERS: Thank you, Mr President, for your protection. I shall not. It is unfortunate that there are some wretches who keep interjecting. I believe to my sorrow that that is part of the whole scenario. It is a hydra headed exercise and that is one of the heads of the hydra—Peter Reith's ambition to succeed his present Leader. He realises that in respect to capacity and ability he has a fairly doughty opponent. As much as I dislike Costello, I must be honest and say he is a man of considerable ability and capacity. I think the Hon. Mr Reith realises that the Hon. Mr Costello is indeed a doughty opponent and, so as to ensure his promotion to the purple, it will be necessary to score big in the eyes of the ideologues who run the dry faction of the Liberal Party. This is part of the Webb Dock scene. It is an absolute disgrace; it is a nefarious disgrace for which there was absolutely no necessity—absolutely none whatsoever. At a time when the world economy is trembling on the brink, the last thing Australia needs, if it is not to go like its East Asian neighbours, is an unnecessary internationalised dispute on our wharves. I am only sorry that I have to get up and make a speech in support of a motion which the mover had no alternative but to put on the Notice Paper.

If the Labor Party was to stand for anything, if it is to maintain integrity and principle, then this matter cannot be left unchallenged. I say that with all the sincerity I can muster. This is an ideological game that is played. I say it for the sorrow I feel in my heart for the farmers who have had three good years in a row and who are not and were not involved and who now through their union—the National Farmers Federation (it is a union)—have become involved. This dispute could become much more widespread. It should never have got off the ground. I support the proposition and I thank you, Mr President, for your protection throughout from those raucous young interjectors who were like a flea in the ear, giving me some palpitations at times as to whether I should repost back or maintain my dignity and stand for the rules of debate in this Council. Thank you, Mr President.

The PRESIDENT: I commend the Hon. Mr Crothers on his skilful and respectful style of address to the Chamber.

The Hon. A.J. REDFORD: I must say I enjoyed the last contribution in silence. It bore no relevance to reality.

The Hon. T. Crothers: More lies.

The PRESIDENT: Order!

The Hon. A.J. REDFORD: I have to say that I share, although perhaps not in the same way, the Hon. Trevor Crothers' sorrow in his heart. I have some sorrow in my heart at the intellectual bury-your-head-in-the-sand attitude adopted by the South Australian Parliamentary Labor Party. The motion condemns the Federal Liberal Government for fostering a strike breaking mercenary group and calls upon the Federal Liberal Government to immediately recall all current and serving members, assuming that these people were members of the armed forces.

Members interjecting:

The PRESIDENT: Order!

The Hon. A.J. REDFORD: It is very interesting to see that there has not been one scintilla of evidence to show that the Federal Liberal Government did foster a strike breaking mercenary group. The Opposition may have its suspicions and think that that might be the case but, in the case of the straightforward, unequivocal denials on the part of the Minister, Mr Reith, I cannot see how this motion can possibly be passed. I know the Hon. Trevor Crothers is an honourable person, one who believes in the presumption of innocence, one who believes in the rule of law and one who in my experience generally acts only upon the evidence before him and his own personal experience.

It is disappointing to see that what little hope the Australian Labor Party had of becoming relevant in most of the debates that are going on around the country at the moment, including tax and dealing with our debt in this State with the sale of ETSA, is becoming increasingly irrelevant. In fact, it is so disappointing that former Senator Graham Richardson in a *Bulletin* article (3 March) talks about the Labor Party and its ability to stick its head in the sand, to raise hoary old ideological chestnuts and to miss opportunities. He virtually predicted the demise of Bob Carr because of that attitude. In that article he says:

> Is it any wonder, then, that I still feel considerable pain when I see the Party for which I worked for almost all my adult life miss opportunities and waste chances? There are two reasons for my melancholy—

One was the electricity issue and the other the way in which the ACT branch of the Labor Party has been dealt with. He continues:

> Carr was booed and jeered by delegates from the Left and the Right when he put forward his proposition. As usual the ALP—the Party of change, the Party of reform—found the concept of changing or reforming itself far too hard. . .
>
> It was great, emotive stuff and in the absence of anything like the amount of preparatory work which ought to go into exercises of this kind, the ALP conference crushed its Labor Premier.

This is on all fours with what Graham Richardson is saying in that article, and that is that the Australian Labor Party, particularly the South Australian Division, had stuck its head firmly in the sand, rolled out the two Roberts boys, sent them out and said, 'Let's have a talk about this waterfront fight.' I have not seen Bob McMullen since he made his gaffe the other day—and I will return to that. I have not seen Beazley,

Gareth Evans or anyone of the Labor leadership team come out of the bunker and try to support the union in this case.

Indeed, after first raising the issue in the Federal Parliament, and faced with the clear and unequivocal denials on the part of Mr Reith, they have not said anything about this at all. There is absolutely no evidence to support this motion. I am not sure what the Australian Democrats will do when it comes to a vote on this.

The Hon. R.R. Roberts interjecting:

The Hon. A.J. REDFORD: The honourable member interjects and says, 'They'll have two bob each way.' The interesting thing will be to see whether or not they will act on the evidence that is being presented, because there has not been any. You just come in, Hon. Terry Roberts, looking for another union to support the progressive Labor alliance backed by former Federal Parliament member, Peter Duncan, and then the Hon. Ron Roberts has endeavoured to support him.

I always listen to the contributions of the Hon. Trevor Crothers with a great deal of interest. He said that the performance of the Hon. Ron Roberts was one of the best he had ever seen from that member. I might point out that he was not in the Chamber at any stage during that contribution; it was not the impression we got on this side of the Chamber.

The Hon. Ron Roberts in his contribution late this afternoon made some comments about there being an enterprise agreement and asked why the NFF was poking its nose into the issue. The answer to that is simple: the NFF wants to enter into this field of endeavour, and it is entitled to do that. It is entitled to enter into a commercial endeavour to compete with other enterprises. Consistent with the Kernot supported industrial relations Bill, it decided that it wanted to recruit workers who were not necessarily members of the MUA. It is entitled to recruit anyone it likes under the legislation that was supported by Cheryl Kernot, and whether that be people who have had training overseas or former members of the armed forces that is its right and entitlement.

If the MUA cannot face that sort of competition it ought to go, because we live in a competitive world where microeconomic reform was substantially advanced by the former Federal Labor Government. It is the sort of microeconomic reform which was promised to us over and over again by the former Federal Labor Government but never delivered.

The Hon. P. Holloway: It was delivered.

The Hon. A.J. REDFORD: The Hon. Paul Holloway says, 'It was delivered.' Look at the wharves now compared to what they were. You did the easy bit, but have a look at them compared to what they are overseas—that is the hard bit. Talk to exporters who have to compete and who have been competing on the world market for many years. They are entitled to expect world class performances from that aspect of the industry.

The Hon. P. Holloway interjecting:

The Hon. A.J. REDFORD: If they cannot deliver world class performances we will have to get someone else to do it. The honourable member interjects and says, 'World class management', and I would agree. It has been easy for management to enter into sweetheart deals with the MUA, faced with the sort of tactics that the MUA adopted—strikes for football grand finals and things like that. It is absolutely outrageous to say that we can expect, in an export industry, second rate service from our stevedoring industry—service which our competitors for our export industries do not have to put up with, and I will return to some of those later.

It is interesting to note some of the things that go on in the waterfront today. We have a thing called the 'overtime culture rort', where casual employees cannot be used until after all permanent employees have been offered overtime work. That provision results in wharfies being able to whistle up at will the famous double-header. Then we get the 'cold seat rort', where wharfies are issued with required clothing before the start of each shift but refuse to dress before the shift starts and have a cold seat changeover when they can discuss business.

Then we get the 'five men for four containers rort', where, in delivering exempt refrigerated kiwi fruit cargo from No. 5 Webb Dock, the MUA demanded and got the kind of manning level that sums up the need for waterfront reform. To deliver just four containers—and that means to pick them up with a forklift and load them on to a truck—they required five people: one forklift driver, one foreman and three clerks. Sounds like the future ministerial office of members opposite. Presumably, the clerks were needed to do the heavy load of advanced mathematics involved in counting four containers.

I now detail the 'automatic weighbridge rort'. In the Port of Geelong there is an automatic weighbridge. It takes 15 minutes to set up and 15 minutes to tally up at the end of the shift, and the MUA requires one wharfie to watch the weighbridge for the entirety of each shift. Then there is the 'don't tell my mates I'm getting paid rort'. Some striking workers at Patricks are still earning wages. Two men claimed $1 200 each in one week by reporting to work at the company's other Melbourne facility not affected by the strike action. Then we get the 'march for money rort'. The MUA and affiliated unions held a stop work march through the streets of Melbourne. The MUA notified the stevedoring companies that a stop work meeting would be held. Under their award all marching wharfies were paid at the daily shift rate to attend the rally.

Then there is the 'I can work fast on overtime rort'. Apparently, productivity per hour doubles if employees are told they can go home after handling a set number of containers in a shift and they are paid for that full shift. We look at some of the conditions that these privileged Australian enjoy.

Members interjecting:

The Hon. A.J. REDFORD: This is all printed in the media. There are none of the big gaps that are left by Beazley's silence. You know Beazley, he's your Federal Leader. He does not say anything on this topic because he knows that these are a bunch of rorts. He gets a few backbenchers in the ALP in little old South Australia, the place that has had the most recent election, to wheel out this so-called frenzied protection of their mates in the MUA.

We will go on. The 4 500 MUA members working as waterside workers are paid between $74 000 and $110 000 per year for a 30 hour working week. Comparisons with other shift workers' base pay show a police officer on $47 000; a nurse, $43 000; and construction worker, $35 500. They have a 35 hour a week base award condition but meal and smoko breaks are included and paid for in the 35 hours.

The Hon. R.R. Roberts interjecting:

The Hon. A.J. REDFORD: I invite the Hon. Ron Roberts to listen to this and calculate it, because by the time we have gone through the figures the Hon. Ron Roberts will have worked out that lawyers are getting paid less per hour than these guys are paid. I will expose that.

Then we get to the next matter. The MUA insists that all employees join the union, including employees at Patrick and

P&O and, when hiring, Patrick has to consult the union. The only crime the NFF has committed is to say it does not want people from that union, or that they can apply but they will abide by its enterprise bargaining agreement, which will go through all the protected processes set up by Cheryl and Peter. I saw Cheryl standing there—

The Hon. Sandra Kanck interjecting:

The Hon. A.J. REDFORD: Cheryl Kernot, the one you spoke about the other night. Then there is the issue that at some sites rosters exist which give workers one paid week off in every five. Would we not like that? Then we see that waterside workers are frequently paid to stay at home; it is called 'idle time'. I suppose that is about the only truth in this whole matter. In Adelaide, work is available only 50 per cent of the time, and employees are paid to stay at home for the balance of the time. This is here in Adelaide—and this is the most productive port in the country; they work 50 per cent of the time.

The Hon. R.R. Roberts interjecting:

The PRESIDENT: Order! The Hon. Mr Roberts will come to order. You have had a fair go this afternoon and put your case very well. Why do you not listen now to another honourable member who is putting his case? You will have a chance to conclude. I also say again to the honourable member who is now contributing, Hon. Mr Redford, that, when you refer to members of Parliament or other people in society will you please use their titles, not their Christian names?

The Hon. A.J. REDFORD: I raise another matter. They get 10 days' sick leave a year which accumulates and which can be cashed in. What other enterprise is doing that? They get five weeks' annual leave with 27.5 per cent leave loading—that is one extra week with an additional 10 per cent loading over most awards; and long service leave with (wait for it) 27.5 per cent loading. Most awards provide 17.5 per cent. They get paid leave to attend Federal union conferences. All driver's licences, equipment licences, trade certifications and qualifications are paid for by the employer. They get two paid stop work meetings a year, a non-taxable meal allowance of $6.40, and no work if the temperature reaches 38 degrees, even though all mechanical equipment is air conditioned. Rain and dust conditions also apply, and there is a $1 600 a year allowance for telephones, laundry, etc. Gyms, pool tables, televisions, radios, showers and lockers are provided on site. There is a three-year job guarantee, with the redundancy pay-out set at $90 000, plus super.

What do we get for all this? We have the most unproductive wharves in the world. We have a five-port national average of 18.3 crane movements per hour, when good operations overseas of a similar scale to Australian ports average 30 per hour. The MUA blames old and unreliable equipment—

The Hon. R.R. Roberts interjecting:

The Hon. A.J. REDFORD: There it goes: the Hon. Ron Roberts has jumped on it—for the poor productivity rate. However, over the past three years, in excess of $400 million has been poured into state of the art cranes, straddle carriers, forklifts and computer systems, yet there is no sign of any sustained improvement in productivity. Australian exporters cannot afford to suffer the poor productivity, unreliability and high costs of this protected employment sector. A significant factor in the poor stevedoring performance is a bad occupational health and safety record. The industry has the poorest lost time injury and workers' compensation record of any industry in Australia, including the coal industry. The number of work related injuries on wharves in 1994-95 was 169.6 per thousand employees compared with 64.3 for the mining industry and 29.1 for all other industries. In 1997, industrial disputation on the waterfront was second only to the coal industry.

Indeed, it is interesting to hear what other people are saying about this. The Ship Owners' Mutual Strike Insurance Association, known as the Strike Club, ranks Australia No.1 in terms shipping strikes. The ranking is more startling because Australia accounts for just 2 per cent of the world's shipping trade. So, we are No.1 in terms of strikes and we have only 2 per cent of the trade. New Zealand fell out of contention ages ago. Port reform in New Zealand has added millions of dollars to the incomes of farmers and exporters, and indeed has enabled them to keep some of the markets they might otherwise have lost. It has also improved the everyday lives of ordinary New Zealanders, who now pay less in port costs for every imported product.

Richard Prebble, former Labor Party Minister responsible for New Zealand waterfront reform (and the Hon. Mike Rann is quite fond of quoting New Zealand politicians), stated:

> My advice to Australia is simple: you don't need another expert report or conference. You need action.

That is precisely what the Federal Government is doing in relation to waterfront reform. Then, an editorial in the *Sydney Morning Herald* states:

> The waterfront is one of the most glaring examples of workplace inefficiency in Australia. This is more than an anomaly. It is a deadweight on other areas of industry and must be removed.

Indeed, it has been said by many sources that the MUA's outdated approach to industrial relations is costing Australia hundreds of millions of dollars.

It is interesting to note that only recently the Maritime Union of Australia rejected an offer to buy and run the $18 million Darling Harbour docks operation for $1. It is reported that the offer came from Chris Corrigan in the wake of the company's continuing losses. Mr Corrigan said:

> 'You can have the business for $1,' then I slid a dollar coin across the table and said, 'Here's the coin you can use to buy it.' But the offer was rejected out of hand.

It is interesting to look at the South Australian performance, and I must say that in Australian terms it is very good, but it is about the equivalent of South Australia's winning the Sheffield Shield at a time when we had not won a test match for five years. We have some extraordinary difficulties. We have 25 crane movements per hour, and we say that that is a good record.

The Hon. Diana Laidlaw: It's the best in Australia.

The Hon. A.J. REDFORD: It is the best in Australia when you look at it from that perspective and on that benchmark. However, those 25 crane movements are at good times, whereas the average is 21.1 containers per hour. That is better than the other States but well below the Auckland performance at a regular 25 per hour and far below 30 per hour being achieved in places such as Thailand. We have some specific problems in South Australia. There is only one container terminal and only one container terminal operator—Sea-Land—and that is a monopoly. Whilst it has a better crane rate than, say, Melbourne, it charges about 20 per cent higher fees than Melbourne. When we look at container handling charges, the Adelaide head of Sea-Land (Captain Andrews) claims some commercial confidentiality, but the reality is that there is a monopoly which charges more on a pure cost-plus basis and to the benefit of MUA members to

move a couple more containers per hour than the national average. Monopolies are a real problem in this respect, and that is something that the NFF operation is directly confronting. We can look at what happened previous to Sea-Land coming here—and Barbara Wiese is regarded as the great instigator of this; she replaced one monopoly with another. That is hardly the micro-economic reform that the Hon. Paul Holloway was jumping around so vigorously about not more than five minutes ago.

The Hon. P. Holloway interjecting:

The Hon. A.J. REDFORD: The Premier has addressed that. He in some respects frog-marched the Leader of the Opposition up to the line. The Premier is endeavouring to build a Darwin connection on the rail line. Then we will have real competition because as producers we will be able to choose between a Darwin port and a Port Adelaide port. It is interesting to see what Jeff Kennett says about this. He is a well respected national leader. He stated:

> I know some would say it's naive, but I can't understand why John Coombs doesn't say to his men, 'Righto guys, we're not going to beat the NFF by strikes and legal action. There is only one way we're going to beat them and, let's face it, at the moment the wharfies have in one sense all the cards in their hands. They know how to use the equipment already. They haven't got to train people to go in their work force.' So I don't understand why John wants to take the union back to old trade union practices. Why doesn't he become a modern trade unionist and get to his men and challenge them to prove that they are better than anywhere else in the world? This is not about crushing the union, whether it is the waterside workers or it was the vice versa the NFF. This is about challenging the union. Look, if I'd give them all knighthoods if they got to the position where Melbourne was recognised as the most efficient port in the world because it happened. We could attract new industry here in manufacture to export through that efficient port. So, the one objective is not to crush the union: the objective is: how do we get John Coombs to understand that this isn't a matter about destruction of the union. It is the creation of opportunity for efficiency and competition.

That is what Jeff Kennett said on 5 February 1998. That is precisely what Reith is trying to achieve with these changes. It is a competitive environment in a port to enable our exporters to achieve the best returns. Jeff Kennett, 14 days later, had this exchange with an interviewer:

> Interviewer: There was a notion that for a while that farmers would become disillusioned with the waterfront move. In fact, the opposite has happened. Farmers are rallying behind the NFF and, indeed, the NFF's membership rates are going way up. What do you think that says about the situation?
>
> Jeff Kennett: I think I'd like to say that it's a bit like what's happened here with the Government: people respect leadership. They may not always agree with everything you do, but they clearly want to be led where they understand what the objectives are. Now in this particular case the objective is a more competitive waterfront to create employment opportunities for Australians and greater return for work done. Don McGauchie, Peter Reith, Chris Corrigan—they are three individuals who are working to achieve that and it doesn't surprise me at all in particular that rural Victorians are giving Don their total support and they should. If they don't then they can't complain if in fact we do not only not maintain our industries at the level they are but we deny ourselves the opportunity to grow.

From my dealings with people in rural South Australia—and unlike the Hon. Ron Roberts I have a high regard for them—I believe they are putting their weight behind the Federal Government's approach in dealing with this issue.

There are some extraordinary stories. A Queensland business imported all its terrain vehicles from Canada. It then put some value in them and distributed them within Australasia, including New Zealand and, until recently, Papua New Guinea. The waterfront costs in Brisbane put paid to the Papua New Guinea trade. The Canadian exporter now finds it cheaper to send his vehicles to Port Moresby via Europe. Indeed, that has caused a significant loss of income to that Australian business and does nothing to enhance our reputation.

I listened with some interest to the Hon. Ron Roberts's rather facile attack on the legal profession and the sort of fees it charges. The Hon. Ron Roberts has displayed absolute gross pig ignorance when it comes to comparing fees with wages. I do not expect many members opposite— the Hon. Terry Cameron is a notable exception—to understand anything about finance, economics and about the cost of running a business. What the Hon. Ron Roberts does not understand is that a lawyer in private practice generally with a nine hour day (and I am happy to provide him with information from time and motion experts, if he wants) will generate about 5½ billable hours a day. Generating that 5½ billable hours a day is something the Hon. Ron Roberts has never had to do in his life. I can understand his absolute base and gross ignorance on this topic because he has had no personal experience in this area. He would not know.

However, the trouble and the tragedy is that he would not even bother to take the trouble to know. Lawyers, like most other businesses, have overheads. They pay rent, wages, workers' compensation costs, leave loadings, holiday pay and all of these overheads and have to cover those overheads from within those charges. So, the Hon. Ron Roberts can come bouncing into this place and make personal attacks on the Minister for Defence, the Hon. Ian McLachlan, make personal aspersions about my weight and then come up with some facile comment about lawyers' incomes.

