

HOUSE OF ASSEMBLY

Wednesday 28 February 2001

The **SPEAKER (Hon. J.K.G. Oswald)** took the chair at 2 p.m. and read prayers.

McLEAY, Hon. JOHN ELDEN, DEATH

The **Hon. J.W. OLSEN (Premier)**: I move:

That the House of Assembly expresses its deep regret at the death of the Hon. John Elden McLeay, former local government councillor and mayor, member of the House of Representatives, Australian Consul-General, and respected businessman, and places on record its appreciation of his distinguished service and that, as a mark of respect to his memory, the sitting of the House be suspended until the ringing of the bells.

I knew John McLeay well, as did many members of this House. He was highly regarded as a businessman, politician, and for the role he played during his appointment as Australia's Consul-General to Los Angeles. After a long battle with cancer, John passed away peacefully on Boxing Day. I was honoured to have been invited to attend his private family funeral. A state memorial service was held at Scotch College on 12 January. It was a fitting memorial service attended by many former and present parliamentary colleagues, and I know that the family was deeply moved by the presence of a former Australian Prime Minister, Gough Whitlam.

John McLeay was born in Adelaide on 30 March 1922. He was educated at Scotch College. He joined the Liberal and Country League (now Liberal Party) in 1940. After enlisting in the AIF on 30 June 1941, he served in Papua New Guinea as a gunner in the 13th Field Regiment. He was discharged on 2 October 1945.

John served as an Unley city councillor from 1949 to 1957 and from 1964 to 1970. He was an alderman from 1957 to 1963, serving as Mayor of the City of Unley from 1961 to 1963. He founded the Unley Senior Citizens Club and Arts Society for the Handicapped. He unsuccessfully contested the state seat of Unley for the Liberal Party in the 1963 state elections. He was subsequently elected to the House of Representatives as the member for Boothby in 1966, retaining the seat until he resigned in January 1981. John's father, Sir John McLeay, had held Boothby from 1949 until John was elected. The seat was held by the McLeay family for 31 years.

John McLeay held several ministerial portfolios including Assistant Minister to the Minister for Civil Aviation, Minister for Construction and Minister Assisting the Minister for Defence. I well remember being in his office in Canberra the day the 1979 state election campaign was called, when I was due to stay over in Canberra but because of that returned immediately to South Australia—and a fortuitous campaign it was. He served as Minister for Administrative Services in the Fraser government from 1978 to 1980 during which time he was accredited with forming the Australian Federal Police Force and many other achievements. From 1981 to 1983 John served as Australia's Consul-General to Los Angeles. He founded the Australian-American Chamber of Commerce and received a special commendation from the US Secretary of State for doing so. Whilst in Los Angeles he did much to build the business relationship between Australia and California.

It is, indeed, an understatement to say that John McLeay was a man of firm convictions. Agree or disagree with him, he was never one to shy away from those convictions. He always presented the facts as he saw them, and I happen to know that, on at least two occasions, he undertook privately-funded missions to East Timor in 1967 and to Vietnam in 1968 in order to acquaint himself with the facts and circumstances pertaining to those two regions. John McLeay was also a successful businessman. He founded McLeay & Sons Carpets, a proudly South Australian family-owned company, which, of course, continues to operate to this day.

Those of us who knew him well know that the most important thing in his life was his family, being married to Clythe for 54 years. They were very much a team in political and family life, and I note that Clythe is with us today in the gallery. John is survived by Clythe and three sons, Travis, Robin and Digby, and their families. He had five grandchildren and one great grandson. John McLeay will be sadly missed by all of those who knew him. He was passionate about South Australia. He served his state and his country with distinction and, on behalf of the House, I extend my sincere condolences to Clythe and the family.

The **Hon. M.D. RANN (Leader of the Opposition)**: I support and second the motion of the Premier. The Hon. John McLeay was part of a distinguished South Australian family which has made significant achievements in business in our community in South Australia as well as in the Australian and South Australian parliaments and in local government. Mr McLeay's father, Sir John McLeay, was Lord Mayor of Adelaide, the state member for Unley, as well as the member of the House of Representatives for Boothby. He was Speaker of the House of Representatives for over 10 years and still holds the record for the most members ever suspended—23, most of them Labor, I am told.

After unsuccessfully standing for the state seat of Unley, the Hon. John McLeay succeeded his father into the seat of Boothby in 1966 and held the seat until 1981, which meant that the McLeay family held the seat for about 31 years. John McLeay won elections in 1966, 1969, 1972 (despite a spirited 'It's Time' campaign by Anne Levy), 1974, 1975, 1977 and 1980. John McLeay had a distinguished career as both a backbencher and as a minister in the Fraser government. As Minister for Construction in the late 1970s he had to take on a dual role by advocating for South Australia as there was no South Australian member in the Fraser cabinet and he was the only South Australian in the whole 28 member extended ministry.

John McLeay took a very active part, as the Premier has rightly recognised, as being an advocate for his home state, and he did so with distinction. As the Premier said, he was Minister for Administrative Services until 3 November 1980. John McLeay resigned his seat in 1981 to take up a new career as Australian Consul-General in Los Angeles, a position in which he again assisted many South Australian industries and business people, as well as politicians from both sides of parliament who were visitors to the West Coast of the United States.

John McLeay was educated at Scotch College and undertook military service during World War II. He served with distinction with the AIF as a gunner in New Guinea. He, of course, became manager of the family business, and McLeay Carpets is still a household name in South Australia. He was also a member and mayor of the Unley council. John McLeay was a man who held strong, forthright and some-

times controversial views, but it is a measure of the respect in which he and his family were held by both sides of politics that our former Labor Prime Minister Gough Whitlam attended Mr McLeay's funeral service. I want to join the Premier and also offer both my personal and the opposition's sincere condolences to John McLeay's widow, Clythe, as well as to his three sons, their families and friends.

The Hon. J. HALL (Minister for Tourism): I support the remarks made by the Premier and the Leader of the Opposition. I knew John McLeay in not only a political sense but also a personal sense from my time working at ADS Channel 7 with my good friend, his son Digby. I believe that many of the tributes that have been extended to John and his family portray a very different man from the man who was known publicly. I would like to quote a couple of remarks that were made by former Senator Peter Rae in the obituary that was published in the *Australian* on 10 January. He talked about John McLeay as follows:

An infectious sense of humour, a capacity to laugh at himself and a good nature which was seldom ruffled made him a very likeable man.

McLeay was quietly successful in everything he undertook. This included a total of 35 years of public service.

He went on to make reference to the great love and main interest of his life, namely, his family. He talked about the absolutely great family man that he was and said that he was the undoubted leader of the family flock until the day he died. He also mentioned one of his nicknames. We have all heard many of them, but the particular one that Senator Rae recalled was 'Carpets' McLeay. He paid the late John McLeay great tribute when he said:

... he brought to public and business life a strong leadership by manner and action to demonstrate that high ethical standards can apply in business, politics and government, as can a self-deprecating sense of humour help make the wheels turn more smoothly.

I was among many hundreds of people who attended the memorial service at Scotch College early in January, and I would like to quote the words of his son and my friend Digby, because it must have been very difficult to learn a short time before the service commenced that John McLeay's great mate, Sir Jim Killen, was unable to attend the memorial service and to give the eulogy. Those of us who know Digby felt for him enormously when he spoke about what a great honour it was for him to represent his family that day. He talked about his Dad in these terms:

Yes, John McLeay was a scholar, a sportsman, a businessman, a local and federal member, a consul-general and a devoted servant of the community and a mate. Most importantly, though, he was the finest husband and father you could ever wish for.

He went on to mention, as has been referred to by both the leader and the Premier, some of John's very forthright views, and the quote that appealed to my sense of humour, and I know it used to appeal to John's, was that on public speaking John used to give a lot of advice and would say, 'Be brief, be factual and don't forget to clobber the Labor Party.' On that particular day the Labor Party was not clobbered and it has been mentioned in very warm terms that many members of the Labor Party—his political opponents—attended the memorial service.

I conclude my remarks by noting that in 1981 my husband followed John McLeay into parliament as the member for Boothby, so on behalf of both of us I extend my good wishes to Clythe, Travis, Robin, my mate Digby, and their families.

Mr HAMILTON-SMITH (Waite): I support the motion and add my condolences to those put by my colleagues today. As the member for Waite, my constituency falls within the federal electorate of Boothby, so the people of my constituency were also constituents of the Hon. John McLeay. I first met John when he became the member for Boothby in 1966 and doorknocked our family home in Boothby Street, Panorama. I was 12 years old and he made a fairly memorable impression on us that day. In a sense, as a young person growing up in my constituency, I feel that I knew John even at the time I left school and went off to the Royal Military College at Duntroon.

As a young teenager, I thought that John McLeay set what I regard to be an extraordinarily fine example of a local member of Parliament. He was well known to all of us in the local area: he was a fine figure of a man and a decent bloke who really exemplified a time when members of parliament and parliaments generally in our democratic system of government were held in a different regard, that being a different time.

Subsequently, Mr McLeay came to be a member of my branch when I became the member for Waite in 1997 and in fact resided in my constituency. He was a terrific support to me in my early years as a member. His advice was always well considered and showed great wisdom, and I greatly appreciated it. He was a terrific influence on my branches and on the Liberal Party members within Waite and remained, throughout the time I knew him, a great influence on our local community. I am sure that the people of Mitcham and members of the Liberal Party in Waite would share today's condolences and their feeling of loss.

John was not backward in coming forward with a viewpoint. He was known to have very strong views on a number of foreign affairs issues. He was very outspoken in the federal parliament on the subject of Rhodesia and on the Vietnam conflict in particular. He was staunchly anti-socialist and anti-communist and had firm views on a future vision for Australia. Those views reflected his basic decent values and were a measure of the man. As has been mentioned by other colleagues, he was an accomplished sportsman and an accomplished public figure in local government and at the state and federal levels. He is a terrific loss to South Australia and a fine example for future members of parliament to follow. I join other colleagues in passing on my condolences to his wife Clythe and his three sons Travis, Robin and Digby, who have also been well known to us in Mitcham.

The Hon. R.L. BROKENSHIRE (Minister for Police, Correctional Services and Emergency Services): It is a privilege and with a lot of pride that I support the Premier's motion today. In fact, two gentlemen in particular had a key influence on my making the decision to put up my hand to represent an electorate in South Australia. One was Geoffrey O'Halloran Giles and the other who was near and dear to me was John McLeay.