Independent surveys have shown—and if the Hon. Ron Roberts would be remotely interested, I am happy to send him copies—show that the average income of a lawyer in South Australia is $40 000 per annum after the payment of all his overheads. That is hardly anything to get excited about and there are a substantial number of lawyers out there, having gone through the trouble of completing a tertiary qualification—something which the Hon. Ron Roberts managed to avoid—and having gone through a period of low income when they first entered the work force, notwithstanding all of that earn less than the wharfies. That is notwithstanding the fact that lawyers have to develop, pay or borrow money for capital expenditure to pay for their equipment, library and various other things. I am used to the cheapness of the Hon. Ron Roberts approach to politics—

The Hon. R.R. Roberts interjecting:

The PRESIDENT: Order!

The Hon. A.J. REDFORD: I am used to this 'climb down in the gutter and throw a few figures around and let us not compare apples with apples because it might ruin my good story' approach to the debate. It is a grossly unfair comparison and a poor reflection on his colleagues.

The Hon. R.R. Roberts interjecting:

The Hon. A.J. REDFORD: The Hon. Ron Roberts interjects and says that I cannot take it. I sat here for an hour and listened to this poppycock. Now that he is getting it back, he is the one sitting there interjecting, jumping up and down and being called to order throughout the course of this debate. To come in here and make some of the personal comments that he made when dealing with this issue is an absolute disgrace and an abuse of this place and something that ill-behoves Her Majesty's Opposition. Indeed, I am sure that the Hon. Ron Roberts will be soundly rebuked. When the honourable member attacks hard-working farmers in the

manner that he has I must say that I am appalled. He sits there and says that the farmers receive substantial subsidies. I look forward a great deal to sending out my press release tomorrow explaining to those farmers that according to the Hon. Ron Roberts they are lucky because they are getting all these subsidies. I am sure that they will write to the Hon. Ron Roberts and say, 'Thank you, Mr Roberts, for telling us about all these subsidies. We didn't know that we were so well off. You'd better tell our bank manager.' He then says:

> When the legislation comes up on the dairy industry let us open that up to competition. When it comes to chicken and meat and pork coming into the country, let us take away the barriers.

What barriers? There is not one primary industry in this country that does not in some way, shape or form compete on an international market—and that is more than can be said for the MUA. It is those people who are losing their farms and who do not have the income to enable them to provide properly for their enterprises and families. In such a serious debate it ill behoves the Hon. Ron Roberts to have a go at another honourable member's weight. It is absolutely over the top.

The Hon. Paul Holloway turns around to look at him. That is what he did. He showered a series of personal attacks on members of this place. I must say that he has done this place no good at all. The honourable member went on to say the following about the farming community:

> Let us have some competition. These farmers want the brave new world. Well, let us give it to them. They will squeal and run to their political mates. No, they do not want competition. They want to screw the wharfies so that Peter Reith can look tough when they torpedo John Howard.

I reject utterly those statements about our farming community. Is it any wonder that members opposite cannot win a seat outside metropolitan Adelaide with the exception of Whyalla? Is it any wonder that that is what has happened in political terms?

The Hon. Ron Roberts should know better. He spent a significant period of time in the last Parliament as the shadow Minister for Primary Industries. The fact is that after the whole of that period as shadow Minister this is the contempt in which he holds primary producers in rural South Australia. I must say that the Hon. Ron Roberts is a grave disappointment to me, and I imagine that he is a grave disappointment in political terms to the Leader of the Opposition. I know deep in my heart that he is a grave disappointment in the heart of good members such as the Hon. Paul Holloway. It was a disgraceful performance. One can only live in hope that one day the Hon. Ron Roberts will provide us with an intellectual debate about something, if that is possible, and we can get on with dealing with the issues rather than indulging in personal attacks. I oppose the motion.

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

TRADE PLATES

The Hon. SANDRA KANCK: I move:

> That the regulations under the Motor Vehicles Act 1959 concerning trade plates, made on 13 November 1997 and laid on the table of this Council on 2 December 1997, be disallowed.

My office has been contacted by the owner of a small business that manufactures and installs exhaust systems for heavy vehicles. Occasionally, the business would modify or replace the exhaust of a new unregistered vehicle. As a courtesy to those customers, this business would collect and return those unregistered vehicles, that being considered to be good business practice. However, as a result of the large increase in the cost of trade plates for heavy vehicles from approximately $450 to $750 per annum—a very hefty increase—this business has been forced to give up its trade plates and hence the provision of an extremely useful courtesy to its customers.

My office investigated why the cost of trade plates had skyrocketed in this low inflation environment. The reason stated was continual abuse of the trade plates system. An example given was the owner of numerous cars (I assume that means the operator of a used car yard) not registering any of the vehicles and simply rotating a trade plate around the vehicles when in use. This could be done by various members of a family and, depending on the number of cars involved in such a rort, it could provide significant savings for the owner.

Unfortunately, simply hiking up the price of a trade plate does little to restrict this type of a rort. At best, it confines it to people who can afford the new increased cost of a trade plate. It may even encourage the misuse of plates as people look to get full value for the plate.

The downside of such an increase is that some legitimate users of the plates have been forced to turn them in and many others are smarting under the increase. Good manners may cost nothing, but a business courtesy costing $750 a year was too much for the exhaust manufacturer who contacted my office.

This raises a more general philosophical question. Simply jacking up prices as a means of controlling rorts is often counter-productive. To me, it seems a bit like a child who has been naughty in school and who will not own up, so the whole class is kept back after school. A consideration of the relationship between registration costs and road related costs indicates that it is the frequency of vehicles on the road that should determine the impost placed on the motorist.

Equity demands that we develop a more direct relationship between registration imposts and road related costs. This impost has been borne by a few small businesses in our State. It is not a particularly sexy issue; and there has been no media interest in it. In fact, I expect that the media knows nothing about it. Nevertheless, it is an impost on small business.

I do not deny that there are people rorting the system, but the Democrats believe that the method the Government has used to deal with it merely confuses the issue and will not stop the rorting. We think the Government should go back to the drawing board on this one, and that is why I move for the disallowance of this regulation.

The Hon. CAROLINE SCHAEFER secured the adjournment of the debate.

RURAL ROAD SAFETY STRATEGY

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

> That the Environment, Resources and Development Committee be required to investigate and report on the draft South Australian Rural Road Safety Strategy prepared by the South Australian Road Safety Consultative Council.

The Government, on behalf of all South Australians, has placed a very high priority on road safety issues, as I believe the Parliament as a whole would wish us to do. Generally, in terms of debate and questions in this place over some period

of time, road safety has certainly been a major concern for members. I therefore wanted to highlight a number of issues in terms of rural road safety and, as part of this whole exercise, to note that the South Australian Road Safety Consultative Council was established by the Government in 1994 with Sir Dennis Paterson as Chairman and with senior representation from the RAA, Police, Transport SA, Motor Vehicle Accident Commission, the Department for Education and Children's Services, the Local Government Association and the legal profession.

The council has worked diligently, and in 1995 the Government released the South Australian strategic plan for road safety to the year 2000. All the initiatives outlined in this plan are designed to meet an ambitious target in terms of reduced road fatalities. The target is a 20 per cent reduction on the trend decline in road deaths based on 1993 deaths. I think I should explain that target in more detail by highlighting that the base 1993 figure for total deaths on South Australian roads was 189. At that time, the forecast for decline, in terms of trend lines over the previous two decades, meant that the projected steady decline in deaths by the year 2000 was estimated to be 134.

Therefore, the strategic plan for road safety launched by the Government has set a target of a 20 per cent reduction on the 134 that had been projected by steady decline on the 1993 road deaths of 134, that 20 per cent reduction being a figure of 109. I think all members would argue that it is 109 too many road deaths, but it is a huge difference on what has happened in the past in terms of deaths on our roads, and it is an ambitious target.

In terms of reaching that target, in 1996 I, as a member of the Australian Transport Council, together with Commonwealth, State and Territory Ministers, signed the national road safety action plan. I then subsequently approved a proposal from the South Australian Road Safety Consultative Council that a task force be established to prepare a rural road safety action plan for South Australia incorporating initiatives from the State plan, the national road safety action plan and any new matters that were generated by the task force itself.

The need for a road safety focus in rural areas is obvious when one considers, first, the disproportionately high number of fatality crashes in rural areas compared with the metropolitan area and, secondly, that the majority of drivers involved in rural fatality crashes live in rural areas. This fact is not always acknowledged, in fact rarely acknowledged, by country people, but it is one that I am very keen to see brought to the fore in the debate about rural road safety issues.

Indeed, the latest available figures (November 1997) from Transport SA's Office of Road Safety indicate that approximately 65 per cent of road fatalities and serious casualties in South Australia involve people who live in rural areas. Against this background it is important to acknowledge that South Australia has recorded considerable success since the 1970s in steadily reducing the number of fatal and casualty crashes. I seek leave to have inserted in *Hansard* two tables which highlight fatal road crashes and casualty road crashes in South Australia.

Leave granted.

Table A showing number of SA Fatal Road Crashes, Adelaide and Country Area 1987 to 1997 (as at end of November each year)

Year	Adelaide	Country	Total
1987	91	112	203
1988	89	94	183
1989	87	92	179
1990	73	97	170
1991	76	77	153
1992	59	73	132
1993	85	90	175
1994	61	77	138
1995	71	81	152
1996	66	83	149
1997	45	65	110

Table B showing number of SA Casualty Road Crashes, Adelaide and Country Area, 1986-87 to 1996-97 Financial Year

Financial Year	Adelaide	Country	Total
1986-87	6570	1926	8496
1987-88	6117	1926	8043
1988-89	5186	1950	7136
1989-90	5589	1880	7469
1990-91	5322	1646	6968
1991-92	4562	1558	6120
1992-93	4760	1521	6281
1993-94	4812	1522	6334
1994-95	4645	1489	6134
1995-96	4815	1597	6412
1996-97	4625	1370	5995

The Hon. DIANA LAIDLAW: I particularly highlight table A and the decline in fatality crashes during the 10 years 1987-1997. The decline is of a similar order in both the metropolitan and rural areas of the State with metropolitan fatality crashes declining from 91 to 45 (a decline of 50 per cent) and rural fatality crashes declining from 112 to 65 (a decline of 42 per cent) during the same period.

Many reasons are offered for the disproportionately high number of rural fatalities, including the nature of rural crashes where higher speeds and longer distances are involved, the amount of time that people do spend in their vehicles, and the numbers of people per vehicle. All these matters are considered factors in rural road crashes and deaths. Other regional issues are also involved, including the higher patient retrieval and treatment times often resulting in high incidents of life-threatening injuries. These issues are all canvassed in the rural road strategy proposed by the task force on behalf of the South Australian Consultative Council for Road Safety.

The action plan arising from consultations, particularly based in Tanunda about a year ago, has been divided into two tables. I seek leave to table a copy of the rural road safety action plan before addressing the contents of that plan.

Leave granted.

The Hon. DIANA LAIDLAW: The report is divided into two tables. Table 1 contains actions which have been either completed, commenced but which have not yet completed, commenced or are ongoing from year to year, or have been funded in the 1997-98 financial year. In other words, there is already a funding commitment to the actions in table 1.

Table 2 contains recommended actions that are yet to be commenced. Activities are listed under three priorities: short term, long term and those priorities that are agreed in principle by the consultative council but which the council believes require further investigation. The issues promoted as part of the plan include:

1. Enforcement and public education on speeding and seatbelt use.

2. The involvement of local communities, including schools, in building a road safety ethos.

3. Action by local government to ensure best practice in road safety measures.

4. The use of road safety audits to remove hazards.

5. The black spot funding process and other road improvements.

6. Driver education and training.

7. Driver fatigue measures, including encouraging rural communities to develop incentives for drivers to break their journeys.

8. Consultation with Aboriginal communities on road safety.

There are also many more issues that are discussed and many more specific areas are canvassed under those general headings. Members who have been around this place for as long as I have—some 15 years—will remember that earlier this decade, in about 1991, the Hon. Frank Blevins as then Minister for Transport introduced into this place a 10-point road safety plan based on the insistence—it may also have been financial blackmail as it was often dubbed at the time—by the Federal Government and the then Federal Minister for Transport (Hon. Bob Brown). At that time it was insisted that there be many initiatives taken in the interests of road safety: the introduction of a .05 BAC limit, the introduction of 100 km/h as the general speed limit, compulsory bicycle helmets, lights on motor bikes and many more.

Some of these issues created considerable controversy within all political Parties and I can certainly recall extraordinarily heated debate in this place and in the community at large about many of the specifics of that 10-point black spot program in addition to the manner in which the Federal Government of the day and particularly the Hon. Bob Brown sought to have that plan adopted.

I remember debates about the 100 km/h general speed limit and highlight that the Rural Road Safety Action Plan that I have tabled today does propose that such a speed limit be enforced across the State. That sort of issue, plus the compulsory carriage of licences, is canvassed in the report, including the mandatory suspension of licence, and quite a number of other issues.

The action plan itself, as I highlighted in respect of table 2, notes that there are matters that have been agreed in principle by the Rural Road Safety Task Force and by the South Australian Road Safety Consultative Council but those forces, lobbyists and enthusiasts agree that the issues require further investigation.

My very strong view and that of the Government is that that investigation should be undertaken by further community consultation, particularly with rural communities, and that the focus for feedback and conduct of those discussions should be members of Parliament because, ultimately, the decisions arising from these matters will have to be determined in this place across Party lines. Because they are issues being proposed in the community interest, they should be looked at by members of the Parliament at this time.

I stress strongly that all of the issues raised by the task force and the South Australian Road Safety Consultative Council should be debated in the community. I do not dismiss any of them in terms of issues for debate. I question whether adoption of some of these issues will be accepted, particularly by rural communities, and I believe it is extraordinarily important that these issues are debated and embraced by rural communities, for the measures to be effective.

Increasingly, I believe that in road safety terms we can look at more legislation and more and more enforcement. All of these issues are important but it is the attitude of mind and the behaviour of individuals that ultimately will create change in this area to reach the target set in the Road Safety Strategic Plan adopted by the Government on behalf of South Australians generally for the period 1995 to 2000. Without community support and culture change we are not going to see the drop we would all like to see in the road toll overall.

Members of Parliament have a particularly important role to play in addressing these issues, particularly members with rural allegiances or who are holding rural seats. It is for this reason that I, on behalf of the Government, propose that the Environment, Resources and Development Committee be the source for seeking this community opinion and for debating and recommending in some of the areas that require further investigation in terms of this Rural Road Safety Action Plan. The committee's terms of reference certainly embrace the issue of transport, because section 9 provides that the committee:

> (a) . . . inquire into, consider and report on such of the following matters as are referred to under this Act. . .
>
> (iii) any matter concerned with planning, land use or transportation.

In terms of land use, transportation and the environment generally in the broader sense, rural road safety issues are highly appropriate to be considered by the committee. It is highly appropriate, considering the membership of the committee, because that has been a consideration for me in proposing this legislation. The membership from this place includes the Hon. John Dawkins, the Hon. Mike Elliott and the Hon. Terry Roberts. All three members have various active levels of country interest, ranging from the Mid North, the Riverland and the South-East, and beyond. From another place the members are the member for Hanson, Stephanie Key, the member for Chaffey, Karlene Maywald and the member for Schubert, Ivan Venning. All these members have an active interest either in rural issues or in transport issues in particular. The member for Hanson was very involved, as an organiser I think, with the Transport Workers Union. The other members represent country seats. I know from speaking to them individually that the issues proposed in this report are very active in the minds of the people they represent in this place.

In terms of the focus on rural road safety, I highlighted that although this has been a major priority for the Government it has also been a very strong priority within Transport SA (formerly the Department of Transport). I highlight that this is not just rhetoric and that a lot of money has been invested in country areas which had not been the case with previous Labor Governments.

I highlight in particular our commitment to seal, over a 10 year period to the year 2004, all the rural arterial roads. That is a $60 million project and already $34.2 million has been invested in this sealing work. The Burra to Morgan road has just had the final seal; the Brinkworth to Blyth road has been sealed; some 5.5 kilometres of the Mannum to Bow Hill road has been completed; some 10 kilometres of the Morgan to Blanchetown road in the northern area has been completed; four kilometres of the Port Wakefield to Auburn road has been completed; and seven kilometres of the Spalding to Burra road has been completed. Projects under way include the Hawker to Orroroo road, some 68 kilometres in length; the Kimba to Cleve road, 55 kilometres; and the Elliston to Lock road, 72 kilometres.

In addition, the Kangaroo Island south coast road is being sealed, and some $15 million was found by the Government for that purpose. In terms of the tourism strategy the Flinders Ranges roads have been upgraded; and a study is nearing completion for the Barossa Valley tourism roads. We have also begun, as part of this focus on the quality and safety of roads in country areas and the seal and upgrade of these roads, road safety auditing of roads on a statewide basis. We

are training State Government, local government and private sector consultants in this regard.

The National Health and Medical Research Council Road Accident Research Unit at the University of Adelaide has been engaged to identify roadside hazards. Thorough site investigations are being undertaken as part of this program. They will be relevant in terms of possible treatments at the sites and will be of assistance to the road safety auditors themselves.

Transport SA is developing a Statewide strategy for upgrading and rationalising roadside rest stops. This is a particularly important area not only for heavy vehicles but for people living in rural areas so that they can stop, break their journey, and give themselves a few minutes to stretch and move about without going that extra length when they are particularly tired. It is a tragedy to think of the number of deaths on country roads which are just a few miles from an individual's destination because they went that extra length when they were particularly tired.

Transport SA has also developed an ongoing program based on crash and black spot analysis for shoulder sealing, audible edge line marking treatments, raised pavement markers and increased guard railing. We have gained from the Federal Government funding under the Federal National Highways Program for passing lanes on the Dukes Highway and National Highway 1; and Eyre Highway has been widened east of Ceduna.

I also highlight that in rural areas we have been targeting, with the police, drink driving and speeding, and we are integrating that in public education campaigns. These projects are being strategically implemented in the South-East, Riverland and Upper Spencer Gulf areas. I announced today that the safe routes to school program is being extended after two pilot projects in the metropolitan area to 11 schools in the metropolitan area. This will now include schools in the country area.

With the $1.37 million of additional funds provided in December 1996 the Government has been able to enforce a much more effective drink driving and speeding program in the metropolitan and rural areas. We have seen a doubling of RBT testing in rural areas as a result of that increased funding. This increased level of enforcement is committed to the year 2000.

Further funds have been provided for the purchase of new high technology equipment, particularly laser guns, to target speeding, with approximately 70 being deployed in rural areas. Hours of use have been increased to at least one hour per shift per day. Speed cameras are now also deployed in rural areas.

The Hon. T.G. Roberts: How many unmarked police cars are operating on rural roads?

The Hon. DIANA LAIDLAW: I will have to find that out for the honourable member. In road safety terms we would all applaud such initiatives but we also know, in terms of the debate in Burra and in a number of other communities, that increased enforcement by police in relation not only to road safety but also a whole range of areas can be a highly contentious issue in rural areas. I believe very strongly (as I have said and I will not labour the point) that for rural road safety to be effective in terms of reaching people in rural areas, where the majority of deaths and accidents on our roads involve rural people, we must take the rural people with us in understanding these issues and not just impose enforcement and other campaigns on them.

For that reason I would be very keen for members of Parliament to be involved with the Government in working through these issues in the best interests of the community at large so as to reduce the overall road toll. I commend the motion to members.

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

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 24 February. Page 404.)

The Hon. M.J. ELLIOTT: In rising to support the motion I intend to speak briefly on three matters of particular interest to me, the first being opportunities missed in education and health in this State; secondly, questions of Government accountability; and, thirdly, I will reflect upon the demise of the multifunction polis. When I had the opportunity to visit Indonesia in 1992 I looked at a number of areas where I thought there may have been some potential for South Australia, and one of the areas I looked at was tertiary education. I visited several universities in Indonesia including Gajah Mada at Jogjakarta. As well as having many discussions with individuals I spoke with senior people within the universities.

I came back with a very clear message that Indonesia as a nation had a huge demand for people with tertiary qualifications and that it was not capable of producing the number or quality of graduates they needed in the time required for their economy to grow as it must if it was not to stumble. I also had the view—which I think was reasonable—that, if Indonesia was like that, that would be true of many other South-East Asian nations.

An honourable member interjecting:

The Hon. M.J. ELLIOTT: Yes. On my return I had meetings with then Ministers of Education and Further Education in the then Labor Government and sought to persuade them that South Australia really needed to look at developing a strategy for selling education into Asia. It was not that we were not already doing things. Many universities and many departments within universities were off doing their own thing, but that was one of the real problems that I perceived then—that they were off doing their own thing and there was no coordinated strategy for the sale of education as a product. What was quite clear within Indonesia was that there was no recognition of South Australia or Adelaide. If you want to encourage people to come to Adelaide and South Australia to undertake education they must know that the place exists in the first place. I believed that, whilst individual universities and individual departments would continue to achieve some success, they would never achieve anything in isolation without a coordinated approach and a real attempt to sell Adelaide as an education city.

After coming back to Adelaide I became aware that by comparison Western Australia had developed a coordinated approach where all the universities and schools—in fact, all sectors of education—had come together with the Government's assistance and were coordinating their marketing of education and were having huge levels of success. I followed this up with then Ministers with no success whatsoever, but there was a change of Government in late 1993 and, with new people in place, I again approached Ministers of Education and Further Education and also the now Premier, who then

had other portfolios and I knew had interests in Indonesia in so far as he had visited the place himself. Again I sought to persuade them that we were missing a major opportunity.

It is now almost six years since I visited Indonesia on that occasion, and I have been back once since and had those views reinforced. I must say that over those years very little has happened within South Australia, and that causes me a great deal of concern, because we have missed an opportunity and other States are running well ahead of us. When the collapse of some of the Asian economies happened late last year and early this year people were saying that that has really killed our chances in Asia, but what has happened is that people in Indonesia and Thailand, etc., have not stopped aspiring to go to university. However, they have realised that they cannot afford to go to university in the United States, the United Kingdom or Germany and are looking for other places. In relative terms Australia is supplying a cheaper but still quality education. I note on the Higher Education page in today's *Australian* an article entitled 'Dollar draws Asian students from US, UK'. The reality is that Australian universities have more Asian students enrolled this year than they had last year, despite the crash, and it has happened because of the crash, interestingly enough.

What concerns me is that I still see no evidence that South Australia has adopted a coordinated approach. I might add that late last year I had a meeting with the new Minister for Education, Children's Services and Training, Malcolm Buckby, to try to persuade him, and I said that in the new year I would ask some questions in Parliament about what had happened so far. I invite members to read the article in today's *Australian* themselves, because it is worth reading.

I want to pick out a few examples of what other States are doing. Vice Chancellors from Western Australia's five universities are doing just that. They left Perth yesterday with the State Education Minister, Colin Barnett, to meet education officials in Kuala Lumpur and Singapore. Here we are seeing the coordinated approach in Western Australia continuing, with the universities and the Government working very closely together. Meanwhile, the Queensland Government has launched its International Education Advisory Board comprising Vice Chancellors and school, TAFE and private sector representatives to boost international student numbers. I have still not heard from the Government about what it is doing in this area.

I believe that the sorts of opportunities that exist in the area of tertiary education—and it will not be solely tertiary education but also school education—are huge, but they are not the only opportunities. Health is another area that offers major opportunities. Again, a number of the South-East Asian nations cannot provide the health care needs for all their people and certainly cannot provide many procedures which are even routine here in South Australia.

I had the opportunity to look closely at those opportunities, because my wife worked briefly with a company last year that was seeking to bring patients out of Asia. In fact, they did bring a few into Adelaide and I must say I recognised that this company was having exactly the same problems as I saw in education. A few hospitals and a few doctors were each doing their own thing and to a greater or lesser extent were having some level of success, but the problem they had in the South-East Asian market again was that there was no awareness of Adelaide or South Australia as a potential destination for health care or a provider of health care back into their market. I will not relate all the horror stories I have heard about just how poorly the South Australian Government's instrumentalities have worked in this area. It is time the Government got its act together. It could look to promote education, health and tourism together.

I recall one patient who came to Adelaide last year whom my wife met at the airport and took to some units that they intended to rent while she was here, and she looked after her for a number of days. This woman travelled with her husband, her mother and her brother-in-law. Not only did they come here seeking medical care but, while they were here they did the full tourist bit as well, travelling up to the hills and visiting Hahndorf. They travelled all over Adelaide and its surrounding areas. While they were here the brother-in-law checked out Flinders University, because his wife was looking to gain a postgraduate qualification. Both men in the group were business people and were interested in some business opportunities as well. Members can see that, whilst people come here for one reason—be it health, education or tourism—each of those industries is capable of feeding off the others. I have tried to persuade a number of members of the Government that we really should be looking at a coordinated approach for education and health (we are already looking at that for tourism) and then perhaps even going one step further and seeking to coordinate them as three industries that we can promote together.

We need to promote Adelaide and South Australia as a quality destination for education, health and tourism. It appears to the most part to be falling on deaf ears. The only light I have seen at the end of the tunnel so far is the Lord Mayor of Adelaide, Jane Lomax-Smith, who is getting together a group of people working in the education area and is also getting a group to work together in health. When we consider that the Government not so long ago was wanting to sack the Adelaide City Council, perhaps we should turn it around and the Adelaide City Council could look at sacking the Government. The Adelaide City Council is taking on a number of jobs that the State Government should have done and have not had the brains to get around to.

The Hon. Ian Gilfillan interjecting:

The Hon. M.J. ELLIOTT: I would not do that. It is a disgrace how little has been done in South Australia by successive Governments and Ministers in these areas.

The issue of accountability is one that we need to return to and, unfortunately, with increasing frequency with this Government. This Government again set about breaking election promises. There is a sense of *deja vu* that four months after the 1993 election the Audit Commission reported and said, 'Look, things are worse than we expected and, unfortunately, the Government will have to break all these promises we made before the election.' Here we are four months after another election and the Government is saying, 'Oh, we have suddenly discovered all these things; it's worse than we expected and unfortunately we'll have to break these promises.' The Government is stretching credibility when it keeps trying that act.

The first time around the Audit Commission had a number of members of previous Audit Commissions in other States, which did exactly the some sort of job as they did in South Australia. In this case, stretching credibility even further, the first justification was the Auditor-General's Report, a draft of which had been sitting in six Government departments as early as July last year. Nobody forgets that the Government was very keen that the Auditor-General's Report should not be tabled before the election and the excuses concocted were extremely thin. One can see with hindsight that there was something they were not keen for people to look at and there

was concern people might read the report and say, 'What are you going to do about these things?' The Government had decided that the end justifies the means and if telling lies gets it elected again and it does good things as it defines them, it is all justified.

This Government increasingly feels that it needs to sell its message. Like so many governments that do poorly in an election, ultimately they decide that perhaps there was something wrong with the message and they have to do a better job. There is no other way you could read the way the Government has restructured its PR machine so that now the PR machine is tightly held by the Premier alone. He wants to control the total message. The clear implication is that the message was the problem.

Perhaps the current Premier should look back at what the previous Premier, Dean Brown, had to say back in July 1992. He gave the Donald Dyer oration entitled 'Honesty in Government'. It was a great speech. I will pick out a couple of quotable quotes, as follows:

> We have been suffering from the consequences of a huge public relations fraud by Governments perpetrated on the people of Australia. The gigantic public relations exercise has removed the word 'accountability' from our vocabulary. It has meant that a succession of political leaders and business entrepreneurs have been able to camouflage the true facts from taxpayers and shareholders.

That is spot on. I note in the speech that Dean Brown said:

> Senior officers such as the Auditor-General and the Ombudsman, who play important roles in our democratic system, should perhaps be appointed by the Parliament rather than the Executive arm of Government, whose actions they may be required to judge at a later date.

He is spot on about how important a role the Auditor-General plays. In fact, that went on to become an election promise in 1993: that the Auditor-General would be appointed by the Parliament. The Government later legislated for a committee of the Parliament to be involved in the appointment of the Ombudsman, but did not legislate for the Auditor-General. He then resisted legislation I introduced and will be introducing in this session for that independent appointment. Mr Brown, later in the speech said:

> Ladies and gentlemen, until our political masters are accountable, how can we morally insist that people like the Herscus, the Bonds and Skases of this world measure up to their responsibilities?

I could not agree more. Towards the conclusion of his speech, he said:

> We have to remove the rhetoric and deliver. These problems can be addressed only by politicians getting back to some basic values. Honest government is a matter of understanding that people no longer will be fooled all the time by glossy campaigns dressed up in bright packages.

Mr Brown was absolutely spot on with those comments and it has all been forgotten. What we now see is a Government that gets back on to the old PR machine exercise to justify broken promises, that spends public money on TV campaigns, spends money on full page ads, spends money on production of glossy pamphlets to do nothing more nor less than to justify what was a political position, and the people are not fooled. I have not been stopped by so many people in the street wanting to talk about a particular issue as they have been on this question of the Government's exercise in seeking to sell ETSA and Optima.

The Hon. R.I. Lucas interjecting:

The Hon. M.J. ELLIOTT: I said 'on a particular issue'.

The Hon. L.H. Davis: What about Cheryl Kernot? Did they ever stop you about Cheryl Kernot?

The Hon. M.J. ELLIOTT: Mr President, can we shut up that carping man, please?

The Hon. L.H. Davis: Sorry, effective interjections should not be allowed.

The Hon. M.J. ELLIOTT: It was a lot of noise and it was very hard to talk over. Mr Brown must have been having a good time around that period. Back on 26 July 1993, when he spoke to the biennial conference of the Public Service Association, he talked about:

> . . . a sense of betrayal, which was widespread in the community in the sense that people have been let down by politicians who have promised them so much. We want to work in partnership with all sections of the community, not encourage further community divisions.

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order!

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

> I am not saying to South Australians simply, 'Read my lips'. I treat them with more intelligence. I invite them instead to read my policy.

All these quotes are from Dean Brown, and not John Olsen, in the Liberal Party policy speech when Dean Brown said that a Liberal Government will be committed to open and honest government, fully answerable to the Parliament and the people. He said that a Liberal Government would restore decency in decision making. Later in the speech he said:

> It's time Governments started listening to all the public all the time and not just at election time.

He also said during that speech:

> A Liberal Government will ensure that Parliament is strengthened in holding Executive Government to account.

This Government has sought even more than previous Governments, which were bad enough, to avoid parliamentary scrutiny as much as possible and has refused to be accountable to Parliament and has to this day refused to provide copies of contracts to parliamentary committees that have sought them.

It is quite clear from reading the Auditor-General's Report that, as many have argued for a long time, we should view those contracts as matters of such significance that they should be subjected to the scrutiny of the Parliament. I have no doubt whatsoever that many members of the Liberal backbench, if they were in Opposition and another Government was doing what they are now doing, would be screaming blue murder.

There is no way known that a Liberal backbench in Opposition would have tolerated the Labor Party withholding major contracts from parliamentary committees—and it knows that very well. Once again, it is simply a matter of the end justifying the means. They say, 'We are in government and we are doing a terrific job. We are not making any mistakes, so we will forget about all those things we said about accountability when we were running for election.'

The third matter that I wish to discuss briefly is the multifunction polis. I clearly remember when the multifunction polis was first mooted. Ian Gilfillan and I discussed the issue. It would be fair to say that, whilst we had a touch of cynicism about it, we agreed that there was possibly some merit in trying to encourage the development of a city that would use new technologies and bring new industries to the State. It is fair to say that we, like all South Australians at that stage, did not have a clear idea about what the MFP ultimately would be. What was not so apparent was that, at that stage, the Government had no idea what it would be, either.

If there was a problem with the MFP from very early on, it was that there was no clear idea of what it would be. I recall the comments that Dean Brown made about PR exercises. If the MFP was anything, it became a major PR exercise. It became an effort to cover up and to appear to be doing things when in fact very little at all was happening.

I recall when the legislation came into this Parliament that we sought one amendment: to extend the core site to include The Levels and surrounding areas. We argued that development of the site around Gillman would be extremely difficult and very long term, and we were very doubtful that it would be achieved. On the other hand, there was dry solid land at The Levels which already had roads around it and general infrastructure, it was close to the Institute of Technology (University of South Australia), and it had a lot going for it. The Government and the then Opposition rejected that notion.

I can only comment that it is unfortunate that the one amendment that we sought was not accepted because I think the first two years or so of the MFP essentially were wasted in an attempt to get something to work in a place where it was going to be remarkably difficult to get it to work. However, we were always prepared to give it a go.

In South Australia generally people were prepared to give it a go, although as I said there was a large amount of scepticism about it. In South Australia a number of projects had failed. The *Advertiser* would thunder: 'People should stop being negative about South Australia: people should give things a chance.' I suppose some people heeded that call and gave it a chance. I have been a member of the Environment, Resources and Development Committee since its inception, and the MFP was required to report to that committee twice a year. In retrospect, I think the ERD committee failed in that it tried to be too polite to the MFP. I remember the first report that the MFP presented to the committee. It was grossly inadequate. The committee went back to the MFP and said, 'You must give us something better than this.' We went back to the MFP on a number of occasions and said, 'Your reports do not give us any detail. We need to know what are your programs, what you are planning to do and what are your time frames.'

The Hon. T.G. Cameron: They didn't know themselves.

The Hon. M.J. ELLIOTT: Well, the reaction of the MFP was interesting. It lobbied the Minister so that it did not have to report twice a year. Instead of reporting twice a year, the legislation was changed so that it had to report to the committee only once a year. I can inform the Council that there was a great deal of pressure for the MFP not to have to report at all to the committee, because it was starting to prod and probe it a bit. Our mistake was that we did this quietly and politely and did not want to be seen as knockers in any way.

In retrospect, I think the ERD committee failed in that regard. It has done a lot of good work on a lot of topics over the past couple of years, but it was too polite to the MFP because no-one wanted to rock the boat. If it had been more insistent about demanding time lines on various projects and being told precisely what the MFP was trying to achieve with each of those projects, the MFP would have been exposed earlier as a fraud or it would have got on with doing the job.

I suppose the committee shares the blame with the Economic and Finance Committee, which also had an overview. I think that, at the end of the day, the failure of the MFP is a responsibility that everyone in South Australia shares. I think all three political Parties supported it at various stages, despite levels of scepticism within all three Parties. It became a bit like the emperor's new clothes: no-one would speak out publicly. That is why I will not accede to the sorts of thundering that we get from the *Advertiser* occasionally telling us to leave things alone. If something is wrong it needs to be said. If we have a problem with the media it is that, if you criticise an aspect of a project, the media assume that you are opposing the whole thing.

I compare it, for example, to the Glenelg development. That development would have been possible a long time ago if people had taken the time to identify the issues that were particular problems. No-one has ever done that. A couple of senior public servants and a couple of senior people in the private sector have single-mindedly pursued a project come hell or high water, Ministers have come and gone, but they have always been there beavering away, and no-one has taken the time to ask what are the fundamental issues that are causing problems, and what can be done to make the project at Glenelg work. A lot could have been done.

I know that I have moved away from the MFP, but I think the MFP is an excellent example of how we did not rock the boat enough when we should have because we wanted it to succeed. Wanting things to succeed is not enough. If things are going wrong or not being done properly, they need to be identified and addressed intelligently by way of proper debate. I do not believe that ever happened with the MFP. Hundreds of millions of dollars have been wasted on that project in this State because no-one was prepared to be sufficiently critical. People were afraid that to be critical was to be negative, and to be negative was to be destructive of South Australia. In fact, failure to be critical in this case has been destructive of South Australia.

It is about time that there was the maturity in government and within bureaucracies to see criticism as constructive, not negative. It is also time that the media showed sufficient maturity to display arguments not necessarily in an adversarial fashion. In my view, there is no question that trying to run a debate through the media on this sort of issue unfortunately more often than not ends up being destructive, but it is the only avenue that is available. You cannot do it in Question Time because the game in Question Time is not to answer the question. We have all seen that game played. So the forum is not within the Parliament. Somewhere along the line a Government will have the maturity to say that there must be a different process for handling developments in a way that genuinely invites, and actually allows and encourages criticism to occur so that it can be addressed in a mature fashion.

We do not have that in South Australia. What we have is a Government that is saying more and more often, 'Give us more power and more authority to do things immediately, and we will make things happen.' The Government has had the authority at Glenelg for a long time, but things have not been happening, because at the end of the day the Government realises that there are still some problems.

The Hon. R.I. Lucas: You oppose everything.

The Hon. M.J. ELLIOTT: This sort of banal and mindless interjection that you are making right now is a significant part of the problem. You are a major part of the problem in South Australia because you get onto your hobby horse every time and will not allow constructive criticism. As an Education Minister, you never accepted constructive criticism and you never admitted a mistake.

Members interjecting:

The PRESIDENT: Order! The honourable member is on his feet.

Members interjecting:

The Hon. M.J. ELLIOTT: This is absolutely typical of those two imbeciles over there. I have spent some considerable time talking about the MFP and actually saying that there had been no real criticism—

The Hon. L.H. Davis: Would that be unparliamentary?

The Hon. M.J. ELLIOTT: I have only just finished spending considerable time saying that there had been no real public criticism of the MFP, and certainly the two people concerned are quite aware that neither—

An honourable member interjecting:

The Hon. M.J. ELLIOTT: We never criticised it when the Liberals took it over, either; neither the Hon. Ian Gilfillan nor I, subsequently the Hon. Sandra Kanck, criticised the MFP in this place. We did seek to change the site and I think we were justified in doing that as time proved. I was trying to make the point that there was a place for more constructive criticism than actually occurred. The point I was making before they tuned in was that there is a place for criticism. I also said that there is a place for Governments maturely to accept and even to encourage it.

The Hon. L.H. Davis interjecting:

The Hon. M.J. ELLIOTT: In fact, I have now covered the three areas that I had intended to cover, and to respond to inane interjections would only waste the time of this place.

The Hon. T.G. ROBERTS: I thank His Excellency the Governor for his address—

The Hon. L.H. Davis: Are these your thoughts, or are you acting as convenor of the left wing?

The Hon. T.G. ROBERTS: These are my thoughts as a member of Parliament representing the views and interests of a lot of people in the community. One of the reasons I was elected was to express their views, and I would hope that you would listen in silence as I express their views on their behalf in my own way.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Gilfillan will resume his seat or leave the Chamber.

The Hon. T.G. ROBERTS: I thank His Excellency for his speech in opening this session of Parliament. I, like other members, place on record the fact that he was unable to outline the whole of the Government's intentions in relation to development in this State and the ability of this State to act on behalf of its constituents on the basis that he was not in receipt of a lot of information that, certainly, the incoming Government was when it was being formed.

We now have before us a program that does not resemble anything like the Governor's speech in relation to the importance of a large number of decisions that will be made by this Government, particularly in relation to privatisation and the sale of our major power generator and distributor, ETSA. There is also the prospect of the Ports Corporation, the TAB and the Lotteries Commission being sold.

Many members have been able to point out the obvious dilemma that the Government had in the lead up to the election: it was framing an economic policy based on the fact that it would be in government again and that it would have to put together a package of deals in relation to where it was going in the next four years. Most Governments bring about unpopular change in the first 12 months of their newly elected period. It generally signals, or it is generally obvious to commentators and those people who have an interest in the way Government and politics run, that in the first 12 months there are no surprises.

Well, this Government put that myth to bed by dropping a bombshell as soon as the seats had been filled and the infighting had stopped in relation to who would share the spoils and prizes. We are landed with a major change in policy direction to that advocated in the lead up to the election by all Liberal members who were allowed to speak—and there were not many of them—that ETSA would not be sold. There was no equivocation. When commentators put that directly to the Premier, the answer was direct and firm: 'ETSA would not be sold.' It was not a 'Maybe', 'We are looking at it,' or 'If financial circumstances change we may have to consider it.'

The Hon. R.I. Lucas interjecting:

The Hon. T.G. ROBERTS: I thank the Hon. Treasurer for his interjection that it may be leased and may not be sold. The only reason it will be leased is that the price—

The Hon. R.I. Lucas interjecting:

The Hon. T.G. ROBERTS: No, I do not see any difference between a major leasing arrangement and a sale. The Hon. Mr Davis put forward the Chanticleer figure of $6 billion, and I think in the same *Financial Review* on a different page it stated that a $4 billion prize had been put on its head. I am sure that the Treasurer would love to get his hands on a $6 billion sale for ETSA. Unfortunately, I have heard from some of the commentators around the traps that you would not be able to get the true value of ETSA in any sort of sale at the moment, not because it is not worth that money and because you will not get the returns on your capital but, rather, because it will be in competition with a large number of sell-offs that are now starting to occur and will occur in the Asian market. A lot of capital will not be available for much of the privatisation that will take place in Australia over in the next 12 months, 18 months to two years.

The Hon. L.H. Davis interjecting:

The Hon. T.G. ROBERTS: It depends on which commentators you speak to. If we are looking at a value of $2.8 billion, the people to whom I have been speaking have had difficulty in valuing the asset.