I would like to put a few points into *Hansard* from a different perspective on John McLeay. As the federal member, he had a particular interest in the Urrbrae Agricultural High School, which I was privileged to attend. He had a love for his farm down at Parawa on our wonderful Fleurieu Peninsula. It was that connection which gave me an opportunity to share a lot of special times with John McLeay, sometimes with his family, whom he loved, and the extended family that he always encouraged to be around him in the

very precious and short time he had available as a federal member and indeed minister.

I can remember that John McLeay would fly in from Canberra late on a Friday afternoon and often like to go down to Parawa. He would pick me up and we would head off. To pick up a bit of pocket money, I would do some work on the farm while John got into his cabinet bag. I often smile when I have to get into my ministerial bags on the weekend. It is a reality check for me in the light of how much time John McLeay spent with his bags down at Parawa. On the way to Parawa we never got far: we would get into the green Fairlane that he had at the time and get to the Sellicks Hill deviation, where the monument was, and John, who would have been yawning for the last few miles, would say, 'I've got to stop and have a camp—go and have a look at the view and the sea.' He would pull over on the side and have a sleep for a little while. It is again a reality check for me because when you get into the ministry you know how much time and effort you put into your workload.

When we would get to the farm, John often showed the other side of himself again, that is, that he was very adaptable. I would be out on the property mustering cattle, marking calves or doing some fencing work and, when I got in on a few occasions, John would have prepared a nicely cooked roast dinner. He enjoyed a great bold shiraz and, of course, I was far too young to participate in those days but he used to explain to me the finer points of appreciation when it came to that wonderful medicine, the bold shiraz from South Australia.

John McLeay always set goals for himself, and I could see that coming through all the time, together with his genuine desire to make Australia and South Australia a better place and his passion for the South Australian community. He explained to me in the early 1970s that he felt that South Australia was somewhat in danger from the point of view of social fabric and community spirit. I actually did not understand that at the time, being only in the 13-15 year age group, but now I certainly know what John McLeay meant, and I see a lot of the issues with which we as a government are dealing today centred around that direction of the early 1970s.

Because of his efforts in the war, he understood how important it is to protect Australia and to ensure that Australia has a broad front to be able to grow opportunities with its connections across the world. Also, of course, we have learnt about his later experiences in America.

The other aspect, of course, is his own family's involvement in small business, which I have mentioned before. Having experienced the Depression and the Second World War, he acknowledged that, most importantly, the foundation of South Australia economically is small business. He put enormous effort into and gained much satisfaction from creating jobs for South Australians, and you could see John McLeay oozing with enthusiasm and pride in this respect. His Liberal ideology was strong, and never has there been a time when that Liberal ideology is more right than it is today. Our pride and commitment regarding the Liberal ideology of people like John McLeay is something that we can take forward.

I have enormous feeling at the moment for the McLeay family. I also, like the Premier, was privileged to be able to attend both the private service and also the state memorial service, and I know that John McLeay's spirit will live on in the immediate McLeay family in all the beautiful grandchildren and that the spirit and commitment that he always had

will continue to return great dividends for all of us enjoying this fantastic state of South Australia.

My thoughts and my wife's thoughts at this time are also with Clythe, Digby, Travis and Robin, all of whom have many special memories which they can indeed cherish and go on with in the future.

The Hon. M.K. BRINDAL (Minister for Water Resources): I do not remember the first time that I was conscious of John McLeay, because his sister is my god-mother. Sir John McLeay was a contemporary of my father and Stan Nicholls at Scotch College—there is just a few years' difference—Stan Nicholls being the son of Sir Robert Nicholls, whose portrait hangs in this House, the longest serving Speaker of the House of Assembly. Sir John McLeay was, indeed, a very great Australian—the longest serving Speaker, I believe, in the House of Representatives. I was aware that John, his son, was part of my very early childhood, and people in my age group would remember McLeay Brothers as being the place where you 'buy direct and bank the difference'. They were then in Grenfell Street, and, because of Barbara McLeay, as very small schoolchildren we were able to watch the Christmas pageant from the premises of McLeay Brothers, which was then in Grenfell Street. So John always, in a sense, was a part of my life.

I rise today not just because of that but because he was very much an Unley man. Boothby was centred very much on Unley then. He had a distinguished career in civil service in Unley and as the member for Boothby, and it is the loss of this parliament that he was defeated in his attempt to enter parliament as the state member for Unley but, nevertheless, it was to the benefit of the federal parliament.

In the last 12 months or so of his life, when he was battling with the disease which eventually claimed him, John was a great help to me. In all the difficulties that I had then been experiencing, he very quietly came to me and not only offered his support but offered some very wise advice. He may have been a member of Waite's branches but he died a member of an Unley branch of which I am very proud. Not long before his death he was admitted to Ashford and I sent him some flowers. In what was absolutely typical of the man, though he was very ill, he took the time to write a very courteous and very nice letter and thanked me for those things. Never did he stint of his time and his advice. He was certain in his opinion but he was not opinionated. He put forward his ideas quietly and well.

John is a man whom I consider to be a man of great honour and integrity. He would add lustre to any parliament of which he was a member and I can say to every member sitting here that he is the type of role model that we should all emulate because he shames some of us in the standards that he set for himself and those standards that people such as John McLeay, his father and others have set we would do well to remember. Kipling once said: 'If you can fill the world with 60 seconds' worth of distance run, yours is the world and everything that is in it'. John McLeay was a man who filled the world with 60 seconds worth of distance run.

All that I can say to his family is that we must all thank him and say, 'Well done.' To Clythe, the children and the grandchildren, they have our sympathy. They also, in a sense, have my envy: I wish that I could say I had so good a relative. I conclude by saying that, when I was Minister for Local Government, we had an oration called 'The Nicholls McLeay' oration. I hope that that type of honour which we gave to previous members of this parliament will continue.

The Hon. I.F. EVANS (Minister for Recreation, Sport and Racing): I wish to support the motion and speak briefly to it. My father, of course, was a state MP for many years and had a very good working relationship with John McLeay, who of course was a decent man and a very tireless community worker. As a federal member of parliament he was one of those people who actually worked his electorate and mixed with the people. He is a role model for federal MPs of today who should maybe look at the way he worked his electorate to reflect their views. The good thing about John McLeay was that he was true to his word; that is, once he gave a commitment, it was a commitment and you could rely on the man. I think that was a credit to him.

I certainly appreciate the advice and the interest he showed in my entry to politics and the advice that he has given me from time to time. He had certainly a genuine interest in people and in the community he served, and those qualities served him well during his time in public office. Three words describe John McLeay to me: 'honest', 'reliable' and 'decent'. I pass on my condolences to the family.

The SPEAKER: I would like to thank those members who have made a contribution to this condolence motion before the House this afternoon. I will ensure that a copy of the *Hansard* report is conveyed to the family. I ask all members to rise and support the motion.

Motion carried by members standing in their places in silence.

[Sitting suspended from 2.25 to 2.40 p.m.]

CONTRACTUAL ARRANGEMENTS

In reply to **Ms WHITE** (24 October 2000).

The Hon. M.R. BUCKBY: During February 1997, the consortium agreement was established between three companies to provide personal computers to the then Department for Education and Children's Services. The consortium agreement was linked to a 'Head Agreement' which was established by the State Supply Board as a whole-of-government panel contract.

The consortium agreement term was for a two-year period however, the State Supply Board extended the term of the Head Agreement for the whole-of-government panel contract until such time that a new contract was established. Accordingly, the consortium agreement also continued until the new whole-of-government panel contract was established on 1 September 2000.

The Standard Personal Computer Panel Contracts (SPC) were established in 1996 for an initial period of two years, expiring on 31 March 1998. The contract was then extended four times as follows:

Extension 1: In June 1998 the State Supply Board endorsed a plan which incorporated both short and medium term desktop purchasing strategies to enhance the benefits to government from acquisitions in this area. The short-term strategy involved increasing the existing panel by a further two or three suppliers and extending those arrangements until 31 July 1999.

Extension 2: Recommendations for the interim addition of Compaq and Dell, and the extension of NEC into the desktop market were endorsed in December 1998. Due to issues relating to financial security contracts with these parties, they were not executed until late March 1999 delaying implementation of the medium term Desktop Management Strategy. Due to these delays the interim contracts were extended for a further six months.

Extension 3: On 9 June 2000 the State Supply Board approved an acquisition plan to approach the market place through an open tender call for the provision of standard personal computers, peripherals and value added services. The existing contracts were extended until March 2000 to enable the completion of the procurement process.

Extension 4: The procurement process was delayed due to internal factors and the State Supply Board approved a final extension to August 31 2000, with the new arrangements commencing on 1 September 2000.

Legislation to control excessive noise exposure by employees in the hospitality industry already exists. Under the Occupational Health, Safety and Welfare Act (1986) Section 19, the employer has a duty of care to ensure that each employee is, as far as reasonably practicable, safe from injury and risks to health. As places of public entertainment are also workplaces, this duty of care and the attendant Occupational Health, Safety and Welfare Regulations (1995), including the Noise Regulations (Division 2.10) apply in these venues.

EXCESSIVE NOISE

In reply to **Mr De LAINE** (30 November 2000).

The Hon. DEAN BROWN: Legislation to control excessive noise exposure by employees in the hospitality industry already exists. Under the Occupational Health, Safety and Welfare Act (1986) Section 19, the employer has a duty of care to ensure that each employee is, as far as reasonably practicable, safe from injury and risks to health. As places of public entertainment are also workplaces, this duty of care and the attendant Occupational Health, Safety and Welfare Regulations (1995), including the Noise Regulations (Division 2.10) apply in these venues.

LEGISLATIVE REVIEW COMMITTEE

Mr CONDOUS (Colton): I bring up the tenth report of the committee and move:

That the report be received and read.

Motion carried.

Mr CONDOUS (Colton): I bring up the eleventh report of the committee and move:

That the report be received.

Motion carried.

QUESTION TIME

MOTOROLA

Mr CONLON (Elder): Will the Premier explain—

Members interjecting:

The SPEAKER: Order!

Mr CONLON:—how documents critical to the Cramond inquiry into the Motorola contract, which were held in the Premier's own office for four months, were withheld from Mr Cramond? The opposition has been leaked information critical to the central plank—

Members interjecting:

The SPEAKER: Order!