Members interjecting:

The PRESIDENT: Order!

The Hon. T.G. ROBERTS: There are many commentators saying that it is very difficult to value an asset like ETSA Corporation as it stands now.

The Hon. L.H. Davis interjecting:

The Hon. T.G. ROBERTS: If the honourable member wants to draw a similarity between the Gas Corporation as a single entity with monopoly control over a single power source like gas and compare it to an electricity generating scheme spread across the State in various states of repair, in various ages, in various areas throughout the community and using various forms of power for generation, I am afraid he is drawing a very long bow in comparing eggs with eggs.

The Hon. L.H. Davis: The principle of privatisation is still the same.

The Hon. T.G. ROBERTS: I am sure that on Saturday morning—

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order, the Hon. Mr Davis.

The Hon. T.G. ROBERTS: If on Saturday morning the honourable member were to kick the tyres of the Gas Corporation and put a figure on it to see whether he would get a return on his capital, and if he then kicked the tyres of the ETSA Corporation and tried to put a figure on it after valuing whatever its assets and returns are, I know which one he would go for. The risk would be a lot less for the Gas

Corporation than in trying to put a price on the value of the assets of ETSA.

The Hon. L.H. Davis: Tell that to the potential buyers in Victoria and New South Wales.

The Hon. T.G. ROBERTS: I will tell the honourable member that the history of the sale of Government assets over the past half decade in those places that have privatised is that the first buyer who moves in to buy under-valued Government assets gets a bargain. They then run that asset down and on-sell it. I am not sure what has happened in New Zealand, but in many cases—

The Hon. L.H. Davis: They did not privatise it in New Zealand.

The Hon. T.G. ROBERTS: The honourable member says that—

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order, the Hon. Mr Davis.

The Hon. T.G. ROBERTS: The Hon. Mr Davis says that the Auckland generating program is not a privatised program.

The Hon. L.H. Davis interjecting:

The Hon. T.G. ROBERTS: That is not true. I said it was corporatised by way of interjection and I was gazumped by the Treasurer who took my second interjection and turned it into my first. You do not have to be a public corporation to privatise. Many private companies have run down their assets and then sold them or broken them down. Private companies have been privatising for years.

The Hon. L.H. Davis: So, what are you saying?

The Hon. T.G. ROBERTS: If you listen, I will tell you. How can I answer the honourable member's interjection when I am half way through a sentence? Private companies have been privatising and have been broken up. In America the commission has made large companies like ITT and the large corporations break down for competition reasons. It has busted them up so that they are not integrated to generate competition in many of those fields. It was found that, when they were first sold or on-sold—and we can go back to the old Soviet Union and the European experience—the first sale is the one that has to be made attractive to buyers, a sale at a bargain basement price—

The Hon. L.H. Davis: You do not understand it at all. In fact, you have more competition.

The Hon. T.G. ROBERTS: The original price to make it attractive is generally at a major loss for the public in terms of the value of the asset. The value of the asset is on-sold by the original buyer because they get it at a bargain basement price and they on-sell it by running it down. First they shed labour and, in most cases, it involves roughly one-third of the work force, whether or not it is required. They then outsource and bring in capital and try to invest in labour-saving technologies, and then they outsource a lot of their work. The next round of buyers, when they on-sell, are the ones who pay the price for the running down of assets.

The Hon. L.H. Davis: That did not happen in Victoria.

The Hon. T.G. ROBERTS: I remind the honourable member that privatisation in Victoria has taken place only over the past three years.

The Hon. L.H. Davis: They got very good prices.

The Hon. T.G. ROBERTS: When we talk about the life of an asset such as a power station, we are looking at a 20-year cycle for the life of much of the equipment in the power station. Water is slightly different. The honourable member should cast his mind back to how the water project was made financially viable. It was not an asset sale but an asset management structure that was set up to make money out of managing the water program.

The Hon. L.H. Davis: Which it is doing.

The Hon. T.G. ROBERTS: Well, it is making money.

The Hon. L.H. Davis interjecting:

The Hon. T.G. ROBERTS: Well, I am not making any comment on it. The beauty of that sale as far as the customer is concerned is that the public is left with the maintenance and upkeep of the asset and the company ends up with the contracted management price, which is obviously a lucrative one because I have not heard them complaining.

The Hon. L.H. Davis interjecting:

The Hon. T.G. ROBERTS: The honourable member says that to have a Left view about public ownership and private ownership is outdated. A previous Premier, Sir Thomas Playford, in the past five years has been revered as a great South Australian for setting up a corporate structure within South Australia that allowed it to compete with the Eastern States, by setting up infrastructure that could be used to attract industry and investment by operating a program which allowed for some discounts and some incentives for companies to come here in the way of cheap power, cheap rates and cheap water. Unfortunately, with the competition policy that has been put in place, a new federalism, South Australia will be put in a position where it will be on a level playing field but new federalism will not allow it to offer the incentives to attract the necessary capital drive that States such as South Australia and Tasmania require to be able to survive in a competitive field—which, obviously, the Hon. Mr Davis thinks is good for everyone. What I am saying is that the situation which the honourable member outlines—

The Hon. L.H. Davis interjecting:

The Hon. T.G. ROBERTS: I think I will have to ignore these interjections. The situation that the honourable member—

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order!

The Hon. T.G. ROBERTS: The honourable member is lauding the situation in Victoria. Certainly Victoria and New South Wales have been the driving States in this nation for a long time and the eastern seaboard will suck in the capital that is required to allow market forces to expand the economies of Queensland, New South Wales and Victoria. Do not expect South Australia to be put into the same position as those three States in trying to attract the investment that is required other than by having a Federal style Government that allows for subsidies to be made whereby South Australia is given some ability to subsidise some of those infrastructure costs that obviously the international capital requires. It is no good offering incentives to large South Australian companies because there are none left. They have all been disbanded, bought out. Dairy Vale, the last cab off the rank, is up for sale and will probably move to the Eastern States.

If members look at what happens with the movement of national capital around Australia, South Australia—and for the Hon. Mr Davis's edification—is not on the leading list of suppliers of capital into the national market. South Australia's future will be determined by those capital movements that come out of New South Wales and Victoria. It may be that Victoria has a good set up for power distribution. It may be that it will—

The Hon. L.H. Davis interjecting:

The Hon. T.G. ROBERTS: It may be that it has a well placed power grid system to feed the excess power which it generates into a system which we may have to buy. I am not

sure what the Hon. Mr Davis's position is in that regard. Under the old State system South Australia would have had to build or finance an expansion program that allowed for more electricity to be put into the grid. New South Wales and Victoria will have excess capacity and that is from where we will be buying our electricity. Tell the people in Port Augusta, Mr Davis, what you think is the future of the Leigh Creek coalfields and the Port Augusta power station when there is a 20 per cent excess capacity in the New South Wales-Victorian grid.

I would like to know what the honourable member thinks the industry replacement programs in the Mid North and northern regions of this State will be, with the capital withdrawal that we have seen through the dismantlement of the rail system and now the dismantlement of the electricity grid. I am not quite sure whether we will have a bed and breakfast led recovery in the Mid North or a bed and breakfast led recovery in Whyalla, Port Augusta and Port Pirie; but I am sure that the opportunities they will have to attract new investment for the new industries that will be required to create jobs for South Australians in that area will not be there.

All our young people are already recognising, a half a generation ahead, our imminent decline if this State Government continues in the way in which it has been during the past four years. If it continues in this way over the next four years, every new job opportunity for young people will be in the States of Queensland, New South Wales and Victoria: it will not be here. And then what will happen? The Liberal Government (including Mr Davis) will throw up its hands, and say that job creation programs and job expansion in this State is all too hard. The Liberal Government will fall into disrepair, its members will maintain their infighting, and we will have to pick up the pieces. The Labor Government will have to pick up the pieces after all of our assets are on-sold, run down and dismantled. The last people leaving South Australia will not have to turn off the lights, because there will be no lights on without the power stations and the jobs that should have been developed via a vibrant South Australia. Those jobs will not be available for our young people.

One of the other things that the State will have to cope with is the major downturn in the Asian economies. In their speeches, many of the members touched on the fact that, of all the mainland States, we have the highest unemployment—and even Tasmania is probably about the same as us now—and there are no prospects of change. The Asian crisis—depending on which commentator one reads—will add another dimension to the jobs crisis that we already face, and there will be an exacerbation of our infrastructure problems in trying to attract jobs to take the place of those that will be lost with some of the market share of this State in relation to Australia's exports to Asia.

As to an understanding of how deep the Asian crisis runs, it depends on which commentator on any given day is making an analysis on how they see the situation. It is very difficult to put one's finger on the real circumstances of our Asian neighbours. But I am sure that Australia will get caught up in the problem. We have made some offers of assistance with direct capital injections, but I am afraid that, at some point in time, the impact of the drop in the GDPs of those countries and their export and import abilities will start to impact on this State.

I quote from an article by Anne Davies, who writes for a circular that is distributed throughout the nation:

> Asian crisis will not hurt us: PM
>
> Australia's economic outlook remained 'very strong and very positive' and there was no need to revise official forecasts of growth in the wake of the Asian economic crisis, the Prime Minister, Mr Howard said yesterday.
>
> The Prime Minister delivered his bullish assessment ahead of the Government's first Cabinet meeting of the year.
>
> He said Australia had weathered the Asian meltdown better than most nations because of the corrective measures his Government had taken since it assumed the reins of office in March 1996.

To me, that reads as though the Prime Minister has already determined that the meltdown has been completed, that it is over, it is finished; from now on it will be all rosy and growth from here. It is a little different from what I read in some of the other financial journals, which are saying that the crisis has only just begun. The article further states:

> Mr Howard rejected suggestions by economists, including the former Coalition Leader, Dr John Hewson—

does the Hon. Mr Davis remember him—

> that the Government was being complacent about the possible impact of the Asian crisis in the second half of 1998.

I raise that because not only do economists differ but also two great minds such as the Prime Minister, John Howard, who is out there leading the nation, from behind, and former failed Leader Dr John Hewson. I would suggest that Dr John Hewson's credentials would probably make him a better assessor of that situation than is John Howard, partly because John Hewson works with the Asian economies on a daily basis and would be better able to make an assessment. His credentials are up to date. Mr Howard would be relying on political assessments being made—I hope not by his Deputy, Tim 'the sky is falling in' Fischer, because that sort of Coalition would not give us any indication at all.

In the mid-year review, Treasury revised down its forecast for 1998-99 by half a percentage point as a result of the Asian crisis but still expects relatively robust growth of 3.25 per cent. That assessment was made by our leadership in Canberra on 20 January. If you read in the *Sydney Morning Herald* (and even in the *Age*, which some members have in front of them) the forecasts that are being made now, you will see that many are far more pessimistic than they were in the first days when the Prime Minister made his enunciation. The most recent forecast I have seen for farm produce is that at least $1 billion will be written off the value of our farm produce in the next financial year, and that will have a major impact in regional areas. If you look at what is happening in the coal industry in the Hunter Valley, where the privateers are signalling that there will be some dismantling of the power industry in New South Wales, you will see that the Hunter Valley sector is already starting to shed jobs and that coal mines are beginning to close.

The Hon. L.H. Davis: There are gross inefficiencies there. What you have on the waterfront is mirrored in the coal industry. It is one of the most inefficient coal industries in the world.

The Hon. T.G. ROBERTS: I can understand the interjections I have just received from a trained economist. He is looking at micro-issues—

Members interjecting:

The PRESIDENT: Order!

The Hon. T.G. ROBERTS:—when the macro issues escape his attention. Whatever you save on the waterfront will not be made up by popping around the edges and taking 10 per cent of a wharfie's wage from him. If the honourable member looked at the wage structure in the coal industry, he would see that it is less than 2 per cent of the make-up of the

coal industry's cost overheads. I would suggest that in other mining sectors it could even be lower. The resource sector will be hit along with the commodity sector, and the point I am making to which the honourable member is not listening is that regional areas will be at the forefront of a lot of the catalytic changes that will start to take place in the downturn that is heading Australia's way. We can then look at how well placed South Australia will be in relation to the some of the other States when the downturn starts to occur.

As I pointed out, the Prime Minister is saying that we will shave .5 per cent off our GDP. That would probably equate to the loss of 150 000 jobs if it carried through into the manufacturing and mining sectors. We need about 4 to 4.5 per cent growth to maintain our work force as it stands. That is excluding any changes in investment into technology.

South Australia is so poorly placed in the whole of the national structure that members opposite cannot see the potential danger and the damage that is occurring. They are prepared not only to fight amongst themselves on the formation of the Government but also to fight an Opposition that is prepared to work for the community in order to maximise the opportunities for export to try to get as many jobs as possible for South Australians and Australians. The Opposition is trying to bring in a plan under which capital and labour can work together to maximise our interest in and opportunities for exports. We have a divisive Federal Government and a divisive State Government that does not know where it is going. It does not know what the game plan is, and it does not really care. It is prepared to manage whatever circumstance it finds itself in.

That is not good enough for Government. A State Government ought to be able to show some direction and paint some picture as to what it sees as its position. It should be able to give it constituents some confidence that it knows what the game plan is and is prepared to carry it out so that capital and labour can work together to overcome these problems.

If we look at where the cutbacks in exports may occur, we see that regional areas will be the hardest hit. It is also in the regional areas where the Liberal Party holds many of its seats. The Hon. Mr Davis is not interested now—and he probably will not be interested in 12 months—but, when a Federal Government starts to get hit in those areas where Governments are won and lost, he might stand up and take notice, because one thing I do know about the honourable member is that he is a pragmatist. He will be pragmatically involved in cobbling together a story when the next budget is—

The Hon. L.H. Davis: Always facts, Terry—

The Hon. T.G. ROBERTS: Always facts; I will agree with that, but it is always retrospective. It is always about half a decade behind. When the honourable member gets up, makes a speech and predicts where we will be in the next 12 or 18 months, if he can put out an advanced package prior to the framing of the next budget, if he can put together that sort of scenario for me, I will listen, and will have a lot more respect for him than I have for his retrospective arguments about where we have just been. And the honourable member ought to listen to what I am saying to him.

The other problem that South Australia will have is attracting Federal Government funds and moneys into projects such as the MFP that somebody might think up. The MFP has been dismantled. At least the MFP was drawing Federal money into a State that sorely needed investment programs. Whatever one thought about the MFP, it did suck in Federal moneys, sometimes $40 million or $50 million annually. There was room for some capital to be directed to innovative projects that could have been put together to allow this State's economy to move forward. There are no real projects on the horizon. The last major project that was talked about and let was the $2 billion hard chip program but, again, Victoria decided that it would offer the incentives required to get that program up and running. South Australia, which had for a decade been selling itself as the centre of high tech operations, ended up not even being a consideration.

The MFP could have been a vehicle for running at least the State's best position in relation to attracting capital. That has gone. What do we have? We have projects that departments have put together being pulled in under the wing of the Premier's Department to be fast-tracked—and I do not know what we are fast tracking—into the planning stages, bypassing most of the rules that have been set up for planning in this State over a long period to try to attract investment into this State.

We all know that fast tracking on its own does not attract industry development in this State. We end up with incentives having to be offered and on to the auction block we go. We have offered a lot of companies a lot of money. They have taken it and the technology of today is such that you really do not have to put in large scale infrastructure to get your bonuses from generous Governments that want to buy jobs. All you have to do is lease buildings and the infrastructure that goes into them can be shifted from one State to another. There have been a lot of failed projects in the past four years.

I suspect the Liberal Government will probably be out on the auction block trying to sell itself or get into a position of getting advance sales on how much incentive it can offer in front of Victoria and New South Wales. South Australia does not have the geographical advantage in many cases that the other States have. We do not have the population levels of the other States. In some cases that may be an advantage, but in most cases to attract the business required to make the State alive again will not happen. It is unfortunate.

I am a bit like the Hon. Mr Elliott: you feel that you are becoming a knocker, but unfortunately when you have a Government that has no vision and all it can do is dismantle the infrastructure you have already, you get a feeling that there is no leadership in this State, that we are going nowhere and that there is not a lot of hope for our young people. Because of the lateness of the hour, I will not elaborate on the difficulties of some of our trading partners and on the difficulties we face as a small State in a nation near to Asia that has placed a lot of emphasis on trading with Asia in the past decade. We are now on hold in relation to the expansion programs we may have been able to develop in relation to those nations. I do not see the current Government having the ability to be able to fill any of the holes that might develop through any cutbacks. Some papers have been put out on where South Australia's exports into Asia are holding in relation to many of our manufactured goods, but the easy road has been taken by this Government. It has gone into asset sale mode. They are one-off sales or leases and, unfortunately, that is the best plan this Government can come up with. I would like to debate in this Chamber the pros and cons of development projects beside multiple uranium licence applications. I would like to debate the problems that would go along with development programs of some note that will provide jobs and not destroy the environment.

The Hon. R.D. Lawson: How about addressing the debt?

The Hon. T.G. ROBERTS: For those who want us to believe that the debt levels of this State are debilitating, they ought to go back and look at the debt levels—

The Hon. R.I. Lucas: Do you think it is all right?

The Hon. T.G. ROBERTS: I am not saying it is all right: I am saying it is not out of control. You address the debt as you address your expansion programs.

The Hon. R.I. Lucas interjecting:

The PRESIDENT: Order!

The Hon. T.G. ROBERTS: From 1979 to 1982 the debt levels were much higher. The debt needs to be considered, but all States and nations have debt. You have to have an expansion program to cover the debt.

The Hon. R.I. Lucas interjecting:

The Hon. T.G. ROBERTS: We should reduce the debt.

The Hon. R.I. Lucas: How?

The Hon. T.G. ROBERTS: You pay it off.

The Hon. R.I. Lucas: How?

The Hon. T.G. ROBERTS: What do you mean 'How?' You do not have to sell all your assets to pay your debts in one generation. The Treasurer would like us to believe you have to pay off your debt in 12 months. State debt can be paid over a period of time. With those few words, I support the motion.

The Hon. G. WEATHERILL: In supporting His Excellency the Governor's speech opening the forty-ninth Parliament, I should like to congratulate the Hon. Carmel Zollo on her election to this Chamber. I think that she will have a very fruitful career in this place. I also congratulate the Hon. Nick Xenophon, the Hon. Mr Dawkins and the Hon. Mr Gilfillan, who was a member of this place prior to the 1993 election. There have to be winners and losers in every game and unfortunately we have lost two very good members in Paolo Nocella and Dr Pfitzner. I am sure that they will achieve in areas of private life.

Members interjecting:

The PRESIDENT: Order!

The Hon. G. WEATHERILL: Last night when the Hon. Ron Roberts talked about the Government providing this speech to His Excellency, he mentioned the name of the Governor, Sir Eric James Neal and, correctly, the President called the honourable member to order for not using the proper title.

The Hon. R.R. Roberts: His correct name.

The Hon. G. WEATHERILL: Yes, but not his proper title. I totally agreed with the Hon. Mr Roberts's remarks about ETSA because there was no mention in the Governor's speech about ETSA. The Premier is saying that he did not know anything about it, but I do not think that too many people in South Australia believe that. Why was it not given to the Government? Approximately 93 per cent of the people in this State are saying the same thing. They are saying that they do not want to sell off our assets completely.

I am sure that we will talk a lot more about this ETSA business, and yesterday I watched the Hon. Mr Davis make a speech. He usually talks with his hands, but yesterday he had his hands behind his back, and I am sure that he had his fingers crossed when he challenged members on this side of the House to support the sale of ETSA. We will talk a lot more about the ETSA sell off, and everything else that the Government is selling off in South Australia, but I should like to turn my attention tonight to the South Australian taxi industry, which has been debated by a few members.

The South Australian taxi industry has been regulated many times in the period that I have been a member of Parliament. No matter who is in Government, the industry is always raised, with comments that these people ought to lift their game and that they ought to do the right thing. Recently I have heard comments about taxidrivers being dirty and scruffy.

In South Australia it is very easy to get a licence to drive a taxi. It takes a very short time and a successful applicant can get a full-time job or a part-time job. In fact, a person can get work at virtually any time. That is because the industry has some horrid characteristics. Some taxidrivers work approximately 60 hours a week. In that 60 hours, the driver has meal breaks, he does maintenance to the vehicle—

The Hon. L.H. Davis: He works longer than 60 hours a week.

The Hon. G. WEATHERILL: A taxidriver—an owner-driver—works 60 hours a week.