Mr CONLON: I think members opposite would like to listen to this—of the Premier's defence against allegations that he misled the parliament over the Motorola affair. The Premier has repeatedly told parliament that there was a breakdown in communication between two key agencies involved in the Motorola contract and that the then Office of Information Technology never received the critical 1994 Motorola contract.

However, documents leaked to the opposition reveal that not only did the Office of Information Technology receive a copy of this contract but also that it instructed the Crown Solicitor to conduct a legal audit of it before it awarded Motorola the software contract in 1996. The documents reveal clearly that the contract had been supplied to the Chief Executive Officer and to at least two other senior officers in the Office of Information Technology. These documents were withheld from the Cramond inquiry.

The Hon. J.W. OLSEN (Premier): I reject the inference contained in part of the question. If the honourable member provides some specific detail of what he is talking about, we will look at it.

HEALTH SERVICES

The Hon. G.A. INGERSON (Bragg): Will the Premier inform the House about the success of the government's health policies over the past seven years and whether increasing numbers of South Australians are benefiting from our public health services?

The Hon. J.W. OLSEN (Premier): There is no doubt that our health system is under considerable stress: it is coping with a growing demand all the time. I might add that we are not Robinson Crusoe in this, as the opposition would have us believe. Every state in the country is suffering from growing demands on their health system. However, we have turned around the public hospital system over the past seven years. It was in decay, it was in crisis, and it was not keeping up with demand. The reason for that is that for four years the last administration was frozen by fear.

No decisions were made in terms of major infrastructure in our state, including our hospitals. That is when the leader was a member of the government, allowing the infrastructure to run down. By contrast, in difficult times with demand still growing, we have taken on that challenge. And a very substantial challenge it has been, in terms of the number of people going through our health system.

Despite the need to pay off debt, the government has spent more than \$500 million in improving our hospital buildings and equipment. In addition, cabinet has approved further expenditure of almost \$200 million for major redevelopments across the state. We have completely modernised the Royal Adelaide Hospital and expanded the Noarlunga Health Centre. We are now providing massive upgrades to the Queen Elizabeth Hospital and the Lyell McEwin Hospital. These will drastically improve equipment and services for people in the north-western and northern suburbs, areas that have been taken for granted in the past, with no investment in infrastructure maintained.

That is what is precipitating part of the difficulty in the demand at the moment. Of course, we have also overseen the building of new hospitals at Mount Gambier and Port Augusta, as well as upgrades of many other country facilities. In the face of ever-increasing demand, the expansion of public hospital care in South Australia has been extraordinary. But one asks: what would Labor do? How would the Leader of the Opposition pay for the health system he could never afford when he was in government?

These are their secret health plans. Apparently, there is some Labor health policy, but it is somewhat of a secret, because it does not seem to be out and about too much, although I note that the President of the AMA must have seen a copy at some time, for he said on one of the news services last night that he has seen the alternative policy and it was not any better. Perhaps the opposition could release this policy for the rest of us to have a look at. What does that mean? Members opposite will not share their secret health policy with the rest of South Australia.

The Hon. Dean Brown: Where is it?

The Hon. J.W. OLSEN: As the Minister asks, where is it? Where is the opposition's health policy?

Members interjecting:

The SPEAKER: Order! the House will come back to order.

The Hon. J.W. OLSEN: People are entitled to see what we have been able to do and what Labor plans and, importantly, if members opposite have a plan, how they intend to fund that plan. I note that the shadow minister recently, in an endeavour to profile health issues, sent out an email to all electorate offices. This is the substitute for the plan: you email electorate offices and say something like this:

Wanted—find anybody: people who have been adversely affected by funding decisions of the Liberal government and who could be willing to tell their stories.

They are out there searching everywhere. They go on to say:

Please can you fax details—brief—with contact numbers to my office of people who are prepared to share their stories.

So, they do not have a health policy but we have this dragnet trying to get issues up related to the health system. The simple fact is that we are managing an increasing demand in a hospital that is under stress. The increasing demand has brought about a very substantial capital investment in our hospital system over the past few years and forward projections as well. What we are about is being able to deliver in the long term health services that South Australians want and have the funds to pay for in the future.

MOTOROLA

Mr CONLON (Elder): My question is directed to the Premier.

Members interjecting:

The SPEAKER: Order! The member for Bragg and the member for Stuart will come to order.

Mr CONLON: Whom did the Premier direct to prepare the files for the Cramond inquiry while they were being held by the Premier's office, and who had access to those files? On page 7 of its report the Cramond inquiry noted that the process of collecting documents from relevant departments and agencies had begun long before the inquiry was initiated in December 1998. The Cramond report states that the files that Mr Cramond relied upon had been called in by the Office of the Premier and Cabinet in August 1998.

The Hon. J.W. OLSEN (Premier): That is right. The Chief Executive Officer of the Department of the Premier and Cabinet issued an instruction across agencies for all documentation to be made available. I can recall clearly that I was advised verbally that all documentation on file was made available.

Members interjecting:

The Hon. J.W. OLSEN: Yes, by the chief executive.

HEALTH SERVICES

Mr CONDOUS (Colton): Will the Minister for Human Services inform the House whether more or fewer South Australians are receiving hospital treatment than when Labor was in government?

The Hon. DEAN BROWN (Minister for Human Services): We often hear from the Labor Party and particularly from the shadow minister for health about how this Liberal government is cutting services.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: The truth is just the opposite. Look at the figures.

Members interjecting:

The SPEAKER: Order! The minister will resume his seat. I call the leader and the Minister for Police to order. I warn members that, if this interjecting continues this afternoon, after the third warning I will have no hesitation in automatically naming people. Let us have that clearly understood. I do not want people coming back after the event and complaining. If you are warned on three occasions you will be automatically named—and that does not take away my right to name people earlier than that, if I so wish. The minister.

The Hon. DEAN BROWN: The facts are just the opposite. It has been this Liberal government that has enabled a substantial increase in the number of patients to be treated in our public hospital system. Let me give some examples. The total number of people admitted to public hospitals in 1992-93 was 275 000; and under this government in the year 1999-2000 it was 339 377, an annual increase of over 64 000—an increase of over 64 000 extra people admitted to our hospitals each year. We can look at the emergency departments, where the numbers have increased from 371 000 to 463 000—an increase of 91 000 people in emergency departments in one year. I point out that since that figure for the last full year there has been a further increase of about 6 to 7 per cent so far this year. So, you can see that we would now have over 100 000 extra people a year in our emergency departments.

Let us look at outpatients. We have increased the number of people in outpatients services by 184 000 in the year. There is the proof that this government has not cut services: it has actually increased services—and increased them very substantially indeed. One of the ways we have done this is to invest very heavily indeed in better hospital facilities. The Premier has given some figures showing how this government has invested over \$500 million over the past seven years in upgraded equipment, improved hospitals and, in some cases, brand new hospitals. The figure in terms of dollars spent per year has increased from \$59 million in capital works in 1992-93 to somewhere around \$120 million to \$130 million a year in capital works. We have effectively doubled the expenditure on capital works in our hospitals. It was Labor in 1986-87 that promised to redevelop the Queen Elizabeth Hospital.

An honourable member: Did it?

The Hon. DEAN BROWN: Of course not. It outlined a program to spend what it said was \$10 million a year until the end of the century. It promised to spend \$10 million a year from 1986-87 through to the end of the century on the Queen Elizabeth Hospital.

Members interjecting:

The Hon. DEAN BROWN: It has been this government that has made the commitment. It has been this government that last Monday was able to announce that the first contract has been let for site works for the redevelopment of the Queen Elizabeth Hospital—a project that will cost \$37 million. It has been the Liberal government. The people of the western suburbs should realise that it was Labor that let them down for 11 or 12 years. It has been the Liberal government that has delivered on refurbishment and major new redevelopment at the Queen Elizabeth Hospital. I think people should realise the enormous workload—

Ms Stevens interjecting:

The SPEAKER: Order! I warn the member for Elizabeth.

The Hon. DEAN BROWN:—that we now handle in our public hospital system each week.

Ms Stevens interjecting:

The SPEAKER: Order! The member for Elizabeth has been warned.

The Hon. DEAN BROWN: Each week 6 500 people are admitted to our public hospitals; each week 8 880 people are treated in our emergency departments; each week 28 500 services are provided to outpatients at the public hospitals; on average about 351 babies are born in the hospitals; 1 252 women are screened through the breast screening program; and about 700 people a week undergo elective surgery.

In fact, that figure of 700 then starts to highlight the sorts of problems caused by the present bans within our hospital system. In fact, I would like to touch on that for one moment because I am able to say that, unfortunately, the number of procedures cancelled today is 153 admissions.

An honourable member interjecting:

The Hon. DEAN BROWN: That is for the day. That is 150 on top of the 400 within the metropolitan area cancelled up until last night. In fact, if we look at the total number, including the country hospitals, it is now well over 600 procedures cancelled. When I talk about 700 people undergoing elective surgery each week, that has been the consequence this week—600 elective procedures have been cancelled already as a result of the bans.

Yesterday I talked about how the government had made a very generous offer. Let me highlight what that offer means for an RN1 nurse who has worked in the hospital system for some time. It means an increase in salary from about \$40 800 to about \$48 700 a year in rounded dollar terms. It is a very substantial increase of almost \$8 000 over a three year period. What concerns me though is the continuing bans, even though the government has been talking with the union.

I have sent a letter today to Lee Thomas, secretary of the union, and I have asked her to sit down with us immediately to have discussions and to work through some of the outstanding issues that were raised as late as yesterday in terms of this dispute. I have asked that the bans be lifted immediately. There can be no justification at all, while the government is sitting down and talking to the union, for those bans to continue and for the 600 plus people who need surgery, who need to be admitted to a hospital, to be adversely affected and to suffer the stress that goes with it. So, I asked that those bans be lifted immediately within our hospitals.

I am pleased to say that the union has now agreed to my request, and will be sitting down tomorrow to work through the outstanding issues. However, everyone needs to understand that we had already made an offer, for a majority of nurses, of a 17 per cent increase even before the bans were imposed. We also had offered a new career structure for the nurses before the bans were imposed. We had offered to sit down and work through the staffing issues before the bans had been imposed. Therefore, the justification for this industrial action is zero. They have no grounds to stand on at all, especially as during a period of these bans the government was waiting for the union to come back to it with further claims in terms of what it was concerned about.