Members interjecting:

The Hon. G. WEATHERILL: Most of the people I have spoken to work 60 hours a week.

The Hon. T.G. Cameron interjecting:

The Hon. G. WEATHERILL: According to what I have been told by taxi owners, they mostly work 60 hours a week. The rest of the time they employ drivers to drive for them. During that time they take meal breaks, undertake maintenance to their vehicles and attend to breakdowns, etc. It is not uncommon for a driver to wait for approximately 12 hours for a taxi fare. That fare might amount to $5, $2.50 of which goes to the driver and $2.50 to the owner of the vehicle. The Hon. Mr Cameron previously stated in this place that, for a 70-hour week, a taxi driver earns approximately $7 dollars an hour, which would work out at approximately $400 to $450 a week.

The taxi driver, whether he or she be an owner/driver or a driver who is working part time, casual, or whatever, must carry out maintenance to the taxi's interior and exterior as well as change tyres. Taxi drivers could be off the road for anything up to two hours, and that could be because of the type of client who was in the vehicle. Taxis have to carry people who are drunk; people decide to eat sandwiches, or whatever; and people sometimes take drinks with them which spill all over the place. This could put a driver off the road for something like two hours. These drivers then have to apply to the Passenger Transport Board to be compensated for the time they have spent off the road cleaning the vehicle.

The amount of compensation they receive is approximately $50, and I am told that that sum—$50—is very difficult to get. You have just lost two hours work, you have just had your vehicle virtually steam cleaned and you get $50 from these wonderful people. The other thing that is wrong with this industry—and I know that it is easy to criticise but no-one really considers it—is that drivers are not entitled to any sick leave, superannuation or paid leave. They virtually get nothing. John Howard would be thrilled to bits if he could get that into other industries in South Australia. To be quite frank, we talk about third world countries, but these people, in my opinion, are working for third-world wages.

They are involved in an industry where they work at night time, especially in this area, and they could sit outside the Casino with anything up to 12 or 15 cars in front of them. You must also consider the dangers of people who are drunk and who do not want to pay the fare. People can be taken to their home, or to a place they say is their home, and they then jump out of the taxi and take off, and that fare has been lost. It is not a very good industry at all. The argument is that

people buy these taxi plates as soon as they become available. The return on their money, if it is as the Hon. Mr Cameron says, is $450 a week, in addition to having the original taxi plate, which I believe costs $155 000.

What these people are doing is a little more than what the Government is doing. They are creating employment for people who do not want to be called dole cheats. They are also employing people who can subsidise their wages in this industry. These people are over-regulated all the time. If we look at anything, we should look at the Passenger Transport Board and find out exactly what it is trying to do for this industry, which in my opinion is criticised too regularly without being given an opportunity to put its point of view or side of the story. That would probably be a good idea because, as I have said, over the past 12 years this industry has come under criticism from left, right and centre.

I travel in quite a few taxis, and I believe that the taxi industry in South Australia is far superior to that of New South Wales, which I recently visited and where I found that all taxi drivers seem to do is beep their horn at people on the road and scream at other drivers. It is disgusting: you finish up being a nervous wreck by the time you reach your destination. I think it would be a good idea for the select committee to look at the taxi industry, let it put its point of view, and see where we go from there. I support the motion.

The Hon. R.I. LUCAS (Treasurer): I rise to thank His Excellency for his speech opening this session of the Parliament. In doing so, I am sure that I speak on behalf of all members when I acknowledge the fine work that His Excellency undertakes on behalf of all South Australians in his onerous position. My colleague the Minister for the Arts in particular has a wonderful working relationship with His Excellency.

The Hon. Diana Laidlaw: And also with Lady Neal.

The Hon. R.I. LUCAS: And with Lady Neal as well. The Minister is proudly circulating copies of His Excellency's wonderfully incisive speech on the importance of the arts to the South Australian economy and business community. Unbeknown I suspect to the vast majority of South Australians, His Excellency also undertakes a most important task for South Australia in the business area. Of course, he does not seek to publicise his role in an overt way but, as the Leader of the Government in my response to the Governor's speech on behalf of all members—particularly members of the Cabinet who work harmoniously with him every week in Executive Council and who know of the tremendous amount of work that he and Lady Neal undertake on behalf of all South Australians—again I say, 'Thank you.' We look forward to continuing to work together in the interests of all South Australians during the coming years.

I think His Excellency has a wonderfully humane touch in terms of his approach to life. All members would have their favourite story, but I recall during the holiday break in the first or second week of January coming out of Freedom Furniture or a store such as that in the central business district of Adelaide. Lady Neal, and I think another member of her family, had just come out of that store. They had been actively canvassing the purchase of some library shelves for their new home. I think that is a wonderful example of the way in which His Excellency and Lady Neal and their family have settled into the South Australian community when you see them shopping or, as Rex Jory commented recently, dining casually in the Barossa. As he commented, 'Where else would you see this?' This is one of the wonderful attributes and aspects of the quality of life that we all love and enjoy in South Australia. Again, I convey our thanks to His Excellency and Lady Neal.

I thank all members for their contribution to the Address in Reply, particularly the new members of the Legislative Council. In the main, members' maiden speeches to the Parliament were reserved for the Address in Reply, although I am not sure about the Hon. Mr Nick Xenophon; I think he might have made his maiden speech in the December session. So, this Address in Reply contribution was not his maiden speech.

The Hon. L.H. Davis: We will always remember it.

The Hon. R.I. LUCAS: Well, as we have come to expect in terms of his contributions in the Parliament, his maiden speech was a gaming-laced contribution. I thank all new members.

I have done so on a number of other occasions, but I again acknowledge the contribution to the Legislative Council, the Parliament and the community of members of the Legislative Council who are no longer with us. I speak fondly on behalf of my colleagues. In particular the Hon. Peter Dunn, our former President, the Hon. Diana Laidlaw and I had a lovely evening not too far from here on North Terrace close to the date of our election to this place, namely, 9 November 1982. Soon after the State election of 1997 the three of us had an evening where we shared the memories of 15 years.

The Hon. Diana Laidlaw: You don't look much older.

The Hon. R.I. LUCAS: I don't know about what I look like, but I can assure the honourable Minister that I feel a lot older than the 15 years. One aspect of the discussions that night was how the time has flown in terms of the 15 years. I recounted to the Hon. Mr Dunn—to refer to him correctly—the comments of my mother when I said that the Hon. Mr Dunn had just retired. My mother was quite amazed and said, 'But he was only elected at the same time as you; why is he retiring?' I said, 'He has had 15 years—

The Hon. T.G. Roberts: He was a bit older.

The Hon. R.I. LUCAS: He was a bit older than the Hon. Diana Laidlaw and I when he came into the Parliament. My mother was quite amazed that it was such a long time since we all were elected together in 1982. Again, I place on the record my thanks to the Hon. Mr Dunn and his wife, Heather, for their contribution not only to the Parliament but also to the South Australian community.

I again place on the record our thanks and acknowledgment for the work and contributions of the Hon. Bernice Pfitzner and her husband John Pfitzner. Again, I spoke at length on a previous occasion in terms of my respect for the tireless work of the Hon. Dr Bernice Pfitzner, so I will not repeat those comments on this occasion.

I also acknowledge the Hon. Paolo Nocella, who made a contribution to the community and to his Party, albeit for a relatively shorter time, in this Legislative Council.

The Address in Reply is a rare opportunity for Ministers, and indeed for me, to look back over the last four years. I cannot recall—

The Hon. T.G. Roberts: Not another retrospective look at the State.

The Hon. R.I. LUCAS: Yes, it is one of those rare opportunities where one can comment on a range of issues that are not necessarily related always to one's immediate portfolio and interests. If members will forgive me this evening, I assure them that I will seek leave to conclude my remarks because I have not had an opportunity to look at all members' contributions in the Address in Reply today and

earlier this evening. I will conclude my contribution tomorrow afternoon.

I did want to take this opportunity on the first occasion of the new Parliament to make some remarks in respect of a portfolio area that I thoroughly enjoyed for four years, namely, the area of education and children's services. I want to thank publicly—because I have not had the opportunity to do so since I moved from the education and children's services portfolio to Treasury—the staff who worked with me in my office, namely, John Halsey, the Chief of Staff, and all those who worked in my office during what was a very difficult but, nevertheless, exciting four years. There are too many staff to mention, but I thank John and all the staff who worked with him and me during the four years. I was proud of the hard work that they put in, the commitment and loyalty they gave to me as Minister, and also the hard work in terms of administering what was a challenging but, nevertheless, exciting portfolio.

I also want publicly to thank and acknowledge the contribution of Dennis Ralph to education in the past three years as the Chief Executive Officer of DECS, as it was then. Dennis has made, I am not sure, 30 or 40 years' contribution to teaching and to children in South Australia. He loves to tell the story of his first teaching opportunities in the country, one of which was as a one-person teacher at Hawker in the Upper Mid North: he was the only teacher in the secondary school and taught every subject to all students. He often recounted to those who were unhappy with what this Government was doing, as we made some very difficult decisions, some of the challenges that he took on as a new teacher in a country school many years ago.

I have tremendous respect for Dennis Ralph's contribution, as indeed I have for his leadership of the Department of Education and Children's Services. It is a difficult time for any chief executive when a Government makes hard decisions, particularly in its first two years, to reduce teachers' numbers, school services officer numbers and a range of other unpopular decisions. Dennis Ralph provided, as a true public servant should, utmost loyalty to the Government of the day and the Minister of the day in implementing those programs.

Through Dennis I want to thank all senior executives of the Department for Education and Children's Services, again too numerous to mention. Some were there a short time, but the group who stayed for the bulk of the last 2½ years to three years were tremendously loyal to me as Minister. In terms of implementing the Government's program, I will be forever indebted to them for their hard work in implementing the Government's program, and I want publicly to thank them—this is the first opportunity I have had to do so—for their contribution to significant change in education in South Australia.

The Hon. T.G. Roberts interjecting:

The Hon. R.I. LUCAS: I have some comments to make about SAIT in a minute. Finally, I want to place on the public record my acknowledgment and thanks to the many thousands of hardworking teachers and school service officers, staff and parents who are actively working in our schools and in the children's services system on a daily basis throughout South Australia. Without the hardworking commitment of staff and teachers, in many cases above and beyond the call of duty for the majority of them, our system, frankly, would grind to a standstill.

I think we are indeed fortunate with the general quality of our teachers and staff, and also the commitment of parents within schools in South Australia. Whilst there will always be the opportunity in a political area such as education for vigorous disagreement between the unions and Government, or the Opposition and Government as well, I think we all should be jointly proud of the commitment that our teachers, staff and parents give to try to maintain a quality education and children's services system in South Australia.

In looking back on four years as Minister and acknowledging, as I have, the contribution of staff and everyone else, I want to refer to a number of the significant changes that were achieved in those four years. As I said, there was huge controversy in the early years when the Government did reduce expenditure in schools in South Australia. However, ultimately, in our fourth year, in the 1997-98 budget, the Liberal Government—the Brown and then Olsen Government—was actually spending $164 million a year more than the last education budget of the Labor Government under Lynn Arnold. That $164 million equated to a 14.6 per cent increase in funding over that four-year period. So, yes, there were reductions in the first two years but this often quoted figure, still quoted by some Labor members, that some $130 million or so was ripped out of education clearly does not stand critical analysis. As I said, the last budget was actually $164 million higher than the budget we inherited from the Arnold Labor Government.

A passion of mine in education as shadow Minister and spokesperson for many years was to try to change the priorities of the Department for Education and Children's Services. It remained the absolute focus for me in my four years as Education Minister. We encapsulated all of that in the broad Early Years Strategy. Without going into all the detail again, put simply we believed that money spent early in the education and care system would reap benefits many times over compared to the money that was wasted in secondary schools, the TAFE system and later on in schools when perhaps it was sometimes too late to catch up with the problems missed in those early years.

It seems strange that such a focus did not exist prior to 1994. I am delighted to see the Early Years Strategy well implemented and now absolutely unshakeable as a key priority of the department in all of its corporate strategy and planning documents. It is now an unmistakable focus and part of the department's programs, whether it be a Liberal Government for the next four years or however many years into the future or whether it be a Labor Government. I think it would be a courageous Government or Minister who turned around that new focus we have in the department. Included in that Early Years Strategy is a major new focus on reading recovery and significant increases in speech pathology. We have all heard the stories of speech pathology and the lack of resources in that area. One of the last decisions I took—and we had already increased speech pathology services by over 70 per cent—

The Hon. T.G. Roberts: But it was from a low base.

The Hon. R.I. LUCAS: It was a low base from Bannon and Arnold—I acknowledge that. As part of this focus we increased it by 70 per cent and, as one of the last decisions I took, I announced the appointment of 17 further speech pathologists to come on stream from this year. If I have one criticism of our Government, and I hope it is one thing we will look at in the next four years, it is the need for a greater whole of Government focus on early intervention, that our education, care, health and human services systems need to work together to ensure that, if we are increasing speech pathology in schools and children's services, we do not see

reductions in speech pathology in hospitals and community health centres.

I want to acknowledge publicly that we as a Government need to learn from our experience over the past four years. If we are going to increase in one area, there is not much point in seeing it reduced in another area, and I refer to the problems we have seen in some areas. That is a challenge for the Olsen Government over the next four years.

We started the First Start program, which was the first time paid officers worked with families under stress in the northern and southern suburbs and in the Iron Triangle, trying to assist three year olds before they arrived at child care. We tried to help those who had language problems and literacy difficulties with pilot programs and, for the first time, we actively went out to undertake some of those sorts of programs. I hope we will build on some of those sorts of programs in the future.

We also introduced—again strongly opposed by Janet Giles and the gang—basic skills testing. Again, I believe that is so fundamentally an important part of our school system in South Australia that it would be a courageous Minister for Education or Government—Liberal or Labor—that would seek to get rid of something that is supported by 80 per cent of parents in our school system.

As I have said previously, I know for a fact that many members of the Labor Caucus support the basic skills test. I know under the Hon. Carolyn Pickles the Labor Party continued to oppose basic skills testing because of the closeness of the former shadow Minister to the institute. I only hope that, given the fact that the new shadow Minister, the member for Taylor, comes from a different faction, from the Labor unity faction—we would hope not as close, particularly if one listens to the views of Mr Michael Atkinson, the member for Spence, about the teachers union—she will be able to move Labor Party policy in education into the next millennium and support basic skills testing within our schools. We established—

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: The Hon. Paul Holloway says he supports basic skills testing. He must have been whispering it behind the columns. He has not been listening to his Leader.

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: The Hon. Paul Holloway supports exams in high schools, and some other Labor members have indicated their support for that as well. I am hopeful that with Labor unity controlling the education portfolio we might see some commonsense in terms of supporting some positive Liberal initiatives in education and we will move away from this former captive Bolkus left model of education planning and theory. As I said, I remain forever hopeful.

The learning difficulties support team, an outstanding group of education officers, has done a tremendous amount of valuable work within schools over the past two years, and I publicly acknowledge the work of the learning difficulties support team. I am delighted with its continuing work within our school system. More recently, we established some pilot vacation literacy camps to try to help year 6 and year 7 students who have been missing out. They spent up to a week during the school holidays doing intensive catch-up work on literacy to see whether we can better prepare them for moving into the world of secondary schooling.

The new Minister is continuing the process of introducing compulsory baseline assessment for all five year olds in our schools. A critical part of this early years strategy is to be able to see the level the child is at. We are conducting a research program in pre-schools with Professor Gamage and a range of other officers, people and personnel to try to ascertain the child's level. At age five the compulsory baseline assessment is undertaken by classroom teachers, and then we monitor how they perform at ages eight and 10 through the basic skills testing which provides much more information to teachers and parents about their child's progress in literacy and numeracy.

At that level, too, some tremendous work is being done, and I publicly acknowledge the work of Jim Dellit and the curriculum team not only for their willingness to work with the Liberal Government in introducing skills testing but also in looking at these assessment measures and being at the forefront of the debate about national assessment standards, in particular benchmarks for years 3 and 5. They are working with the other States, territories and the Commonwealth Government to try to get a common benchmark for all students in terms of their expected literacy and numeracy performance. In the end, our school system in South Australia—and where all those changes were heading—ought to be able to provide detailed information to parents, as I have indicated. Ultimately, there ought to be an agreed national benchmark on literacy and numeracy, and children ought to be assessed using the basic skills test and/or other tests as well, but certainly using the basic skills test.

We ought to be able to report that 80 per cent of our children have met the national benchmark standard, or 85 per cent of our children, in our school system. There ought to be pressure on Governments, Liberal or Labor, on Ministers and on teachers' unions, in terms of being able to publicly report every year the number of students in our schools in South Australia who are meeting those agreed minimum national benchmarks. We hope and expect that the majority of our students will perform above that benchmark standard, because this is a minimum acceptable standard for a child to be able to successfully engage in education for the rest of their schooling years. So, it is a minimum standard.

We ought to be publicly accountable as a system. Our teachers ought to be publicly accountable, our Governments and our Ministers, more particularly, ought to be publicly accountable for their record of achievement in those areas. Over a period of time we should be able to monitor whether or not that figure is 80 per cent or 90 per cent, whether it is increasing or decreasing and whether or not we are effectively spending our $1 billion to $1.5 billion in the broader education area.

The Hon. T.G. Roberts interjecting:

The Hon. R.I. LUCAS: They are the sorts of pressures that I think Ministers and Governments should be acting under. In my judgment we can no longer go on not wanting to assess and measure. At least the Hon. Paul Holloway has come out as a public supporter of basic skills testing and exams in schools, and I welcome him coming out on this issue. Governments and Ministers should be accountable, and it will be politically inconvenient for Liberal Governments and Ministers, and I am sure for Labor Governments and Ministers in the future. But the framework is there at the moment and it has been established to put pressure on Ministers, Governments and school systems so that we are publicly accountable for what we are doing. If we are going backwards in literacy and numeracy, Premiers ought to be asking questions of their Minister for Education and their system and the newspapers ought to be asking questions of

the Minister and the Government, and Governments ought to be held accountable every four years for their performance in a range of areas, but including their performance in this critical issue of early acquisition of literacy and numeracy.

The Hon. T.G. Roberts: If the kids have a bad day you lose your job!

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: The Hon. Terry Roberts is forever a defender of the Institute of Teachers on these issues. I know he has close personal contacts with the Institute of Teachers—or perhaps did in the past, if I could put it that way—and is at least formally well informed in relation to these sorts of issues. But the critical issue is that Governments and Ministers ought to be held accountable, and if you have a process where measurement and assessment occurs over a long period of time, and it is not just one day in one year when everyone is judged on performance, I do not believe that there is a fair or valid criticism against an ongoing process of assessment and measurement.

With the DECSTech 2001 strategy it was the first time a significant sum of money was committed to computers and infrastructure in schools. Members opposite will be sick of me talking about their former contribution of $360 000 for computers—and I believe on one occasion I referred to John Bannon and Lynn Arnold wanting students to stick to very fundamental computing infrastructure. A total of $75 million is now being contributed to schools and teachers and our students.

In the area of vocational education and training, we are having a significant problem with secondary students dropping out and not continuing on to year 12. I think the Ready, Set, Go program, which will enable our year 11 and 12 students to work in the workplace at the same time as they undertake studies in schools, and also enable them to continue a process of moving from school and the workplace into TAFE training, will be the way in which we will be able to turn around some of those declining retention rate figures that we have seen since 1992 and 1993.

I congratulate some of our schools, in particular those such as Salisbury High School and more latterly Morphett Vale High School, on the work they have done as enterprise high schools. In our policy document we made a commitment to establishing a special interest school in the area of trade education. I had in mind a very good location for this trades based secondary school. I think it would be an enormously popular innovation in Government schooling to introduce a trades based special interest school in the metropolitan area, and I look forward to seeing it being implemented.

Last year I was delighted to open the new facilities for the Wiltshire Program for the Anangu students from the northern parts of South Australia. I was delighted to be able to work with members of that community and in spending over $1 million on those new facilities here in Adelaide. I am sure it will continue to have its ups and downs in the support of the young people for the program, but there is tremendous support from the elders and others in the Pitjantjatjara lands for this educational facility here in Adelaide where young people can live and study and ultimately, we hope, move on to further study here in Adelaide as a way of better educating some of the young students from the Pitjantjatjara lands.

Significant changes were made in the behaviour management policies of the department. Under a new behaviour management policy, principals were given the powers to expel post-compulsory aged students for the first time. We established schools which specialised in looking after students who had been kicked out of their local comprehensive high school in particular. In our last year we introduced a school in the northern suburbs to look after students in the upper primary part of the school system who were proving too difficult to be catered for in their local primary school. That new facility in the northern suburbs was established to try to take the some of the pressure off hard working and over-taxed (in terms of work effort) teachers in their local neighbourhood school.

There have been significant changes in terms of curriculum. There has not been much publicity for it but, for the first time in decades, all the students in our schools with the statements and profiles were using the same core curriculum framework. So, a student in Lameroo and a student in Burnside had to work from the core curriculum framework rather than a framework that a teacher or principal at a particular school felt to be appropriate. In our last year I was personally pleased to see the commitment to emphasise the teaching of values within our school system. Much work remains to be done in that area. I know that the new Minister is as committed to this as I was, and I look forward to seeing the implementation of that policy goal.

The last area in terms of curriculum to which I want to refer is a commitment we gave in our policy document for something called 'Ready to Teach' which is the provision of $500 000 for producing quality and easy to use optional lesson plans for all classroom teachers. One of the quickest lessons I learnt as I moved around the State was that teachers said that they were spending literally hours in the evenings and on weekends preparing teaching materials. In hundreds of schools we have thousands of teachers all reinventing the wheel. They are all teaching a particular subject—whether it is society and environment or mathematics—and are all producing their own teaching materials and lesson plans; and it seems a simple proposition to produce the best of those teaching materials and share them amongst all teachers throughout South Australia. I was delighted to note that the new Minister has already looked at using the Internet in terms of sharing those quality teaching materials amongst all teachers in South Australia, and hopefully that will significantly reduce their after-hours work in preparing teaching plans.

The other significant issue I did not mention in terms of the early years strategy is the Government's commitment to compelling teachers and schools to spend 70 to 90 minutes a day—I hope about 90 minutes—on literacy development, with particular emphasis on reading and writing in the first three years of school. This will be an enormously controversial issue, because I am sure that Janet Giles and the gang will oppose a direction from the department and the Government that all students in those first critical three years of school should spend a minimum of 90 minutes a day on literacy development, in particular reading and writing. I would hope that the new shadow Minister for Education, we hope free from the shackles and domination of Janet Giles and the gang, will be prepared to support the new Minister in the implementation of this important policy commitment.

In the past two years, the State's first special interest high school for gifted and talented students was established at the Heights. More recently, another has been established in the north-east at Glenunga International High School. Most years when the year 12 results come out we see a domination by students in the non-government system. This year I was delighted to see that six of the 14 students who achieved

perfect scores in five or more subjects came from quality Government schools. I congratulate those Government school students and the teachers—

An honourable member interjecting:

The Hon. R.I. LUCAS: They weren't all in the eastern suburbs; there was a good percentage there. I would like to place on the record that it is my view that the Government school system has to compete with the non-government schools in terms of those students who are perceived by parents, the media and the community as being at the top of the tree. One of the driving forces for the special interest high schools for gifted and talented students is to try to get together a nucleus of these extraordinarily talented students in one school to ensure that, in four and five years, as those youngsters move through year 12, we will see, as is seen in Sydney with the selective high schools, increasing numbers of Government school students being publicly acknowledged in the *Advertiser* and on the television as having perfect scores in five or more subjects.

The Hon. T.G. Roberts interjecting:

The Hon. R.I. LUCAS: We hope that those benefits will continue for the students who remain in other schools, through quality teaching practices of teachers and principals. The inexorable decline in numbers in Government school education involves many factors, and I have publicly indicated that the level of disputation and turmoil is but one. Somehow, the public school system has to work out how it will be able to handle differences of opinion between unions and Governments so that we do not always see teachers marching in the streets and picketing our Government schools whenever there is a major dispute with the Government of the day, whether Liberal or Labor.

The other factor is that Government schools have to look at the public perception of them. That is why there is the focus on the early years, on standards, and on literacy and numeracy, and the focus to try to make sure that we publicly acknowledge the excellence of our system and that numbers of students from our Government school system are performing at a very high level so that, when there is publicity regarding year 12 results, we see increasing numbers of Government school students in that marketing exercise. Members of the Labor Party might not like it, but the reality is that, in significant part, parents are forming their views about the relative quality of Government and non-government schools through what they read in the media. Members might not like it, but they cannot ignore the facts as to why parents are increasingly moving their children from Government to non-government schools.

The unions will argue that it is because of increased resources in the non-government system. Again, we have debunked that argument on a number of occasions by demonstrating that the student-teacher ratios in South Australian Government schools are better than for non-government schools in South Australia. It is not just an issue of resources, as the Institute of Teachers would indicate.

The final two areas are, first, sport and physical education. The Government commitment to require that all reception to year 10 students undertake at least 100 minutes of sport and physical education each week has not been wholly implemented yet but I would hope we will see it implemented over coming years. The reintroduction of interstate sports competition for upper primary-aged students was one of the first decisions that the Government took back in 1994.

The final area is personnel policy, with the introduction of school choice vacancies, which gave principals and local school communities the opportunity for a greater say in the selection of their staff. That was an important change and we as a Government would hope to see a much higher percentage of teachers being appointed through the school choice vacancy process as opposed to the centrally managed staffing process.

The monitoring poor performance policy, I am pleased to advise, for the first time ever was used to dismiss teachers for proven incompetence. It had never been done before, but Governments and Ministers, Liberal and Labor, have to be prepared to bite the bullet in relation to teaching competence. If all else has been tried and has failed, eventually if a teacher is proved to be incompetent in terms of his or her performance, that person ought to be dismissed. For the first time, in a small number of cases admittedly, teachers were dismissed for proven incompetence.

In concluding my comments on the education portfolio, I will make some brief comments about the importance of the role of union leaders and unions in Government school education. It is sad that in South Australia we have had a disappointing quality of leadership in the Teachers' Union. A huge disappointment to all who have been involved in education has been the continued opposition from the Institute of Teachers to widely supported reforms in our schools in South Australia, such as basic skills testing. One certainly acknowledges that unions will always oppose reductions in resources, whether implemented by Liberal or Labor Governments. On this occasion I am not seeking to criticise the union, and on any occasion I would not criticise the union for opposition when a Government—Liberal or Labor—reduced resources. It was only seven or eight years ago that the Bannon Government took 800 teachers out of our school system in South Australia and, rightly, it was opposed by the union and teachers. In its first budget the Liberal Government took out 420 teachers and we, too, were criticised.

The Hon. R.R. Roberts interjecting:

The Hon. R.I. LUCAS: So did Bannon in 1991.

The Hon. R.R. Roberts interjecting:

The Hon. R.I. LUCAS: So did John Bannon. We had a good role model. On this occasion I do not criticise unions for obviously maintaining a consistency of message and opposing Government reductions of resources in the school sector. However, I believe that, in terms of intellectual honesty, when Governments put extra resources back into the system and when, eventually, a Government is spending $146 million a year more than in the last year of the Labor Government, at least some grudging acceptance or acknowledgment of that might be given rather than an attempt to distort those figures, as occurred so often.

I want to place on the public record my disappointment and concern that important reforms such as basic skills testing, upon which the Government was elected and which it pledged to implement, have been opposed by union leaders in particular who have conducted industrial action over a four or five year period. They have continued to oppose educational reforms that have been implemented in our schools. It is not a question of resources. I am talking of new policies which were clearly enunciated with nothing hidden as part of the policy reform package of the Government of the day, and it is in that area that I believe that we have not been well served in South Australia by the quality of the leadership of the teachers' union.

I remain eternally hopeful that, as it moves through this next four years, the Labor Party will distance itself in part

from some of those policy positions dictated by the teachers' union and, as we move into the next millennium, it will be prepared to support some important reforms such as basic skills testing. I know that the Deputy Leader of the Labor Party in the Legislative Council (Hon. Paul Holloway) is happy to publicly acknowledge that support, and I know that other members of the shadow front bench in another place are supporters and advocates of basic skills testing. A number of members of the Labor unity faction are also very strong advocates of basic skills testing and assessment measures within our schools. I seek leave to conclude my remarks.

Leave granted; debate adjourned.

PARLIAMENTARY COMMITTEES (MEMBERSHIP OF SOCIAL DEVELOPMENT COMMITTEE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 10 December. Page 185.)

The Hon. R.I. LUCAS (Treasurer): The Government remains enormously sympathetic to the particular desire of the Hon. Mr Xenophon to contribute in almost every way to his passion on gaming machines and gambling legislation. However, on this occasion, the Government feels that it is unable to support the measure that the honourable member has introduced. We believe that there are some important matters of principle in relation to this issue which, on balance, tilted us just ever so slightly, just by touch, to decide not to support the legislation. I am happy to share those thoughts, albeit briefly, with members. Our committee system, many members will know, was a labour of love for Labor, Liberal and Democrat members some X-years ago. I cannot remember how long it was.

The Hon. L.H. Davis: 1991.

The Hon. R.I. LUCAS: It was 1991. The Social Development Committee has six members. It has a balance of members from both the Upper and Lower Houses. We have a balance between the Parties as best we can envisage it. At the time, I guess, we never expected to have a No Pokies candidate elected to break up the tripartite nature of the Legislative Council, and I acknowledge that that has caused a complication. Nevertheless, the Hon. Mr Xenophon, as is his right, thrust his name forward in December to test the will of the people in this Parliament, and I think was singularly unsuccessful on that particular occasion in being elected to the Social Development Committee.

I guess that a number of members, both within their Parties and outside, were unsuccessful in terms of being elected to standing committees. If on each occasion a member who was unsuccessful then believed that the way to resolve the situation was to change the legislation so that he could be appointed to the standing committee that would not be consistent with the spirit of the establishment of those standing committees seven or eight years ago. It does raise issues, and these are not significant, obviously, in the scheme of things, but there are obviously additional costs. Do we need eight members on a committee when every other committee is operating with five or six members?

In one case, the very powerful Economic and Finance Committee, I often read, has seven members. It may well be that the extra member makes it a very powerful committee as opposed to the others that have only six or five members. Perhaps part of the argument of the Hon. Mr Xenophon is that if it were an eight person committee the Social Development Committee would be described as the extraordinarily powerful Social Development Committee. I do not know whether that is the case but that may be one of the Hon. Mr Xenophon's arguments. It is an important principle that if a person is unsuccessful and a Party is unsuccessful, do we then resolve the issue by trying to change the legislation so that we can accommodate people to join a standing committee?

As sympathetic as I am to the Hon. Mr Xenophon and his cause, I do not think this is the way to resolve this issue. There is an interesting issue in that the Hon. Mr Xenophon himself has been a witness to the Social Development Committee. He has presented evidence to the Social Development Committee.

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: It is on this subject and it is an important one. This Parliament has taken on all the work, evidence and knowledge of the past Parliament, and it is a curious piece of logic that you could actually have a person who presents evidence to a committee now wanting to organise the committee so that he can sit on it and make a decision and a judgment about his own evidence.

An honourable member interjecting:

The Hon. R.I. LUCAS: And the Labor Party has opposed it. The Hon. Paul Holloway has actually opposed it. It is actually different. There is an important issue in relation to that in that the Hon. Mr Xenophon's views on gaming are absolutely well known. He was elected on a platform; he has presented powerful evidence to the committee, and he now seeks to organise the committee so that he can make a judgment as to the appropriateness or not of his own evidence. That raises some interesting questions about our standing committee process.

It might have been a bit like John Cornwall's inquiry into the Christies Beach Women's Shelter. It might have been that John Cornwall could have trotted himself up as a witness to the select committee and then, if he had not been on it, he could organise to put himself on the committee so that he could vote on his own evidence in a particular way. There are important issues of principle in relation to this matter: you are either a member of the committee or you are presenting evidence to it. It makes it difficult if you are presenting evidence and you then take one hat off and hop around to the other side of the table and make a judgment.

The Hon. T.G. Cameron: He wasn't a Legislative Councillor then.

The Hon. R.I. LUCAS: I understand that. I am not suggesting that he acted improperly or that anything was not done in good faith. I suspect that the Hon. Mr Xenophon might never have even suspected that he would become an exalted member of this Chamber.

The Hon. L.H. Davis: With 2.7 per cent of the vote that was probably a reasonable assumption.

The Hon. R.I. LUCAS: I think it was 2.86 per cent. The Hon. Mr Davis does the Hon. Mr Xenophon a disservice: he underestimates his vote by .16.

The Hon. Carmel Zollo interjecting:

The Hon. R.I. LUCAS: The Hon. Ms Zollo suggests that he did it in good faith. I am not suggesting anything other than that. There is no criticism at all of the Hon. Mr Xenophon. Nevertheless, it remains a fact that he presented evidence and now seeks to become one of the judges in the case.

One can never guess when a select committee might wrap up its work, but it may be that this committee will not go on

for the next two years or for an excessive length of time. If this committee were to conclude its work in the next three or four months, I think there is an issue—

The Hon. Sandra Kanck interjecting:

The Hon. R.I. LUCAS: The Hon. Sandra Kanck says it will be done within the next few months.

The Hon. T.G. Cameron: No way.

The Hon. R.I. LUCAS: The Hon. Terry Cameron says, 'No'. That's up to you. I don't know.

The Hon. Sandra Kanck interjecting:

The Hon. R.I. LUCAS: The Hon. Sandra Kanck religiously attends these sorts of things, so I am sure that she will never let the team down. It is an important issue. If you almost reach the fourth quarter of the deliberations of the committee and then say we will now add two—

The Hon. T.G. Cameron interjecting:

The Hon. R.I. LUCAS: That is not what the Hon. Sandra Kanck suggests. I am not a member of the committee and neither is the Hon. Ron Roberts, but the Hon. Sandra Kanck is. So I am only guessing, but the Hon. Sandra Kanck is in a better position than either the Hon. Mr Roberts or I to make a judgment about these issues.

If you are in the fourth quarter of deliberations and at that stage incorporate into the process two new members of the committee (one from this Council and one from another place), I do not think that is a productive way to conduct a select committee process. Without going on any further, it was a difficult issue for the members of the Government to consider. As I said, we were enormously sympathetic to the Hon. Mr Xenophon, but on balance and just by a touch we have decided that we cannot support this measure.

The Hon. SANDRA KANCK: I am a member of the Social Development Committee, so I have some interest in this measure. I see this Bill as being designed to accommodate the needs of just one member. I find that a most disturbing precedent. Even if it were not being done to accommodate the needs of this one member, I would still consider it inappropriate for Mr Xenophon to become a member of the Social Development Committee. As the Hon. Mr Lucas has already observed, he has appeared before the committee as a witness, and his presence as a member of the committee would require him to deliberate on his own evidence. The nearest comparison I can make to that is if you allow a person to be a witness in a court case and then to become a member of a jury.

The Hon. Mr Xenophon's presence on the committee would put the other members of the committee in a difficult position because we would be constrained from speaking about the submission made by the No Pokies group. I put that point of view to the Hon. Mr Xenophon outside the Chamber, and he told me that he was willing to have his evidence expunged from the record. I do not know whether it is possible for that to be done but, even if it were, what cannot be expunged from the record is the media coverage, the filming and so on that took place and the comments that Mr Xenophon made to the media about that evidence on that day.

I am also very concerned at the very fixed No Pokies position held by the Hon. Mr Xenophon. I understand why he holds that position. He was elected on that platform and that platform alone. But I find it very difficult to believe that he would alter his stance on the basis of the evidence, because if he were to do so, given that that is the only matter on which he campaigned, he would be betraying his electorate. Further, I wonder whether the Hon. Mr Xenophon has considered that in some ways he would be better off not being on that committee. Those who are on the committee are not in a position to comment on the committee's deliberations, but every time we have witnesses the Hon. Mr Xenophon can sit in the gallery, listen to what is being said and then go outside immediately afterwards and comment to the media. In many ways, he would be freer than members of the committee.

The Hon. R.I. Lucas: We might put him on the committee.

The Hon. SANDRA KANCK: That is one way we could keep him quiet. In addition, just as any other member of the community can, Mr Xenophon is free at any time to provide any new information he has to the committee. But, ultimately, I do not support this Bill because it does create precedents that cannot be justified.

The Hon. R.R. ROBERTS: I support the Bill. I note that on yet another occasion this matter has been delayed until the wee small hours of the sittings away from the scrutiny of the public, press, etc., because we are about to do something unconscionable. With the cooperation of the Democrats, the Government is once again trying to fudge the issue. What are we trying to do? The Hon. Mr Xenophon has put forward a proposal in terms of a commitment he gave to the people of South Australia that he would stand for Parliament and do a certain thing. The Hon. Mr Lucas has put forward his objections to the Hon. Mr Xenophon becoming a member of this committee. The Hon. Mr Lucas said that this matter is about the balance between both Houses.

Before I refer to that, let me say that I support the committee system of the Parliament. I am on the record as saying that very good work is being done, that it is well worth while having this committee system and that I support fully the additional payments which members of committees receive, because to participate in these committees does entail considerable expense and resources. So, I have no problem with the committee system. But let us consider the arguments being proposed by the Hon. Mr Lucas.

The Hon. Mr Lucas said that it is about the balance between both Houses. He obviously put that argument to the Hon. Mr Xenophon because in his Bill the Hon. Mr Xenophon has tried to maintain that balance by suggesting that the number of committee members increase from six to eight. Obviously, the Hon. Mr Xenophon has done that to maintain the balance, to give the Government the opportunity still to control the committee. Let us be quite frank about this: the Government does not want to lose control of the committee.

The Hon. Sandra Kanck: They haven't got control.

The Hon. R.R. ROBERTS: They do not have control, but the Government does not want an extra person on the committee because it might lose control of the committee. So, the Hon. Nick Xenophon has bowed to the arguments put forward by the likes of the Hon. Mr Lucas and has suggested that two members be added to the committee. I think the Hon. Nick Xenophon would be quite justified in moving a motion to say, 'It ought to be extended by one.' The Hon. Mr Xenophon is trying to keep a commitment to his electors. The Government and the Democrats are trying to stop him from carrying out that mandate. He is suggesting that we spend approximately $16 000 to allow this committee to reflect what the people want.

I happen to subscribe to the theory that the Parliament is here to serve the people and it ought to be representative of

the people of South Australia. Many people do not like it. The Hon. Legh Davis made some clever remarks about the primary vote of the Hon. Nick Xenophon and the fact that he only got here under preferences. Well, a lot of people got into Parliament, both in the Lower House and the Upper House, on preferences. The reality is that the people of South Australia have spoken very clearly. They have said, 'We want Nick Xenophon; we want the No Pokies man in the Parliament.' They have said, 'This person deserves our support.'

He got a quota, and the quota is about 47 000 votes. That is what he got with the distribution of preferences, and that represents 50 per cent plus one in four Lower House electorates. The Hon. Nick Xenophon's proposal reflects their view and their will that they wanted a member in this Parliament. It also reflected in the Lower House where on the distribution of preferences—

The Hon. A.J. Redford interjecting:

The Hon. R.R. ROBERTS: The Hon. Mr Angus Redford got up on preferences when they stood him for a joke, but they have not seen the joke yet. He wants to interject now but he was quite happy then.

The Hon. A.J. Redford interjecting:

The PRESIDENT: Order, the Hon. Angus Redford! Members do not have to point at each other or shout.

The Hon. R.R. ROBERTS: The honourable member was quite happy to take the distribution of preferences when it suited him, but now he supports the argument that it ought to be on primary votes only. This Parliament has a right to reflect the wishes of the people, and this Bill will allow that to occur.

We talk about the cost of this proposal, so let us look at it. Obviously, all members opposite will not, on the basis of cost, support this motion to put Nick Xenophon on the committee. Why wouldn't they? They are not worried about the cost when they put up their hand to be on a committee. Let us go along the backbench. The Hon. Caroline Schaefer is Whip, and the Whip gets 10 per cent; she is also Chairperson of the Social Development Committee, and they get something like 14 per cent. They are not worried about the cost there.

We also have the Hon. Legh Davis, who is Chair of a committee on about 14 per cent. The Hon. Mr Dawkins, the factional heavy, the bloke who did the leapfrog over the Hon. Bernice Pfitzner—he dudded Bernice Pfitzner—is on two committees. He is on 20 per cent. They are not worried about the cost again. Then we have the Hon. Angus Redford, Chairman of the Legislative Review Committee. He is on 14 per cent, but he will not vote for it.