So, it has been the union that has caused the unnecessary delay, and it has been the union that has caused the hardship, particularly for those people wanting to get into a hospital. I would urge that the unions lift their bans immediately, and that their representatives sit down with me tomorrow and sort through those very final points that they have put on the table.

However, I must stress this point in terms of safe staffing levels. The Secretary of the union has been making claims on radio that the issue has been settled in Victoria. It has not

been settled in Victoria. A decision was brought down five months ago in Victoria, and it has not been accepted by the parties. They are still, five months later, arguing about the staffing levels in Victoria, and we are told that they are not likely to be settled for at least a number of months yet. That highlights the point that I made yesterday, namely, that these are very complex issues that cannot be resolved in a few days—or in a few weeks even. If the dispute in Victoria has already lasted for five months (and that was after arbitration) and, on top of that, we are told that it is likely to take at least another two or three months, even if they reach settlement (at this stage they are not close to settlement, from what we hear), one can understand that there is no point whatsoever in putting that on the table, imposing bans and expecting those bans to continue, and for this government suddenly to agree to a new staffing level. That is why I ask that the unions immediately lift the bans.

We will sit down. We have made a commitment in terms of working through the staffing issues: we have made a commitment to implement them. We have made a commitment to them with respect to staff: we have made an interim offer to engage 200 extra nurses to cover the gap from now until then. What more goodwill could one have? For goodness sake, stop hurting sick people in South Australia.

MOTOROLA

Mr CONLON (Elder): My question is directed to the Premier. What action did the Premier take when he received in December last year copies of critical—

Mr Hamilton-Smith interjecting:

The SPEAKER: Order! I warn the member for Waite.

Mr CONLON:—documents which had not been given to Mr Cramond, documents which the Cramond report says on 10 different occasions did not exist? In a memorandum of 13 December 2000, the Deputy CEO of the Department of Industry and Trade, Mr Jim Hallion, wrote to his minister, Rob Lucas, to say that he took issue with some of the findings of the follow-up inquiry to the Cramond report. Attached to that memo were copies of documents that the Cramond report, on 10 different occasions, indicated did not exist. The attachments indicate that those missing documents had already been sent directly to the Premier's office. Do you remember the documents now, Premier?

Members interjecting:

The Hon. J.W. OLSEN (Premier): Well, yes—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: The member for Hart cannot help his bit of theatre, to just dramatise. With respect to the first and second questions from the member for Elder, I had no idea of the documents that he has been talking about. However, I have since been advised that the documents that the member for Elder talked about have been given to the Ombudsman by the Chief Executive Officer of the Department of Industry and Trade, and I will now seek a report on that. I am also advised—

Members interjecting:

The Hon. J.W. OLSEN: Do you want the answer? I am also advised that the documents the member for Elder referred to in his first question were never in the Premier's office, so I reject the implication contained in his first question that they were in fact in the office for four months. I reject that entirely.

Members interjecting:

The SPEAKER: Order! I warn the leader.

Mr Conlon: He didn't know what they were a minute ago.

The SPEAKER: Order! I warn the member for Elder.

FIRE SERVICE, SINGLE

The Hon. D.C. WOTTON (Heysen): Will the Minister for Police, Correctional Services and Emergency Services inform the House of the government's position in relation to the possibility of establishing a single fire service for South Australia? It has been brought to my attention that there has been some speculation in the media and other areas relating to the concept of establishing a single fire service for South Australia, and I am interested to hear where the minister stands concerning this speculation.

The Hon. R.L. BROKENSHIRE (Minister for Police, Correctional Services and Emergency Services): I have also heard some rumour and speculation in recent times about this issue, and I categorically rule out that under a Liberal government a decision would ever be made to establish a single fire service. The reason is quite straightforward: it is important to have autonomy between the CFS and the MFS. As members would know, the CFS is primarily a volunteer organisation, which is highly trained, highly professional and highly committed, and there is no reason to bring the CFS and the SAMFS together; that can be ruled right out.

However, there are some concerns and issues surrounding this innuendo, and in answer to the question I would like to put on the record a few points. First, on the matter of funding by the Liberal government to both the MFS and the CFS it will be noted that from 1994 to this year the state government has contributed \$185 million to those organisations. There is another \$100 million going into them in the year 2001, which means that in seven years the Liberal government has put \$285 million into the fire services, both MFS and CFS. This is in stark contrast, I might say, to when Labor was in office, where, in 11 years, from 1982 to 1993, it put \$92 million into the services. That is a third—

Mr Conlon interjecting:

The Hon. R.L. BROKENSHIRE: I can understand why the member for Elder is getting a bit upset, but the fact is that the Labor government put only a third of what the Liberal government has put into the fire services in a period that was four years longer. What I would like to put to the parliament right now is, clearly there must be autonomy, and there is a demand, a requirement and a service need for CFS and MFS. There has been some discussion in recent times around mutual aid boundaries, and when you have two fire services with two acts, a Metropolitan Fire Service Act and a Country Fire Service Act—to which the Liberal government is absolutely committed—there has to be a boundary somewhere. We all know that there must be a boundary. But in answer to the member for Heysen's question, what has been happening and what has probably fuelled this speculation have been what I believe are some out of order comments from particular people in the media, and I refer to people with Labor connections. This is very concerning.

Members interjecting:

The Hon. R.L. BROKENSHIRE: Well may they laugh, but there are a lot of volunteers out there ready to go 24 hours a day, ready to sacrifice their Christmas lunches—so I would not suggest that the Labor Party laugh about this for one minute. But I want to let you know that the President of the Labor Party, Mr Doyle, also happens to be Secretary of the UFU, and he has been saying recently (and I think this is

where some of the speculation has come from) that he believes that the current boundaries reflect an era which is gone. That is the quote from the Labor President, 'that the boundaries reflect an era which is gone'.

Mr Paul Caica, also a Labor candidate for the seat of Colton, happens to be tied up with the Federal United Firefighters Union. In the Messenger newspaper recently he described some suburbs of Adelaide as having an inferior standard of fire protection. That is a clear crack at the volunteers. That is what that is about from the Labor candidate for Colton, and in the international year of volunteering!

Mr Hill interjecting:

The Hon. R.L. BROKENSHIRE: I do not have to fix anything. The member for Kaurna says, 'Fix it.' I just said what we are doing to fix it. We have put in enormous amounts of money to support the fire services—more than the Labor Party ever did. Is the fix that the member for Kaurna is talking about getting rid of the Seaford CFS? Is that what the member for Kaurna is advocating in this chamber? If the member for Kaurna is saying he wants to get rid of the volunteers from the Seaford CFS, he should go out tonight and tell the Seaford CFS members that he wants to get rid of them. When you look at the peri-urban boundaries, you will see that the current training for the CFS is the same as for the MFS. All the training is coming up to one state standard. You will get the same training for road accident rescue whether you are in the CFS, the MFS or the SES.

I think I know what is fuelling this speculation. We all know that the member for Elder, the shadow spokesman, is in this parliament—and we have all heard that he wants to either go back to the law or to the Senate—only because of the endorsement of the United Firefighters Union, the Secretary of which is the President of the Labor Party. On behalf of the volunteers in the South Australian community, I would like to know the following: is the one policy that the Labor Party may have to bring in a single state fire service and to again undermine the CFS and the volunteers of South Australia?

Not only would that undermine the volunteers but two other things would happen. If Labor wanted to extend the Metropolitan Fire Service or set up a single fire service, it would have to do two things: first, it would have to increase taxes like you would not believe, and you just have to look at the cost of running each service, or, secondly, it would go back to undermining the commitment we have made to the CFS volunteers to fund them adequately. They are the only two options. We do not support a single fire service. We have not made any deals or given any commitments to mates in the union who are members of the Labor Party. We are committed to providing good service to South Australians, to support both fire services with their autonomy, and finally to support the volunteers. I ask members of the Labor Party: what is their policy?

MOTOROLA

Mr CONLON (Elder): My question is directed to the Premier.

Members interjecting:

The SPEAKER: Order!

Mr CONLON: Given the missing documents to the Cramond inquiry that have been revealed today, how can the Premier assure the parliament that other documents were not withheld from the inquiry?

Members interjecting:

Mr CONLON: Well, you withheld these, John.

The Hon. J.W. OLSEN (Premier): I will put it to the member for Elder in this context. When this matter was raised, an instruction was given to the Chief Executive Officer of the Department of Premier and Cabinet to source documents. All those documents were to be sourced and made available. I was told that all documents on RecFind—or whatever the filing system is—that were found were made available to the Cramond inquiry. I understand from a note just given to me that some documents were not sourced out of one of the agencies at that time. It does not—

Mr Conlon interjecting:

The Hon. J.W. OLSEN: No, that is not right. It does not detract from the position I put down previously. As I understand it, there is one chief executive who believes he has been denied some natural justice in this process and has decided to take the action of referring found documents to the Ombudsman. I have given an indication that I will get a report for the House, and I will be more than happy to bring that report to the House to have this matter clarified quite clearly because—

Mr Foley interjecting:

The Hon. J.W. OLSEN: Don't be ridiculous. There is one thing that certainly I want to—

Mr Foley interjecting:

The SPEAKER: I warn the member for Hart.

The Hon. J.W. OLSEN: I just reject out of hand that remark from the member for Hart. That is just—

Mr Hanna interjecting:

The SPEAKER: I warn the member for Mitchell.

The Hon. J.W. OLSEN: I reject that absolutely. No-one is more anxious than I to have this issue cauterised. I am more than happy to get the report about which I talked and bring it back to this House. If the Ombudsman has these documents, which of a few minutes ago I understand that he has (and I was not aware that they had been passed in), he will objectively make a report and I will seek that report and bring it to this House. I have no doubt that, at the end of the day, despite his accusations and the suggestions he has put forward, the member for Elder will be found wanting.

MURRAY RIVER LEVY

Mr VENNING (Schubert): Will the Minister for Water Resources confirm whether he has seen media reports suggesting that the Premier of New South Wales wants to tax Australians to help save the Murray River?