The Hon. L.H. Davis interjecting:

The Hon. R.R. ROBERTS: It is in the *Hansard* and in the schedule. It is an Act of Parliament: no-one will lose. Then we have the Hon. Mr Lucas, Leader of the Government in the Legislative Council, who is on 85 per cent, and the other Ministers are all on 75 per cent. The only person who is not on a salary is the Hon. Julian Stefani.

The Hon. M.J. Elliott interjecting:

The Hon. R.R. ROBERTS: No, he is a man of principle; he threw that in. He did not want the 20 per cent. The Hon. Mr Lawson gets 41 per cent. They are all happy to take that. They claim that it is too expensive to find $16 000 to represent the view of the people. The Government does not have any problem with setting up a crocodile fund with $330 000 (that is a good description, because the way they eat up money would make a crocodile look stupid) to try to justify their broken promises made just before the election. They were prepared to spend $30 000 for a prerecorded address the other night to justify the lies that they told the people of South Australia.

The Hon. R.I. Lucas: It's not an issue, Ron.

The Hon. R.R. ROBERTS: Now the Treasurer says that money is not the issue. That is not what he said in his contribution. We are talking about finding $16 000 to meet the cost of this proposition. The Hon. Nick Xenophon has tried his best to negotiate with the Government, and I am told that he has even offered, after he has done the job that the people of South Australia elected him to do and looked into the matter, to offer his resignation. He has already offered that. He has bent over backwards—

The Hon. L.H. Davis: To whom?

The Hon. R.R. ROBERTS: It is well known around the corridors, and the Hon. Nick Xenophon will speak for himself. He is big enough to do so. Labor Members supported the introduction of poker machines, lotteries and all these things, and we are prepared for open scrutiny of these matters. If there are good and cogent reasons for changing the principles surrounding poker machines, we want to know about them. We are not frightened to have the Hon. Nick Xenophon look at this issue. The other problem we have—the additional cost—

The Hon. A.J. Redford interjecting:

The Hon. R.R. ROBERTS: We have said that. He was a witness before the committee. That was not a criticism. He was a witness before the committee and we could not do that because he obviously had a vested interest. Does that mean that people such as the Hon. Mike Elliott, who is a self declared environmentalist and who has a commendable record, have a vested interest and should not be on the Environment, Resources and Development Committee? No! It is a ridiculous proposition.

The Hon. Nick Xenophon has a point of view. People say that if one does not like the system one should stand for Parliament. The Hon. Nick Xenophon has not only taken up their offer but has also proved his point. It is claimed that he is compromised and should not be on the committee, yet it did not worry the Government last year, when setting up a select committee inquiring into the affairs of the Hon. Dale Baker, that the only member in this place who had ever sighted that report was the Hon. Mr Griffin. The Government had no problem with putting him—the only person who had seen the document besides the Premier—on the committee or, indeed, making him its Chairman. This is hypocrisy. These are not arguments of fact but arguments of convenience to get out of responsibility.

Members interjecting:

The Hon. R.R. ROBERTS: We know what the problem is for the Democrats: they do not want anyone to steal their thunder. They want to get out there with all these groups and do not want the Hon. Nick Xenophon stealing their thunder and perhaps getting a bit of publicity on the committee.

The Hon. Diana Laidlaw: Why shouldn't you be charged for the overtime you are costing the Parliament?

The Hon. R.R. ROBERTS: If you had had the decency to bring on this matter in the full glare of public scrutiny instead of leaving it to the small hours of the morning, there would not be any overtime. The Opposition and I believe that we ought to reflect the will of the people, and this is clearly a proposal to do that. The cost is not a huge burden on taxpayers. We are all involved. No-one on this side denies that people who work on committees should be paid.

We are saying that the Parliament and the Treasurer have a responsibility to reflect the will of the people of South Australia. Members of the Government are carping. The Labor Party is not frightened of scrutiny. We do not necessarily agree with the views of the No Pokies member, but we are prepared to accept that the people of South Australia want the Hon. Nick Xenophon on that committee. We want him to look at the evidence and, if there are good and cogent reasons for reviewing the No Pokies legislation, we are happy to stand up and be counted. When members on this side vote, we will raise our right hand, while Government members will raise their left trotter—they have got their snouts in the trough. They do not want the Hon. Nick Xenophon and the people of South Australia to be represented. I will call for a division because I want the people of South Australia to know that this Government does not want to reflect the wishes of the people of South Australia, which were clearly demonstrated at the last election—and the Hon. Nick Xenophon is the living proof.

The people of South Australia want the honourable member on the committee, but the Government and the Democrats have schooled up together to deny the will of the people of South Australia. The Democrats in particular ought to be condemned because they have continually carped that they ought to have more representation in the Lower House. They are on the public record as saying, 'We have 16 per cent of the vote and we have a right to be represented.' The same principle is before them, and they have pulled the old Democrat trick by having two bob each way. They have done a deal with the Government. Therefore, they will stop the Hon. Nick Xenophon from doing the job that the people of South Australia elected him to do.

This is a disgrace and it smacks in the face of the electorate, and I am sure that the electorate will want to know who is doing what in this matter. We support it. The Labor Party, unlike the Government, is not frightened of scrutiny. The Government has shown its colours: it is prepared to say one thing and do another. It is now doing it again. This time the Democrats are doing the same thing. I support the second reading.

The Hon. M.J. ELLIOTT: I note the time. The last speech was unnecessarily long and tedious, and I will try to avoid making the same mistake. There is no doubt that there is some merit on both sides of the argument but, at the end of the day, to suggest that the committee should be expanded simply because a member of the Council wants to be included in its membership is not a persuasive enough argument. I touch on the politics of this Bill and the point that the Hon. Ron Roberts did not address. There is no doubt that the Government was pretty toey about how the Hon. Mr Xenophon might behave in this place, and it was very careful about what office he was allocated. It was absolutely paranoid about having him anywhere near the Labor Party or the Democrats. It found an office well away from either of those Parties.

The Hon. L.H. Davis interjecting:

The Hon. M.J. ELLIOTT: No, that is not true. It was not a matter of there not being big rooms available; it was a matter of where the Government felt it could comfortably put him so that he would not be tainted—

Members interjecting:

The Hon. M.J. ELLIOTT: We know the instructions that were given. On the other hand, what I find absolutely hypocritical in this debate is that, when this Bill was proposed, members of the Labor Party approached me—and some have spoken in this place—and said, 'We will oppose it; what will you do?' Once we had gone on the record saying we were opposed to it, the Opposition then decided—

An honourable member interjecting:

The Hon. M.J. ELLIOTT: I do not like relaying private conversations outside this hallway unless those involved volunteer to be named. Some members of the Labor Party were privately saying that they were opposed to this, and they were obviously playing the same sort of game that the Government was playing when it trying to decide where to put him in this place—it tried to curry a little bit of favour when it had nothing to lose. Over the next couple of years, the Hon. Mr Xenophon will get to know what games are played and he will work it out for himself. I just say to him that this is just another—

Members interjecting:

The Hon. M.J. ELLIOTT: I am sure he probably has. But after listening to some of the nonsense coming from Labor members, when we know that this was just a little bit of Party politics on their part, I believe that it really needs to be put on the record.

The Hon. CAROLINE SCHAEFER: It is always a pleasure to follow the Hon. Ron Roberts in debate. He is such a gentleman. He speaks with such eloquence and is always so polite to his colleagues on both sides of the House. However, I cannot support anything he said—if there was anything amongst it that made any sense. I am, as he loudly pointed out, the Chair of the committee which is the subject of debate at this stage, and I had no real personal objection to the Hon. Nick Xenophon being part of that committee. However, I do have an objection to having extra members on that committee and/or any other standing committee. If we set this precedent, I cannot see why there would not then be seven or eight members on every standing committee.

An honourable member: We would all be rich.

The Hon. CAROLINE SCHAEFER: We may all be rich, but my experience is that most of us are so busy that we find it very difficult to get to committee meetings on a regular basis, anyway. It is difficult enough to find a time and a day when six people can meet, let alone when eight people can meet. It is an ongoing committee and, therefore, it does not have a single reference, so it should not have anyone on it with only a single issue in mind.

I have given the Hon. Nick Xenophon my assurance, as Chair of that committee, that I will do all in my power to allow him to continue to give evidence, since he feels that he did not complete his evidence prior to the proroguing of Parliament. He will be invited back, as far as I am concerned, to give further evidence. As I say, it is difficult enough to get a quorum as it is—

An honourable member interjecting:

The Hon. CAROLINE SCHAEFER: No, because the quorum would be larger. And I object to the idea of all these committees being held behind closed doors. They are public meetings, as the Hon. Ron Roberts well knows. The Hon. Nick Xenophon attends them, together with the press, and anyone else who has an interest in being there. So, I can see no reason why the Hon. Nick Xenophon should create a precedent for the entire Parliament and become a member of the committee simply because he has a single issue that he wants to explore.

An honourable member: He has a mandate.

The Hon. CAROLINE SCHAEFER: He has a mandate to represent 2.86 per cent of the population, and he has a democratic right to represent them to the best of his ability. I am yet to be convinced that he could do that any better under the strictures of a standing committee than he would as a witness before that standing committee.

The Hon. T. CROTHERS: I have listened intently to some of the contributions that have been made in this debate, and I rise to support the item on the Notice Paper standing in the name of the Hon. Nick Xenophon. I want to outline, in a logical fashion, without emotion or humour being part of my psyche at this time, why I believe that we should support the Bill placed on the Notice Paper by the Hon. Mr Xenophon.

I have been in this Parliament now for just over 11 years. When I first came into this Upper House, any select committee that was set up—and I understand what the Standing Order says about numeracy—was comprised of six members: three from the Opposition and three from the Government benches. A deal was then struck between the then Liberal Opposition and the Democrats, whereby the membership was changed from six to five: there were two members from the then Government (the Labor Party), two members from the then Opposition (the Liberal Party) and one Democrat. That is just the position with respect to how the Westminster tradition in these committees can be flouted. It was in the political interests of the then Liberal Opposition Party. Also, the Democrats who, despite their dictum of keeping the bastards honest, can also get involved in the politics of hide and seek.

The Hon. M.J. Elliott interjecting:

The Hon. T. CROTHERS: I did mention Standing Orders; you were not listening again.

The Hon. M.J. Elliott interjecting:

The Hon. T. CROTHERS: You well know, Mr Elliott (I am glad you have interjected), that we are talking about the custom and practice of this Council, to which you were a party in having reverted back to the Standing Orders after a previous Parliament had provided for six members. I do not want to hear any nonsense from you in respect of democracy; I have a longer memory than that. That was a case in point, when committees were manipulated for political purposes.

I return to the Westminster tradition in respect of the composition of the present committees of this Parliament. I note that in this Legislative Council there are 10 members of the Liberal Party, including the President. I note that in the Lower House there are 23 members of the Liberal Party. Between the two Chambers of this Parliament there are 69 members in total and, when I add the 23 members in the Lower House to the 10 in the Upper House I come up with 33—hardly even half the total membership of this Parliament. The other members who comprise the remainder are the three Democrats and one No Pokies member in this Council, and two Independents and one Country Party member in the other place but, because it has been Westminster custom and practice, we have clung to the fact that, irrespective of what the Liberal Party did in Opposition, the Government of the day should have a majority on committees of this Parliament. I say that against the backdrop of what transpired when we returned to the rule book and the select committees were changed from a membership of six, which the Council had embraced because of the Westminster tradition, back to what was provided by the Standing Orders of this Council when it was a gerrymandered place in respect to having five members on select committees.

Having said that, I will to say this: if one of our members of the 69 who has been elected by the people in this democratic Westminster institution to represent a particular point of view (and I do not accept necessarily 2.6 per cent or 2.8 per cent of the vote), the facts are that, under our present system of electoral rules that pertain to this Upper House, he got a quota. As members know, a quota is 12 into the million-plus people on the electoral roll, plus one. If you want to work that out, you will see that a quota is in excess of 80 000 votes in this State. What you are doing now is in fact a strike against the better practices of the Westminster tradition. But I will say to you: the least of us in this whole Parliament who have been elected by the people—in this case it is Mr Xenophon and perhaps the other Independents—

The Hon. M.J. Elliott interjecting:

The Hon. T. CROTHERS: You wouldn't have the brains to agree with commonsense. Don't start me, or I will go on to you. Non-representation of the smallest number in this Parliament, in the democratic sense demeans us all. That is what you have done tonight. Non-representation of the smallest numbers elected by the full electoral college of this State demeans the democratic traditions of this institution. It is shameful of the Democrats to oppose this. The words of the Democrats' founder, Don Chipp, always ring in my ears, when he put forward the rationale for his resigning from the—

The Hon. M.J. Elliott interjecting:

The Hon. T. CROTHERS: Are you so ignorant that you won't listen to commonsense, Mr Elliott? When Mr Don Chipp resigned from the Liberal Party—a former Minister in the Liberal Government—and reformed or joined up the old Liberal Movement from here—

The Hon. A.J. Redford interjecting:

The Hon. T. CROTHERS: There's another great Democrat interjecting, the Hon. Angus Redford! We know what went on in the Hotel Australia in your preselection. Be quiet! Don Chipp's words ring in my ears. That is why it is shameful for the Democrats to do what they are doing. Don Chipp gave as his reason for forming the Democrats that it was to keep the bastards honest. How do they equate that with the stand they are taking in joining with the Government in opposition to the Xenophon Bill. It cannot. It is an inconsistent logic, advanced by the Government and its cohorts, the Democrats in this case, in respect to the opposition to this Bill. It is opposition mounted for political reasons by both Parties—the Democrats because they want to be able to say to people, 'We hold the balance of power.'

I could talk about a phone call I received from a Democrat who thought he was pulling the wool over my eyes—but he was not—when he asked whether I had any intention of resigning from the Labor Party. However, I will not talk about corridor conversations or phone calls made to me by people. I will not do that. The phone call was saying, 'Please don't resign from the Labor Party and sit on the crossbenches, because if you do, we can count, too, and we will no longer be able to boast to the South Australian electoral public that we have the balance of power, because you would hold it.' I do not want to hear people talking to me about matters of private conversations; I could relate quite a few. Some people think I am a fool, because I am easy to get on with. But people who think that had better think again.

I say once more, and I urge you to rethink your position: in the interests of democracy and of all the traditions that the Westminster system stands for, support the Xenophon Bill and ensure that you advance the interests of the people in this

State and the best customs and traditions of Westminster democracy.

The Hon. L.H. DAVIS: Unlike some of the contributions that have been made, I must say that I have always been on the speakers' list for this debate. Can I say from the start that an agreement was made between the Labor Party, the Liberal Party and, I understand, the Hon. Nick Xenophon that this would come on later this evening, because the Leader of the Government in the Council, the Hon. Robert Lucas, had unavoidable commitments early. For Ron Roberts to stand up and say that this has been taken out of the media spotlight is a deplorable statement and a total misrepresentation. For the Hon. Ron Roberts to also say that this is an issue about money and to try to parade that argument through the Council is bizarre. It is simply not true.

For the Hon. Ron Roberts to say that we are resisting the proposition from the Hon. Nick Xenophon because the Government does not want to lose control of the committee is, of course, a very powerful argument for the necessity of numeracy tests—because this Government does not have control of the Social Development Committee. Let me walk through the committee structure slowly: there are three members from Opposition Parties—the Hons Terry Cameron and Sandra Kanck and Mr Michael Atkinson—and three members from the Government Party. One can hardly say that that is a measure of control.

The Hon. R.R. Roberts interjecting:

The Hon. L.H. DAVIS: Just relax. If you add the Hon. Nick Xenophon and presumably one other, you will not change the existing balance. That has silenced the rabble opposite, has it not? Presumably, instead of the situation being 3-3, it would become 4-4. If you can count, you see that the situation would be unchanged.

The Hon. R.R. Roberts interjecting:

The Hon. L.H. DAVIS: No, you have missed the point. You said, 'The Government doesn't want this because it doesn't want to lose control.' The committee membership will go from 3-3 to 4-4.

The Hon. R.R. Roberts interjecting:

The Hon. L.H. DAVIS: That was your point. The Hon. Trevor Crothers' speech tonight is a good reason why the Labor movement abandoned the stump in the Botanic Gardens many years ago. Wonderful rhetoric, but goodness me! How did it relate to the issue? He talked about changing Standing Orders to alter the numbers on select committees.

The Hon. T. Crothers interjecting:

The Hon. L.H. DAVIS: It is difficult to hear what you are saying. It has nothing to do with Standing Orders: it has everything to do with a piece of legislation called the Parliamentary Committees Act 1991, which was passed by the Parliament after long debate and quite heated and protracted discussion. It was the brain child of Martyn Evans, the Independent Labor member at the time. After considerable compromise, the new committee structure was established. There were significant amendments and additions to that in May 1994 when the Liberal Government came to power.

In 1991 the Environment, Resources and Development Committee, the Economic and Finance Committee, the Legislative Review Committee and the Social Development Committee were established. The Liberal Government was committed, following an election promise, to introducing the Statutory Authorities Review Committee and a Public Works Committee.

For the benefit of the Hons Trevor Crothers and Ron Roberts, I will explain the membership of these committees. The Economic and Finance Committee has seven members from the House of Assembly. The Environment, Resources and Development Committee has six members—three from each House. The Legislative Review Committee has six members—three from each House. The Social Development Committee has six members—three from each House. The Statutory Authorities Review Committee is a standing committee of the Legislative Council and has five members. And the Public Works Committee is a standing committee of the House of Assembly and also has five members. The shape of and the number of members on those committees was agreed after lengthy discussion, and bearing in mind the number of backbench members available to serve on them. The Statutory Authorities Review Committee and the Public Works Committee are slightly smaller in membership than the others because they are drawn from two different Houses. They were the last two committees introduced in 1994 and it was by general agreement that they would have fewer members.

The Hon. P. Holloway: The Statutory Authorities Committee had one extra member for four years.

The Hon. L.H. DAVIS: Not in our time. The Hon. Paul Holloway bumbles yet again.

The Hon. P. Holloway interjecting:

The Hon. L.H. DAVIS: The Statutory Authorities Review Committee has only ever had five members. I have been on that committee for the whole time and it has always had five members. The proposition, which is a good try if not a cheeky one by the Hon. Nick Xenophon, is that unilaterally we increase the number of members on the Social Development Committee from six to eight. There is no logical argument for the change. The committee has no more work; in fact, over the past 12 months it has met less often than many other committees.

There is no logic to this change. I would have thought that, as a Parliament, we talk in logical and professional terms, rather than adopt the adhockery that has been so evident from the Labor Party tonight. There is no logic in changing the membership from six to eight, apart from accommodating the Hon. Nick Xenophon.

Members interjecting:

The Hon. L.H. DAVIS: There is logic in the Economic and Finance Committee having seven members because it has a subcommittee, the Industries Development Committee, which was rolled back into that committee although it had been a separate committee. All the other committees which were formed in 1991 have six members, and the balance of the committees, formed in 1994, have five members.

It is illogical for the Labor Party to argue that it is all about money: it is not. It is illogical to argue that it is about losing control: it is not. It is illogical to argue that it has anything to do with Standing Orders: it has not. It is illogical to argue that, because someone has a particular interest in a matter, we should increase the membership for that person's benefit. We have a coherent system which has been developed in two tranches, in 1991 and 1994, and there has been no good reason to amend the Parliamentary Committees Act.

The Hon. NICK XENOPHON: I apologise to the Council for the angst that I have caused this evening.

Members interjecting:

The Hon. NICK XENOPHON: It always distresses me to see angst in this place, particularly if I am to blame for it.

I have persisted with this Bill for the simple reason that I was elected on a single issue, as some would say, in relation to gaming machines. Other single issue candidates stood at the last election, for instance, with respect to euthanasia and duck shooting. Opinion polls suggest that the population is fairly evenly balanced with respect to euthanasia, yet those candidates received only half a per cent of the vote. Similarly, the duck shooting candidates received something close to 1 per cent of the vote and, as the Hon. Mr Elliott pointed out, 50 000 South Australians signed a petition to ban duck shooting which has been presented to Parliament.

The point that I am trying to make is that the result—that is, my being elected—might have been unexpected by a number of people, including me, but the important principle is that I do not pretend to have a mandate to get rid of poker machines in this State, but I do have a mandate to participate fully in the debate on the question of gaming machines. Part of that full participation involves my being on the Social Development Committee, which is currently inquiring into the issue of gambling in this State.

If I am to fulfil the faith or the mandate of the 26 000 South Australians who put me and my running mates over and above other political groups, including the political Parties in this Chamber which have a broad platform on a whole range of issues, that says something about community disquiet on this issue. A significant number of South Australians were willing to abandon their traditional voting patterns to vote on an issue about which they had a great deal of concern. For me not to persist in my attempts to get onto this committee would be breaking faith with those South Australians who elected me to this Chamber.

In terms of my potential contribution to the committee, it may come as no surprise to members that for some reason I seem to spend most of my waking hours reading about gambling and gaming machines, talking about them and occasionally dreaming about them.

The Hon. M.J. Elliott: You are becoming obsessive about it.

The Hon. NICK XENOPHON: No; it is not intended and I do not enjoy it, but it seemed that no-one else was willing to take up the fight on this issue. Enough South Australians were willing to elect me into this Chamber, with the aid of preferences, and thank God for preferences. It is part of my commitment to this whole issue and I believe that I could make a valuable contribution to this committee. I have perhaps a naive difficulty in understanding that the Democrats and the Government are not prepared to take advantage of my expertise in relation to this committee. The reasons given by members as to why I should not be on the committee, to my mind, simply do not add up.

In terms of its being an unprecedented move to change the membership of this committee, a point raised by the Hon. Sandra Kanck as well as Government members, including the Treasurer and the Hon. Legh Davis, I say that precedents—and I should know this as I am a lawyer—are made to be broken. In this case, as I understand it, a single-issue candidate has never been elected to this Chamber—at least in this century—and it seems to express a desire within the electorate, a demand, to do something different and to debate this issue. In order to allow me to participate on this committee, I do not believe that the precedent argument holds much water.

Some concern has been expressed about a conflict of interest because I have given evidence before the committee. I am not sure whether the Treasurer has had the opportunity of viewing my evidence to the committee—I think, perhaps, he has not. The fact remains, and I refreshed my memory today by looking at it, that I simply made some preparatory remarks to the committee about the formation of the No Pokies Campaign. I introduced Mr Max Baldock, President of the Small Retailers Association, who made a submission under our umbrella. As I understand it, the committee has recalled Mr Baldock to give evidence on behalf of the Small Retailers Association.

I did not have the opportunity on, I think, 14 August last year to make a final submission to the committee. The fact that I gave evidence before the committee, given that I had not finalised my submissions, should not preclude my being on that committee. I have indicated that I am happy to absent myself from the deliberations of the committee if members of the committee will be embarrassed by my sitting in on what little I had to say. As I said, I did not complete my submissions. With respect to the argument that the cost of having two further members is onerous, I point out that the Government collects approximately $400 000 a day in gaming machine revenue, and the cost of appointing me and another colleague from the Lower House to this committee is trivial when compared to that.

I make the point that, as a fall-back position, I am prepared to agree to an amendment, if anyone is so minded to move it, that there be a sunset clause in the legislation so that I and the other new member of the committee stand down once the committee's report into gambling has been handed down, which I understand will be in three to four months. That is the information I have received from the Hon. Caroline Schaefer as the Presiding Member. On my calculations, being part of the committee for four months will amount to about 20 minutes of Government revenue in relation to gaming machines. I cannot accept that the costs will be onerous and break the State.

I find it ironic that the Government members who, by and large, opposed the introduction of gaming machines in this State, making a number of very, I thought, sensible statements about their concerns with respect to the introduction of gaming machines, as well as the Democrats who similarly made such statements, now oppose my being on this committee, and it is the Labor Party members, whose Government in 1992 introduced the legislation, who are magnanimous enough to allow me to participate in this debate. There is a touch of irony. It seems that the result will be a forgone conclusion, but I only hope that some members of the Democrats and the Government change their mind.

The Council divided on the second reading:

AYES (7)

Cameron, T. G.	t.)	Crothers, T.
Holloway, P.		Roberts, R. R.
Weatherill, G.		Xenophon, N. (teller)
Zollo, C.		

NOES (10)

Davis, L. H.	Dawkins, J. S. L.
Elliott, M. J.	Kanck, S. M.
Laidlaw, D. V.	Lawson, R. D.
Lucas, R. I. (teller)	Redford, A. J.
Schaefer, C. V.	Stefani, J. F.

PAIRS

Pickles, C. A.	Griffin, K. T.
Roberts, T. G.	Gilfillan, I.

Majority of 3 for the Noes.

Second reading thus negatived.

CHILDREN'S SERVICES (CHILD CARE) AMENDMENT BILL

Second reading.

The Hon. R.I. LUCAS (Treasurer): 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.

The purpose of this Bill is to—

- allow a family day care careprovider to have up to seven children in care at any one time (including those of the careprovider), provided that not more than four have not yet commenced their first year of schooling;
- permit one additional child to be in care under exceptional circumstances;
- provide transitional arrangements to prevent any existing careprovider being disadvantaged in relation to children now in the person's care;
- amend the definition of a "child care centre" to be compatible with the above;
- extend the licensed period of operation for a child care centre from twelve months to two years.

In June 1995 the relevant Ministers involved in the Council of Community Services and Income Security Ministers' Conference approved Family Day Care National Standards and agreed that these were to be implemented in 1997.

The agreed national standards differ from those applying in this State with respect to the number of children able to be cared for at the one time in a carer's home.

To implement the national standards a change is required to the *Children's Services Act*.

At present in South Australia a careprovider can care for "*not more than three children under the age of six years*". The practice has been for a maximum of seven children to be cared for at any one time and this has included school aged children up to twelve years of age as well as the carer's own children. This limit was negotiated with the Careproviders of South Australia and has been in effect for many years.

The national standard states "*a carer must not provide at any one time for more than seven children, four of whom have not started school*"—this includes the caregiver's own children.

The phrase "started school" refers to the commencement of "formal" schooling and excludes children attending any form of preschool.

A change to the existing State legislation to meet the provisions of the national standards for family day care will also require an amendment to the definition of a child care centre because the definitions which identify these two forms of care are interlinked.

An additional minor amendment to ease the administrative burden on both centre operators and government resources is proposed to extend the current licensed period for a child care centre from twelve months to two years.

Extensive community consultation has been undertaken within the context of developing and implementing the national standards for family day care and long day care child care centres. All peak bodies participated, as did many individual carers, centre operators and users of services.

In early 1994 meetings were held in both metropolitan and country areas to gauge careprovider comment. In mid 1995 the Executive Director, Children's Services wrote to individual careproviders and parents, advising of significant changes. Careproviders who were members of the Careproviders of South Australia (COSA) were also invited to forward comments to the National Secretariat of the Council of Community Services and Income Security Ministers. COSA was supportive of the proposal to increase the numbers of preschool-age children in care.

Many family day care providers will be able to increase their income if the proposed change, to increase from three to four the number of children not yet attending school, is approved.

Transitional arrangements to protect the current arrangements for a minority of carers are proposed—to allow the youngest possible child of a carer to commence school. South Australia proposed this transitional requirement to ensure that SA carers are not in any way disadvantaged by the introduction of national standards.

There is no particular implication for long day child care centre operators with the changing definitions. However, centre licensees have been seeking an extension to the current licence period of twelve months and will support this measure. This measure will reduce the administrative requirements and subsequent assessment processes linked to the reissuing of licences. It should be noted that centres will still be subject to regular random visits to ensure that licensees are adhering to the *Child Care Centre Regulations*. This move has been strongly supported and lobbied for by the Child Care Industry Reference Group.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Amendment of s. 3—Interpretation

This clause substitutes a new definition of "child care centre" and amends the definition of "family day care agency" to make those definitions consistent with the proposed amendments to section 33. The clause also inserts a definition of "young child" (which is defined as a child under the age of 6 years who has not yet commenced attending school) for the purposes of the child care centre and family day care provisions.

Clause 4: Amendment of s. 25—Business of child care not to be carried on without licence

This clause amends section 25 of the principal Act to make the child care centre licence period two years. A minor amendment is also made to subsection (6) to match up the language of that subsection with one of the proposed amendments to section 33.

Clause 5: Amendment of s. 33—Application for approval of family day care

This clause amends section 33 of the principal Act as follows:

- Paragraph *(a)* of subsection (1) is replaced, so that a family day care provider may care for not more than 4 young children. Reference to "relatives" of the child is also removed so that what is relevant is whether the child is being cared for away from his or her guardians.
- New subsection (2a) provides that a family day care approval is conditional on the care provider not having the care of more than 4 young children or a total of more than 7 children.
- New subsection (2b) allows the Director to exempt people from the conditions in subsection (2a) in certain circumstances. An exemption may, for example, be granted if all children to be cared for are of the same family. Alternatively, if there are special circumstances, a family day care provider may be able to care for one extra child without losing their approval. In addition, to assist family day care providers who currently comply with section 33 but who would not comply under the proposed amendments, the Director is empowered to issue an exemption to a person who, immediately before the commencement of the amendments, had the care of more than 4 young children or more than 7 children in total.
- New subsection (2c) provides for conditions to be imposed on exemptions issued under the section.
- Subsection (4), which currently provides that the limitation on numbers of children do not apply where the children are of the same family, is removed and replaced with a provision specifying that in this section, for the purposes of determining how many children a care provider has the care of, the care provider's own children and any other children residing in the family day care premises will be counted if those children are under the age of 13 years.

Clause 6: Amendment of s. 48—Restriction on child minding advertisements

This clause is consequential to the insertion of a definition of "young child".

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

PASTORAL LAND MANAGEMENT AND CONSERVATION (BOARD PROCEDURES, RENT, ETC.) AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

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

Leave granted.

Since the coming into force of the Pastoral Land Management and Conservation Act in March 1990, the process by which pastoral lease rentals have been determined by the Valuer-General each year pursuant to his powers under Section 23 of the Act has been an on-going concern to pastoral lessees in South Australia.

The method used has involved a formula calculation based on the number of stock carried, derived from a calculation that was highly sensitive to fluctuations in wool and beef prices. This has meant that rents have varied significantly from year to year. The derivation of the figures has not been easily understood by the industry and this has given rise to a number of inquiries and appeals. In addition,the fluctuations in rental levels have made forward budgeting difficult for both the pastoralists and the State's Pastoral Administration which is partially funded from lease rental revenue.

Last year, as a matter of policy, it was agreed that a new method of rent determination would be adopted involving the calculation of the unimproved value of each Station or management unit, basing the rental on a percentage of that value to represent the Government's return on its interest in those leased lands. The percentage derived in 1997 for properties used for pastoral purposes was 3 per cent and this year is to be 2.7 per cent. The approach now adopted is consistent with that used by other States and Territories with rangeland responsibilities.

This approach last year led to some 10 per cent of the lessees seeking a further explanation of their derived rent. This informal review was done by the contract valuer engaged by the Valuer General to determine the rents and led to reductions in a number of cases. Only one pastoralist followed his determination to formal review pursuant to the current provisions of the Act—he subsequently withdrew that application in November 1997. Given the nature of the change and the time available to carry out the task, the acceptance of the outcomes by the industry is considered very satisfactory. The process was helped greatly by the involvement of a review group with strong industry representation. This group was chaired by the Presiding Member of the Pastoral Board, Stephen Mann.

It was further agreed in consultation with the SA Farmers Federation, members of pastoral area soil conservation boards and the Pastoral Board that this new approach would be formalised by amending the rental and appeal provisions of the Pastoral Land Management and Conservation Act.

This Bill accordingly amends those provisions to require the use of unimproved values in pastoral lease rental assessment, to provide for a more consultative process in determining rents payable and to allow for an additional mechanism aimed at resolving differences by informal discussion. The Bill also allows rents to remain unaltered for periods of up to five years.

The Bill also amends some procedural provisions under Section 15 relating to the operations of the Pastoral Board. It will allow the Board to meet formally by teleconference to assist its timely response to an increasing number of time-based issues now being brought to its attention. This amendment is particularly pertinent given the distances involved and the relative remoteness of producer members and deputies.

Section 15 is to be further amended to give the Presiding Member a casting vote. This has become necessary following the passage last year of an amending Bill to extend the life of the 6-member Pastoral Board which includes two pastoralists.

The Bill also amends the transitional provisions of the Act to extend the time in which the assessment of the condition of pastoral lease land is to be completed to 31 December 2000. This is a reflection of the interest shown by the industry in the range land assessment program and the increasing requirement by pastoralists for more discussion and consultation on the process and its outcomes. The task is now 80 per cent complete and the industry is comfortable with this extension of time to complete the process thoroughly.

The main purpose of this Bill is to put permanently in place a transparent and easily understood lease rental assessment process. It also strengthens the responsible Minister's ability to recognise good stewardship and land management by adjustment of the rent actually payable. The Bill will also assist the Pastoral Board to carry out its functions in a timely and reactive way and give adequate time for lessees to maximise their benefits from the lease assessment process.

The Bill is commended to honourable members.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Amendment of s. 3—Interpretation

This clause inserts a definition for the purposes of the new rental provisions in the Bill.

Clause 3: Amendment of s. 15—Procedure at meetings

This clause gives the presiding member a casting vote as well as a deliberative vote. Provision is made for meetings to be held by phone or other electronic means. The Board is required to keep accurate minutes of its meetings.

Clause 4: Substitution of s. 23

This clause substitutes the provision dealing with rent. The Valuer-General will firstly determine the unimproved value for each lease taking into account the purposes for which the land is used, prevailing climatic conditions, proximity of markets, etc., land condition factors (as advised by the local soil conservation authority), and the views of any consultative committee set up by the Minister. The Valuer-General will then set the annual rent as a percentage of the lease's unimproved value. The rent may then be adjusted by the Minister, on the recommendation of the Board, on an annual basis if necessary, to take into account any individual factors affecting profitability or relating to certain work carried out on the land by the lessee (this power may only be exercised so as to reduce rent). The Valuer-General must fix rents at least every 5 years and do them all at the same time. The Board will send out the rent notices each year. The Minister is given the power to waive or defer payment of rent if the Board so recommends.

Clause 5: Amendment of s. 56—Right of review or appeal

This clause provides that a lessee who is dissatisfied with the Valuer-General's determination of rent may either apply to the Valuer-General to have it reviewed or appeal against it to the Land and Valuation Court. The lessee has 3 months in which to do this. Grievances may be resolved informally in the meantime on the written request of a lessee. The Valuer-General is given a right of appeal against a review (the Valuer-General has such a right of appeal against a review carried out under the *Valuation of Land Act*).

Clause 6: Amendment of schedule

This clause amends the transitional provision that requires all land assessments to be completed by 7 March 1998. The date is extended to 31 December 2000.

Clause 7: Statute law revision amendments

This clause refers to statute law revision amendments set out in the schedule.

Schedule

The schedule amends outdated language, converts divisional penalties into dollar amounts and repeals several exhausted provisions.

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

ABORIGINAL LANDS TRUST (NATIVE TITLE) AMENDMENT BILL

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

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

That this Bill be now read a second time.

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

Leave granted.

This Bill makes amendments to the *Aboriginal Lands Trust Act* 1966 to clarify that future vesting of land in the Aboriginal Lands Trust, or dealings with the land by the Trust, will not affect native title in the land.

It provides that the Trust, when dealing with land vested in it, may extinguish or affect native title by agreement with the Minister and the native title holders.

The transfer of land to the Aboriginal Lands Trust is one way in which native title claims over some areas of land may be dealt with

by the State. Some native title claimants have expressed the fear that their native title rights may be affected by transfers to the Trust. This Bill makes it clear that future transfers to the Aboriginal Lands Trust, and dealings with land by the Trust, will not affect or extinguish native title unless specifically agreed to by the native title holders.

I commend the Bill to the honourable members.

Explanation of Clauses

Clause 1: Short title

Clause 2: Amendment of s. 3—Interpretation

Cross references to the *Native Title (South Australia) Act 1994* are added to the interpretation section.

Clause 3: Insertion of s. 16AAA

A new section is inserted to clarify that in future the vesting of land in the Trust, or dealings with land of the Trust, will not affect native title in the land.

The new section expressly recognises the potential for the Trust to enter agreements with the holders of native title (and the Minister) under which native title may be affected or extinguished. Such agreements are contemplated by section 21 of the Commonwealth *Native Title Act 1993*.

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

WORKERS REHABILITATION AND COMPENSATION (SELF MANAGED EMPLOYER SCHEME) AMENDMENT BILL

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

The Hon. R.I. LUCAS (Treasurer): I move:

That this Bill be now read a second time.

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

Leave granted.

The 1993 Liberal Worker Safety Policy document indicated that a Liberal Government would establish a new category of employer under the WorkCover Scheme, to be known as 'Self Managed Employers' or 'SMEs' who would be responsible for the management of claims made by their workers.

The legislative amendments subsequently introduced into the Parliament in early 1994 included the proposed changes necessary to establish the SME category. There were some concerns expressed as to how the scheme would work and the legislation was consequently amended in the Legislative Council to allow the SME Scheme to be established on only a 'Pilot' basis, with no more than twenty employers allowed to participate.

The legislative changes commenced in July 1994 and the SME Scheme commenced operation in October 1994 with an initial group of nine employers followed by a further eleven in January 1995, making twenty enthusiastic employers prepared to take on the management of claims made by their employees. For the initial three month period there was no levy reduction for the employers who participated, and then a 4.4 per cent levy discount was provided. The motivation for the employers was that rewards would be achieved through better claims management and earlier return to work, which of itself would generate cost savings and other intangible benefits for the employers and their workforce.

The Scheme has operated very successfully. A formal review was conducted by the Board of WorkCover in December 1996 and as a result of the favourable assessment, the Board recommended the establishment of the category as an ongoing option for employers.

The proposal was also referred to the Ministerial Advisory Committee on Workers Rehabilitation and Compensation for consideration. The Committee unanimously endorsed the proposal to establish the SME as an ongoing feature of the Scheme.

Another encouraging endorsement of the Scheme is the fact that other States have adopted the concept in varying forms and introduced a self managed category in their Workers Compensation Schemes. Victoria and Queensland are two states to have done so. The concept is also endorsed by the Heads of Workers Compensation Authorities (HWCA) in the report 'Promoting Excellence—National Consistency in Australian Workers Compensation'. It is pleasing to see the Eastern States pick up on the innovative approaches developed in this State.

The SME category is particularly appropriate for employers contemplating exempt employer status or self insurance. It gives them an opportunity to gain experience of claims management under the overall management of WorkCover. To date, four of the pilot group have moved from SME to Exempt employer status. There are now over twenty other employers who have expressed interest in becoming an SME.

The SME category is by no means an easy option for employers. They must satisfy WorkCover Corporation that they have appropriate skills, policies and practices in place to manage claims effectively and they must report to WorkCover Corporation in some detail. They must take full responsibility for their decisions and can not blame a third party (WorkCover Corporation or the Claims Agent) for decisions made on claims and they must deal with their employees directly and appropriately.

From the employees point of view there are also advantages. Claims decisions are made more promptly and with full knowledge of the work situation and the range of suitable duties available, if that is an issue.

In view of the success of the Pilot, commitment to establish the SME category as an ongoing feature of the WorkCover Scheme was included in the 1997 Liberal Policy, 'Focus on the Workplace'.

This Bill deals only with the establishment of the SME scheme, but necessarily amends both the Workers Rehabilitation and Compensation Act and the WorkCover Corporation Act.

Although other issues in relation to the WorkCover Scheme are under consideration by the Government and are likely to lead to a further amendment bill in the future, it is considered important to deal with this one amendment now so that the highly successful SME scheme can operate as intended.

I commend the Bill to the House.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

Clause 3: Insertion of s. 59A—Self managed employers

The new section establishes a scheme for registration of self managed employers. The Corporation must be satisfied that the employer has adequate resources to manage claims made by the employer's workers and that registration is otherwise appropriate. A list of factors to be considered is set out in the provision.

A registered self managed employer will enter into a contract or arrangement with WorkCover in relation to the management of claims. If that contract or arrangement is breached the employer's registration may be revoked.

Clause 4: Substitution of s. 62—Applications

This clause substitutes section 62 which currently sets out the procedure for making an application to be registered as an exempt employer. The new section extends to applications for registration as a self managed employer.

Clause 5: Amendment of s. 67—Adjustment of levy in relation to individual employers

The amendment expressly contemplates a reduction in levy for a self managed employer.

Clause 6: Amendment of WorkCover Corporation Act 1994

New section 14(4) contemplates contracts or arrangements with self managed employers. Currently the section only contemplates such arrangements on a trial basis.

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

ADJOURNMENT

At 12.47 a.m. the Council adjourned until Thursday 26 February at 2.15 p.m.