The Hon. M.K. BRINDAL (Minister for Water Resources): Yes, I did see reports in both the *Advertiser* and the *Australian* newspapers today indicating that Premier Carr would campaign for a yes vote if the issue of a Murray levy was put at a referendum at the next election. We should congratulate the Premier of New South Wales for at least putting the matter on the agenda. He is following the lead of the Premier and the Prime Minister in saying that this is a national matter and, in putting the matter on the national agenda, he is to be congratulated. Indeed, as members opposite have asked, one could question his motives for a levy. If he thinks that it is such a good idea I would suggest that he start in his own state. He does not need a national referendum and a federal initiative to hide behind. In fact, I am told that he canvassed a similar proposal 12 to 18 months ago while New South Wales was developing its draft salinity strategy.

I say to the member for Schubert that this is nothing new. Mr Carr simply seems to be moving the goal posts by asking Australians to make the tough decisions for New South Wales. But, of course, the question we should be asking is: what is the position of the Leader of the Opposition on the new Carr tax proposal? Will the Leader of the Opposition back the call from the Premier of New South Wales? Every South Australian and every Australian has a right to know where Labor in this state stands on this matter.

An honourable member interjecting:

The Hon. M.K. BRINDAL: I am about to come to my views for the honourable member. The latter day converts to saving the Murray are certainly a dubious mob. For the benefit of this House, this is the same Bob Carr who is now proposing to impose an extra tax on saving the Murray from the premiership of a state that has admitted to taking from the river more water than it is entitled to. It has taken more water than it is entitled to, now discovers that it is a national resource and is proposing to tax the whole nation in consequence. And his mate north of the border, the Premier for Queensland, Premier Beattie, will not even agree to a cap on extractions from the Murray-Darling Basin system.

This is a Labor Premier who presides over a state which believes it is its God given right to capture every drop of water that falls on its properties and to divert it into massive dams that shame in size Sydney Harbour.

Mr Conlon interjecting:

The Hon. M.K. BRINDAL: The member for Elder would do well to remember that, in this House, many water issues face this state but none to South Australians is more important than the Murray River. This river is part of South Australia's survival and, while the member for Elder can laugh and make jokes about it and say, 'Fix something else,' the member for Elder should remember that to every South Australian this is not a game—it happens to be important.

This is what the public deserves to know: that in this state we have a Leader of the Opposition, a man who wants to be Premier, who said only three years ago that if we complied with a cap on extracting water from the Murray it would be 'potentially disastrous for South Australia and restrict our ability to grow as a state'. Less than three years ago, the man who would be Premier was unaware that in the 1970s this state had voluntarily capped extractions from the river and has assiduously stuck to that cap because we cannot afford to imperil the resource. Just three years ago he did not know that basic fact.

That was the Leader of the Opposition in 1997. Now he would have us believe that he also wants to save the Murray. He has the hide to say publicly that this government is not doing enough. The question South Australians need answered—and need answered today—is whether Labor on that side of the House supports Bob Carr, who wants to tax us all to save the Murray. In South Australia we have had in place a tax to save the Murray since 1 July 1995. The amount each person pays is identified in their local government rates.

The level of funding needed and how it will be used is detailed in the statutory catchment management plan developed by the boards with community input, and that plan has to be submitted to the Economic and Finance Committee of this parliament on a yearly basis. In 2000-01, for example, the River Murray Water Catchment Management Board has raised over \$3 million in levies for works and measures in the region.

In short, South Australia, under the leadership of this government and of previous ministers for water resources,

has a levy and is raising money. We have put our money where our mouth is. What this state needs to know is whether Labor on the opposition benches proposes an additional levy to be placed on South Australians to save the River Murray while they let their mates in the eastern states get away with blue murder as regards the rape and pillage of our greatest natural resource. A few policies and less politics opposite might be welcomed by all South Australians.

MOTOROLA

Mr CONLON (Elder): Is the Premier concerned that the documents withheld from the Cramond inquiry raise serious questions about the veracity of oral evidence given to Mr Cramond by senior government officials? What action does the Premier intend to take to investigate that evidence?

The Hon. J.W. OLSEN (Premier): Following this matter going to the Ombudsman, as I have indicated, I will seek a report.

Mr Conlon: Did you get them in December last year?

The Hon. J.W. OLSEN: I have not read these documents that you are talking about.

Mr Foley interjecting:

The Hon. J.W. OLSEN: I have not seen the documents that you are talking about.

Mr Foley interjecting:

The SPEAKER: Order! I warn the member for Hart again. The Premier will resume his seat. I warn the member for Hart for the second time and I make a general warning to members that the chair will not tolerate constant interjection on ministers attempting to give replies. The Premier.

The Hon. J.W. OLSEN: Thank you, Mr Speaker. What opposition members seem to ignore or forget is the reality of government, looking after a range of government departments and agencies, and the hundreds or thousands of files and documents, not all of which come over their desk. Having said that, I can only go on the instructions that are given to responsible authorities under the Public Sector Management Act to undertake their duty. They sought these documents. I inquired as to whether all documents had been made available and I was told that they all had been made available.

In addition, my understanding from the note that I have just been given, following some inquiries that have been made as a result of the opposition's first question, is that, contrary to the opposition's assertions in this House today, they do the opposite, and that is why I am more than happy for this matter to be referred for report to the Ombudsman or, if need be, anyone else. I want this issue cauterised. I know the facts of the matter and I am sick of the innuendo and assertions from the opposition, which are baseless. You undertake political rhetoric and political witch-hunts, which you are doing, but at the end of the day it has to be backed up with some facts. I think I know what are the facts, and I indicate that at the end of the day yet again on another issue the member for Elder will be found wanting.

MATTER OF PRIVILEGE

The Hon. G.M. GUNN (Stuart): I direct my question to you, Mr Speaker. Will you investigate the possible breach of parliamentary privilege as it relates to the attempt to prevent the member for Ross Smith from properly discharging his duties as a member of parliament and to raise matters in this House on behalf of the people of this state. It has been widely reported in the media that the State Secretary of the ALP has

instructed Mr Clarke not to doorknock or to answer queries from the public—

The SPEAKER: I ask the honourable member to resume his seat. As I listen to the honourable member it sounds very much as though the honourable member is raising a matter of privilege and not a question, in which case I will interpret and deal with it in a quite different way. Is the member raising a matter of privilege or is he raising a general question?

The Hon. G.M. GUNN: I am raising a matter of privilege as it relates to the ability of the member for Ross Smith to properly discharge his duties when he has been gagged by the State Secretary of the Labor Party and by the ALP Caucus. It has been widely reported in the media that the honourable member indicated that these actions are reminiscent of the last days of the Brezhnev rule in Soviet Russia. Therefore, it is very important that all members of this House who are democratically elected are allowed to rise in their place and raise issues with you or any minister so that their constituents and other members of the public can be assured that they are heard.

The SPEAKER: Order! Will the member resume his seat. The honourable member has identified that he is raising a matter of privilege. I presume he is asking the Chair to give a ruling on this as a matter of privilege.

The Hon. G.M. Gunn: Yes.

The SPEAKER: The Chair will take into consideration the remarks of the member. It will be necessary for the Chair to speak to others before I can give a ruling on this matter and I make a commitment to report back to the House at a later date and certainly before question time tomorrow.

MOTOROLA

Mr CONLON (Elder): Given that the findings of the Cramond and subsequent Prudential Management Group inquiries have today been exposed to have been based on false assumptions—

Members interjecting:

Mr CONLON: I am sorry—read the documents. Given that the findings of the Cramond—

Members interjecting:

The SPEAKER: Order!

Mr CONLON: —and subsequent Prudential Management Group inquiries—

Members interjecting:

The SPEAKER: Order! I warn the member for Bragg.

The Hon. G.A. Ingerson: That's all right.

The SPEAKER: It is not all right. The member for Bragg is warned for the first time.

Mr CONLON: —have been exposed to have been based on false assumptions, that critical communications between departments never took place, will the Premier now establish a new independent judicial inquiry to review Mr Cramond's findings and to discover why documents were withheld by the Premier's office from Mr Cramond?

The Hon. J.W. OLSEN (Premier): On that last point—

Mr Conlon: Well, who did hide them, John?

The Hon. J.W. OLSEN: Yes, you see, now the member for Elder is in part retreat from his last comment. His last comment in asking the question contained an allegation.

Mr Conlon interjecting:

The Hon. J.W. OLSEN: I just indicated in answer to a previous question that the documentations you referred to had never been received in my office.

Members interjecting:

The Hon. J.W. OLSEN: In the first question—because of the advice that I just got, based on the comments made by the member for Elder.

Members interjecting:

The Hon. J.W. OLSEN: No, the member for Elder just finished his question with an accusation. What this opposition and the member for Elder are very good at is painting a picture that does not resemble the facts of the matter. I have indicated that this matter will be put to rest—members should have no doubt about that—and I will be ascertaining why the matter of these documents did not come up because, apart from the assertions of the member for Elder, it is suggested to me in a note today that, in fact, they support my case rather than the contrary. So, the member for Elder will be found wanting at the end of the day.

Members interjecting:

The SPEAKER: Order! I warn the leader for the second time for disrupting the House.

The Hon. J.W. OLSEN: These matters will be looked at. The House will receive a full report—members should have no fear about that—because, as I have said, I am sick and tired of this matter being dribbled out by the opposition as it has been, as there is nothing untoward in this matter whatsoever, and at the end of the day that will be proven.

ROCK LOBSTERS

Mr McEWEN (Gordon): I will continue with the fishing theme. Does the Deputy Premier intend to adopt and enact the recommendations of the parliamentary review into the recreational rock lobster fishery?

The Hon. R.G. KERIN (Deputy Premier): I thank the honourable member for the question: it is a question that is important for a lot of people around the state. Everyone would be aware of the issue of rock lobster pots and the emotions that it raises in certain sections of the community. It was interesting to read in the Ombudsman's Report last year that he looked at the previous allocation whereby the recreational groups had insisted on a phone-in. However, they sent it back saying that they did not agree with the results of the phone-in. They insisted that, if there was no phone-in, they would criticise it. However, when the phone-in went bung, so to speak, they all went missing and it fell back on me and the acting minister at the time, the Treasurer, who was pretty happy about that!

We have had a good look at the most equitable ways to allocate licences. If, in fact, we throw it open to all people to be able to purchase licences, there is a range of opinion as to how much extra effort that would entail. Most of the thinking is that it might be between, say, 20 per cent and 100 per cent extra effort. We have been negotiating with the industry for some time now in an attempt to get its agreement to a new system of, perhaps, opening them up. At the moment, the suggestion is to go out with expressions of interest to see just how much extra effort that would entail. Discussions with the industry have been going quite well. They seem to have had a hiccup over the past couple of weeks, but we will continue those negotiations and try to come up with a form of allocation of rock lobster licences which gives equity of access to as many people as possible and gets away from the controversial allocations of the past.

LE MANS RACE

Mr FOLEY (Hart): Given the Minister for Tourism's failure yesterday to stand by her earlier claims that the Le Mans promoters Don Panoz and Dean Rainsford were aware of the race cancellation before the Premier's announcement on 23 February, will the minister now admit that the Le Mans promoters were not advised of the decision before the Premier's announcement?

Following the minister's statement to the House yesterday, Mr Panoz has issued a statement from which I will quote and which was issued at 6 p.m. last night in response to the minister's contribution and ministerial statement. The statement says:

As we have previously stated, both Dean Rainsford and myself were unaware of the Premier's decision to cancel negotiations for future events and the fact that an announcement would be made last Friday. We had previously been informed that the final approval would be made by cabinet on Monday 27 February. We had specifically extended our deadline with the NBC network in the United States to accommodate the government's proposed timetable and their proposed Monday meeting. I am surprised now to hear that the cabinet made its decision on Thursday 22 February. As we are not blessed with parliamentary privilege in this situation, we have been advised not to make any further comment concerning our negotiations.

An honourable member: So who's lying?

The SPEAKER: Order!

The Hon. J. HALL (Minister for Tourism): I believe that I made the sequence of events and my position very clear in my statement to the House yesterday.

MATTER OF PRIVILEGE

Mr FOLEY (Hart): I rise on a matter of privilege. I am forced to ask you, Sir, to rule *prima facie* on whether the minister has misled this House. Yesterday, the tourism minister told this House that last Friday in a telephone link-up with Mr Don Panoz and Mr Dean Rainsford she had made it clear several times that there would be no Le Mans race in Adelaide this year. A short time later, despite persistent questioning from the opposition, the minister consistently refused to elaborate in any way on the claims she made in her ministerial statement. Instead of addressing the substance of the question, the minister fell back to her standard defence. It would seem that the tourism minister finds any and all questions from the opposition as despicable.

What the opposition finds despicable is the absolute contempt with which ministers routinely treat this House. Before the Minister walked in here yesterday and made her statement, she was guilty only of misleading the public. It is a matter of public record over the past few days that the minister claimed emphatically that she clearly informed Mr Panoz and Mr Rainsford that this year's planned Le Mans race had been cancelled by the Premier and cabinet. As I pointed out during question time yesterday, this version of events was flatly denied by both gentlemen.

The Hon. M.H. Armitage interjecting:

Mr FOLEY: I am, actually. Mr Panoz said of the Premier's announcement to a Liberal Party lunch last Friday:

The announcement caught us completely by surprise. I feel sure the minister could not have been aware of the government's decision

to cancel the race because she did not mention anything about this during our long discussions.

Mr Rainsford stated on the record:

Not myself, Don Panoz or any of our team were informed of the Premier's decision and the fact that he was going to make an announcement that the government was not going ahead with the arrangement as agreed with us.

The statement from Mr Rainsford that 'the government was not going ahead with the arrangement as agreed with us' conflicts with another answer that the tourism minister gave this House yesterday during question time. She was asked a very simple question: had she and the Premier only two weeks ago shaken hands on a deal to stage a Le Mans race in Adelaide every year for the next five years; and had Mr Panoz actually signed his initials on every page of a draft contract? The minister responded as follows:

I would like to think that every time any of us in a cordial and courteous manner shakes hands with anyone it does not formally say we have an agreement.

Last night, Mr Panoz and Mr Rainsford formally issued a joint statement which completely refutes the minister's statements to the public and, most importantly, to this House.

Once again, they have put on the record, for the third or fourth time, that they were not—and I repeat not—informed as the minister claimed in this House yesterday. In fact, they say that they were informed that final approval for the Le Mans race series would go through cabinet on Monday of next week, that being the Monday just gone. A fundamental principle is involved, and it is this: that the most basic foundations of the system of parliamentary democracy rely totally on the honesty and integrity of the information given to this House.

Members interjecting:

The SPEAKER: Order! I warn the Minister for Police for the second time.

Mr FOLEY: I will repeat that because it was clearly not heard by the full House: that the most basic foundations of the system of parliamentary democracy rely totally on the honesty and integrity of the information given to this House. Yet the tourism minister walked into this chamber yesterday, made a ministerial statement and answered questions in a manner deliberately designed to mislead this parliament.

Mr Panoz is an American businessman with an international reputation. Mr Rainsford is a successful and reputable Adelaide businessman. In trying to protect her own political position, effectively the tourism minister has questioned the integrity and reputation of both these gentlemen. By claiming that only her version of events is the truth, the minister has clearly implied that Mr Panoz and Mr Rainsford have not told the truth. Mr Speaker, let me remind you of the history of this government and why the version put forward separately and together by Mr Panoz and Mr Rainsford is far more believable than the minister's so-called facts as provided to this House yesterday. In this chamber yesterday, the member for Hammond raised yet again the issue of an apparently non-existing code of conduct which applies to government ministers. As the member for Hammond—

The Hon. M.K. BRINDAL: I rise on a point of order, Mr Speaker. My understanding is that, as a breach of privilege takes precedence over all other matters concerning this House, the member is allowed to rise, make his *prima facie* case to you, Mr Speaker, and you will then rule on it. It is not a matter subject to debate or to straying from the

topic, and the member is doing that by bringing in extraneous matter.

The SPEAKER: Order! The chair does not uphold the point of order. At this stage, the chair still accepts that the member is setting out the reasons why I should go away and consider this as a breach of privilege, and providing me with the evidence on which I am supposed to try to determine this matter.

Mr FOLEY: Sir, I simply ask you to rule on whether *prima facie* the Minister for Tourism misled this House yesterday. To assist you in those deliberations, I provide you with a copy of a joint statement issued last night by Mr Panoz and Mr Rainsford, together with earlier statements by both gentlemen which completely reject the minister's ministerial statement.

Members interjecting:

The SPEAKER: Order! The chair will examine the documents that are presented to me. Having regard to the fact that I already have another privilege matter to consider as well and take evidence on, I will still attempt to provide a reply before question time tomorrow. I cannot guarantee it, but I will do my best.

GRIEVANCE DEBATE

Mr CONLON (Elder): The matter I rise on today is an extremely serious one. Today it appears as though the opposition, despite the protestations of the Premier, has exposed a cover-up. It is a cover-up on a very serious matter; it is a cover-up for base political reasons; and it is a cover-up that goes to the very heart of this government. I will briefly touch upon the origins of this matter. In mid-1998 the Premier of this state was in considerable trouble. The allegation had been made repeatedly that he had misled this parliament in regard to the Motorola dealings and the issue of a side deal. After squirming on this matter for some six months, the Premier finally decided upon a defence. After we discovered a letter offering a side deal, the Premier decided a defence. The defence was that in 1994 a contract had been executed that wiped out earlier arrangements. The Premier had a problem. The problem was this: if the contract wiped out the earlier arrangements, why did the Office of Information Technology therefore still give preference to Motorola? The answer, excuse and entire defence was that the Office of Information Technology did not know about the 1994 contract.

Documents were called into the Premier's office in 1998 when no inquiry was afoot. However, all the documents were called in. Within those documents, from three different departments, two in particular were matters on file which destroyed the Premier's defence. One is a letter from the head of the Economic Development Authority in April 1994, sending the 1994 Motorola contract to the Office of Information Technology. The other is a docket from the Office of Information Technology acknowledging receipt of the contract and indicating that it would seek a legal audit of the 1994 contract and accepting carriage of it from then. Let us be absolutely clear: the Cramond inquiry hinged upon the criticism that the Office of Information Technology had never received the 1994 contract.

The Prudential Management Group report was scathingly critical of the fact that it had never received the contract. The documents that went to Mr Cramond indicated that the Office of Information Technology had never received the contract. Over and over he states that; he makes it a criticism. And it

must be that way because, if the Premier's defence is right, you cannot understand how they could give Motorola preference in 1996 if they knew about the 1994 contract. They did know about it; they knew about it every step of the way; they got a legal audit; and they gave preference to Motorola.

Today, the Premier suggests that the documents assist him. I do not know which documents he is talking about; they are not the ones that have been delivered into our possession. The Premier's defence is now in tatters. The key issue is this: why were they not delivered to the Cramond inquiry? Why was the Cramond inquiry allowed to make a completely erroneous finding and keep it on the books for this period of time? What the Premier would have us believe today is that in three different departments someone went in, got a document about precisely the same matter, and removed it from the file.

Mr Koutsantonis: A coincidence.

Mr CONLON: A staggering coincidence. All the documents that were removed from the file were all about the same matter. And what was that matter? It was a matter that would have destroyed the Premier's defence. So, there has been collusion by three government departments to remove these documents. We know that all the files were called into the Premier's office in August and that all the files that Mr Cramond received came from the Premier's office. So, I ask this parliament: where is it likely those files were excised? Was it from three different departments by people who have no interest in the matter or was it from the Premier's department for base political reasons?

I close by saying this: this is not a political act; it is an act of deceit, an act of duplicity and, above all, an act of dishonesty. A judicial inquiry in this state was denied documents, allowed to make erroneous assumptions and never corrected. As far as we know, these documents were delivered to both the Treasurer and the Premier in December last year, and nothing has been said about them. There has been no attempt to correct the situation until we raised the matter today. The Premier is in trouble.

Mr SCALZI (Hartley): Today, I attended a funeral mass at the Annunciation Church at Hectorville together with hundreds of members of the wider community who came to pay their respects to Mario Gabrielli, affectionately known as 'Mario O Store' or 'Mr Glynde'. Mario Gabrielli was a pioneer amongst migrants in the area. He came to Australia as a boy and went through the Depression and the Second World War at a time when Australia was very much different from what it is today.

Mario was born in Appignano del Tronto Ascoli Piceno, Italy on 1 February 1925. He passed away last week on 23 February at his home. Everyone who is associated with Glynde knows of Mario. I first became aware of him when, as a boy, I came to Australia in 1959. The Italian community in that area did all their shopping at Mario's store. They would make a list of all the things they needed, and Mario's store would do home deliveries. It was not just a delicatessen but a store which carried clothing and a wide range of other necessities as did other stores which specifically catered for the needs of migrants. Mario was not only a store owner but also someone in whom people confided and whom they approached for help. He sponsored many migrants and assisted many small businesses to become established.

With his wife Antonetta, who was born in Australia, we can imagine that their knowledge of the English language was very much valued by those settling in South Australia and

trying to make a go of it. So it was an honour on 24 August when I had my 'Meet the ministers' breakfast with the Premier, John Olsen, at Mario's Sapore Restaurant at the Glynde corner.

I remember that Mario was given a special welcome, and we have a photograph of the Premier, the Lord Mayor and Mario. He was so proud that the restaurant was doing so well. Members might be aware that Mario's Coffee Bar was the first place in Adelaide that had espresso coffee. Certainly, he will be sadly missed.

I send my condolences to his wife Antonetta, his children and children-in-law, Peter, Nicholas and Karin, Mario, Rita and Victor, and his grandchildren, whom he loved so much, Alex, Carla, Adam and Melissa. Mario's last great wish was that the migrant monument, which is opposite Mario's store, would go ahead. I would like to thank the family, on behalf of the Migrant Monument Committee, for the fact that donations were asked to be sent to the monument.

Mario was a person who contributed so much to the living migrant monument of that area. No doubt, Glynde would not have been Glynde without Mario, and I would like to extend my condolences to his family.

Time expired.

Ms THOMPSON (Reynell): Today I want to talk about volunteers and their organisations: not this time about the wonderful things that they do in my community and others but more about the International Year of the Volunteer and what we can expect from the government during this year. In the Governor's speech we were advised that there will be legislation relating to volunteers this year, but I have not yet heard what it will contain.

I myself have advocated that one of the issues that needs to be addressed is that of workers compensation legislation, but I think that there is a need to consult volunteers and their organisations about this, and I have not yet been informed that this is happening. We will see many functions and celebrations of the work that volunteers do, and I think that that is commendable and totally appropriate, because the work that volunteers do is essential to our community.

I also think that we need to examine the practical help that should be given by governments to volunteers and their organisations, and we need to look at the requirements of volunteers and their organisations in today's context. The volunteer of today is often different from the rosy notion that some have of who the volunteers of the 1950s and 1960s might have been. The traditional image of the volunteer is often the bored housewife going out to do some little nice thing, or the business person or public servant who wants to put something back into the community at the weekend, whether through sporting clubs or through church organisations.

These things still happen. They are not often done by bored housewives: there are not many such people and I do not know that there ever was such a person as a bored housewife. There were certainly, however, women who were not able to use all their skills in the home, and volunteering work was one way of demonstrating their considerable accomplishments. Today we need to look at just who the volunteers often are. A large group of volunteers are those who have been retrenched, made redundant or retired early from work and those who have disabilities which prevent them from working but which in another age might not have prevented them from working.

Many of the volunteers whom I encounter have work based disabilities. In another age they would have been able to find light work, but these days those light work jobs have been abolished, so they find themselves trying to live on Social Security support with not much money, quite a bit of time and many skills. Some of these people are unemployed. Some are working for the dole out of compulsion; others are doing it because they are family carers who see that if they are to provide a good life for their family in the long run they need to develop some of the skills that are required by today's workplace.

These volunteers are often not in a position to make the financial contribution that is often demanded of them as volunteers. At times, the demand is simply getting to the place where they contribute their volunteer work. For instance, in one of the organisations of which I am a member of the management committee—the Reynella Neighbourhood Centre—several volunteers work 30 hours a week. Just getting to work each day costs them quite a bit in petrol money; and maintaining their clothing standards, food and other tools, and the phone calls that are often made, incur expenses. The community organisations they serve often must undertake complexities that are generated by government. Many community organisations are finding that the GST has caused a workload which they simply did not anticipate and which they are having a lot of difficulty meeting with the skills of volunteers and the time available. There is the accounting on grants and also the considerable training work that is undertaken both for people who are working for the dole and others who want to develop their skills. There is a need for government—

Time expired.

Mr VENNING (Schubert): Today I want to bring the attention of the House to some mail I received last week. It was a pamphlet from none other the Deputy Leader of the Opposition, Annette Hurley, who is now the candidate for Light and who sent a letter to me and other Liberal Party members in my electorate of Schubert. It was targeted to the people of Light. She should be more careful to whom she sends this sort of junk mail. For members' interest, the letter asks the following questions:

Do you remember when we had the best hospitals in the country? When other states came to study our schools to see why they were so good? When murders, home invasions and other violent crimes were things that only seemed to happen elsewhere?

Certainly, I do remember when our hospitals were the best in the country. That was when we had Playford and Tonkin Liberal governments. It was under the previous Labor government that our hospitals fell to the levels they are now.

Only today in this House we heard the Minister for Human Services, the Hon. Dean Brown, announce to the House that a lot of money is to be spent on the Queen Elizabeth Hospital. Labor promised this sort of money for 11 years, and nothing ever happened. What hypocrisy! To read trash like this and think it is even near the truth makes one's blood boil. What absolute hypocrisy! It was a Liberal government that built up this state to the high standards that the honourable member talks about here, and we are doing that again today, with today's announcement. We need proof positive, not just words. Words, words, words are all we hear; and stuff like this makes us pretty cross.

It was the Labor Party and its unsustainable socialist ideology that saw the work of Liberal governments pulled apart, but again today we see the Liberal government's

achievements in this area, returning us to the place in which we used to be. The hospitals are still equal to the best in the country. If it had not been for the Whitlam government, which pulled the private health insurance system apart, we would not be faced with some of the issues we face today.

Our schools remain the envy of the country. P21 has provided a tremendous boost to this state's education system. Members only have to talk to the local communities. In fact, I am told today by the minister that 75 per cent of our schools have now joined P21. If that is not an indication that the system is agreed to, then I do not know what it is. It is a recognition that the system has been accepted by the school communities. They will tell you about the positive impact of P21 and the savings that can be achieved through local management. I have seen that at first hand at Nuriootpa Primary School. The letter also states:

Over the next few months, Labor will be releasing more of its policy to fix these and other problems facing our state.

It goes on to state that some policies have already been released. What a joke! What policies? I have not heard one positive initiative from the Labor Party in seven years of opposition. We have not seen or heard anything. The letter also talks about reversing a trend of closing mental health facilities. What an absolute load of rubbish! Who was responsible for closing Hillcrest Hospital and putting the residents out into normal domestic situations? The Labor government did that. It is all on the record. If any member wants proof, I will get it out of *Hansard*.

Who was responsible for putting these same people into the general education system where teachers had to work one on one with the people involved, thus tying up resources? It was the previous Labor government that was responsible. The member also wants to 'introduce school discipline standards that reflect the standards of the community'. I was here when Minister Greg Crafter, a Labor minister, started all this softly, softly approach; 'You can't lay a finger on the little darlings.' I made speeches on the matter: that schools that wanted to retain corporal punishment ought to be able to do so. It was a Labor initiative to start the softly, softly approach. What hypocrisy!

The deputy leader has really embarrassed herself and the Labor Party by sending out this rubbish. It was her party's government that caused all these concerns about which she is talking. She wants to use testing to check the performance of teachers and to dismiss those who are incompetent. I wonder what the AEU boss, Mr Gregory, thinks about that. It was the Labor Party that put on a hell of a song and dance and opposed the introduction of the basic skills test. What real hope does the deputy leader have of trying to dismiss teachers? I believe none. I wonder if they have seen this document. We heard all the rhetoric when they were opposing the basic skills test. It was a lot of rubbish. How did it get into my letterbox?

Time expired.

Mr WRIGHT (Lee): Normally I would not raise an issue such as this in the chamber but I feel compelled to do so, particularly because of the chain of events that has followed. On Saturday mornings, like a number of other members, I conduct street corner meetings. They are not formal meetings as such. Members notify people in a certain area to go to a particular focal point; people come indiscriminately to meet the local member or to raise issues or for a combination of those factors. It is not a formal meeting. Generally, the

member speaks to people individually rather than speaking to a group en masse. I dare say that members on both sides of the House have conducted these meetings.

I think it is an important service and it is something I have done regularly for five years, both as a candidate and since I have been elected. It gives people, who may not be able or willing to come to the electorate office, the opportunity to speak to their local member. It takes away some disadvantages, particularly for older people and people without transport. I think it is a very important service, one which I would encourage all members to undertake.

I have two street corner meetings each Saturday. Last Saturday morning, I had a street corner meeting on the corner of Military Road and one of the streets that runs off Military Road, the name of which I cannot remember at the moment. About half a dozen people were there at the time. People come and go during the course of an hour. During that period, three people were present, although one was a child so I will discount that person. I saw these two people out of the corner of my eye and I identified one as the candidate for SA First in the electorate of Lee. He was accompanied by a woman. As they came towards me I thought, 'Well, it is a democracy. They are entitled to come up, just like anyone else, and we will see what happens.' From that point on, my opinion certainly went backwards very quickly. The candidate did and said nothing but, of course, he is guilty by association. But the woman who was there was very verbose, quite rude and was going around speaking to the people—as she has an entitlement to do—offering them SA First's pamphlets—as she has a right to do. But she then went beyond that and started asking the people who came down with genuine constituent concerns to start handing out pamphlets on behalf of SA First, and some people started to take a bit of an exception to that.

I started talking to a gentleman who was raising some issues with me in a very polite manner. This gentleman comes from one of the boarding houses on Semaphore Road—and there are a lot of boarding houses on Semaphore Road: people can make their own associations about that. This woman clearly made her own association about the constituent to whom I was speaking. This woman came up and interrupted me while this gentleman was halfway through his discussion with me. He was raising a specific concern with me, and this woman said mid track, 'Perhaps you would like to ask the Labor Party what its mental health policy is.' She made an immediate assumption about that poor gentleman. I said to the lady, 'Excuse me, I am talking to this gentleman in good faith. He has come, as a result of a notice that I put in his letterbox, to address some issues with me, and I would ask you not to be so rude and to allow him to finish his discussion with me.' She at that point took exception, but ultimately left.

I then addressed the same issue with the candidate and said, 'This is not on. This is not the way we campaign in South Australia. You can come and talk to these people if you wish. You can come and hand out your pamphlets if you wish, but you do not interrupt like that. That is a very rude form of behaviour, and I do not expect it to happen again.' If the matter had ended there, I would not be standing on my feet right now. But it did not end there. This woman then went on the Bob Francis show on Monday night. She told lies about me and she told lies about the incident—and some of the people who were there were very courteous and rang me at home and then on my mobile (because I was at a function) and left me a message.

I then rang Bob Francis, who was courteous enough to allow me to go on his show and correct the information. Bob was most surprised when I told him that this lady was handing out SA First pamphlets. And he, correctly, said to her, and said about her, 'She is a smart arse. She did not tell me anything about that. I am pleased that you have come on and corrected the situation, and I believe you.' So, I say to all members on both sides of the political spectrum, this is the form of behaviour that you can expect from SA First. It is not something that has been done by any of the major political parties in South Australia's history.

Time expired.

Mr LEWIS (Hammond): Yesterday I spoke about a document which was the code of conduct of the Liberal Party from November 1993, and I quoted parts of it so that members of the parliament would understand what the Liberal Party had committed itself to prior to its election. I was proud—indeed, I am still proud—of the values contained in that document, and I believe that they ought to be written into the manner in which this House conducts its affairs, regardless of which party is in government at any time.

I do not think, for instance, that ministers of any political persuasion ought to be able to do anything other than what is contained in that document, in the way in which they conduct themselves within this House in responding to inquiries put to them by other members in question time, in the second reading debates or in the committee stages of bills that are going through the chamber. Whether or not they succeed in passing is a matter for the chamber to decide in any instance.

But the substance of my concern is the manner in which ministers conduct themselves. And it is not only ministers: there are other members who are not ministers who need to be equally respectful of the institution of which they are a member by virtue of the delegated authority that they receive through the election process. They are not here as human beings in their own right: they are here as living mortals with the delegated authority of the electors who put them here so that those electors can have their views properly represented in the parliament.

I have spoken about the need, as stated in the code of conduct, for a minister to spell out to his or her staff the ethical responsibilities which those staff members have to the minister and to the institution of parliament, and that would require staff to make the same sort of disclosure and divestment of personal interests or other action as seems appropriate to the minister and to the Premier.

No-one has ever bothered to look into that aspect of how some administrative decisions are made. From time to time over the past 30 years I know that the conduct (or misconduct) of staff has caused ministers considerable embarrassment, not only in this parliament but in other parliaments, where ministers have not understood what their real obligations are. They have not understood the nature of the institution of parliament and therefore they have not understood how they should conduct themselves in their interaction with other members of parliament, and with ordinary members of the general public who are not members of the parliament.

The code of practice also mentions the acceptance of gifts and travel, accommodation and hospitality, as follows:

Moderate and occasional acts of hospitality (such as lunch or dinner) or goodwill (such as honorary membership of a community sporting club) may be accepted without the minister being required to report them. In deciding to accept such benefits a minister must

satisfy himself or herself that ministerial independence will not be or appear to be compromised in any way and that the minister would bear personal responsibility for the decision taken. . . In instances when approval is being sought to take up offers of free air travel and/or accommodation, the benefits or advantages to the state or other consequences should be highlighted in a separate submission to the cabinet.

In relation to public references to individuals, it continues:

In the discharge of his or her public duties, a minister shall not dishonestly or wantonly and recklessly attack the reputation of any other person. Where defamation proceedings are taken successfully against a minister—

and this is really important—

because he or she has been found to have dishonestly or wantonly or recklessly attacked the reputation of another person, the government will not provide an indemnity in respect of any legal costs incurred or damages awarded. Where a defamation action taken against a minister arises out of the minister's duties and is unsuccessful or is not the result of dishonest, wanton or reckless behaviour, indemnity will be provided.

In other words, if an action is brought against a minister it is up to the minister to prove that he or she was not wanton, reckless or dishonest.

Mr Atkinson: That never came in, did it?

Mr LEWIS: No, never. It disturbed me immensely and I have drawn attention to that both within the party room and, more recently, publicly.

Time expired.

SELECT COMMITTEE ON PARLIAMENTARY PROCEDURES AND PRACTICES

The Hon. J. HALL (Minister for Tourism): I move:

That the select committee have leave to meet during the sitting of the House today.

Motion carried.

PUBLIC WORKS COMMITTEE: QUALCO SUNLANDS GROUND WATER CONTROL SCHEME

Mr LEWIS (Hammond): I move:

That the Report on the Qualco Sunlands Ground Water Control Scheme—Stockyard Plain Disposal Basin—be noted.

In March 1999 the Public Works Committee recommended the proposed work relating to the Qualco Sunlands ground water control scheme project pursuant to section 12C of the Parliamentary Committees Act. Later that year, the Public Works Committee resolved to reopen its inquiry into the project to take additional evidence regarding the increasing salinity in the region. A delegation of the committee conducted a site tour of the Stockyard Plain disposal basin on 15 March.

Further, I point out that the basin is owned and operated by SA Water on behalf of the Murray-Darling Basin Commission and it forms part of the Woolpunda and Waikerie salt interception schemes. The Stockyard Plain disposal basin is designed to remove natural ground water inflows to the river as well as providing an opportunity to dispose of saline drainage water from the Qualco Sunlands project. In return, the project pays a capital contribution to the ongoing operation, maintenance and management of the basin.

The Stockyard Plain disposal basin was originally designed to accept a water flow of 400 litres per second. That equates to 24 000 litres per minute or 1 440 000 litres per hour. Some 40 per cent of the current water volume flowing

into the basin evaporates while the remaining 60 per cent infiltrates into the subsurface layers of soil below the basin. That is a very serious point to be made. Some 60 per cent infiltrates into the ground, and that is building up a ground water mound beneath the Stockyard Plain basin. That ground water mound is like a big mound of sloppy custard. When you tip it out of the mould, it seems to sit in the form which it held whilst it was inside the mould, but as it sits there it spreads and oozes sideways, and that is exactly what is going on.

The additional flow from Qualco Sunlands and the Waikerie 2 schemes less the reduction of the flow from the Woolpunda scheme will result in a future saline water flow of 440 litres per second. While the maximum ponded area is 675 hectares, with the current flow of 340 litres per second, the ponded area has reached 400 hectares in winter. The potential exists for the basin to accept flows in excess of 400 litres per second.

During the site inspection, the committee was able to see that the pumping of ground water to the basin has created the perfect environment for a nature reserve. Members were told that 10 000 trees had been planted by local school groups in an effort to revegetate the area. Mallee and regrowth mallee dominate the vegetation in the small stands of other plant species which are what we call oak, sandalwood and melaleuca.

The oak, of course, is casuarina, the sandalwood is often referred to as quandong and melaleuca is the paperbark, a tall bush. One of the common melaleucas about which all members would be familiar is brush—the melaleuca uncinata used for brush fencing. The rabbit-proof fencing and other pest eradication measures have been undertaken to facilitate plant revegetation and the return of native wildlife to the area. The ponds in the basin attract 130 species of birds, including a colony of up to 10 000 swans during the breeding season. Stockyard Plains is becoming a popular tourist area because of these features. In fact, two amenity blocks have been constructed to accommodate visitors who feel the call of nature whilst there.

The committee took evidence from members of the local community representing the group concerned with the adverse impact of the Stockyard Plain Disposal Basin on dry land farmers over the long run. The committee is mindful of the concerns of the local community about possible effects of the Stockyard Plain Disposal Basin on their properties and bores. The committee is told that local land owners are generally opposed to the establishment of another basin in the area. However, after an inspection of the site and an examination of the evidence, the Public Works Committee finds that the proposal to use the Stockyard Plains Disposal Basin to dispose of saline drainage water from Qualco projects to be soundly based.

The evidence provided to the committee suggested that the most effective way developed to date to manage salinity is the process of storing the salt within specifically designated disposal basins, recognising that it is not the ultimate solution. The committee is assured, with a reasonable degree of confidence, that, at this stage, the Stockyard Plain Disposal Basin is not affecting the surrounding area, and that any effects being observed on surrounding areas are coincidental rather than consequential. The evidence received by the committee indicates that the long-term effect of the Stockyard Plain Disposal Basin, in terms of discharging salt into the river, is a very small proportion of what is coming from irrigation and dry land salinity. The committee is told that

currently there is no explicit evidence of the existence of extensive underground cavitation, which would lead to the free flowing discharge of saline water from Stockyard Plain into the river.

The committee is concerned about the lack of a specific plan to provide farmers with fresh water if their stock water becomes too salty as a result of the leakage of saline water from the Stockyard Plain Basin. We emphasise the need for there to be a plan to deal with that eventuality when it happens. It is not a matter of if, it is just a matter of when. If it is a valid argument that rain falling on the mallee in places as far away as Pinnaroo will result in that water, once it percolates through the soil in response to gravity below the root zone (then forming a common body with the ground water already there), finding its way north-westwards and into the Murray, and if it is going to happen quickly (as some experts are claiming), then most certainly the discharge of saline water into the Stockyard Plain Basin, which has much less distance to go to reach local dry land farmers' windmill wells, and so on, used for stock water will travel far more quickly than is likely to be the case of water travelling all the way from Pinnaroo to the Murray. It is not a matter of if; it is a matter of when. At present there is no plan that we could discover to provide stock water and domestic water to those farmers when their bores become saline as a consequence of the impact of the movement of the water from the Stockyard Plain Basin.

The committee recognises that a number of people in South Australia with expertise in salinity management are working throughout government, the CSIRO and in consulting firms. The evidence submitted to the committee conveys the existence of opportunities to export this kind of expertise overseas. Accordingly, with some emphasis, the committee recommends that the minister (I just wish the minister were here) does the following:

- examine ways of making better use of water removed from the irrigation areas that is suitable for irrigation than is presently the case;
- develop a mechanism to provide for some form of compensation and/or alternative water supply if in the future it is shown that farms have been adversely affected by the disposal of the saline water from the Stockyard Plain Basin; and
- establish a centre of excellence for research into better management of saline ground water uses and effects.

The committee also recommends that, given community concerns, the Department of Water Resources have independent hydrological experts immediately examine and determine the origin of wet patches on farmers' land nearby the Stockyard Plain Disposal Basin.

I trust that the minister will keep to the statutory time limitation in responding to this report and the recommendations it contains and that he will not simply apologise for not having done anything six months or so after the due date for the minister to have reported in response to the parliament. I am talking about a report in response to the recommendations of the Public Works Committee contained in this explicit report on the Stockyard Plain Disposal Basin.

It is so serious that, if the minister does not deal with the matter now, farmers will go to the wall because they cannot find the means by which to get the fresh water to their livestock on their properties once their wells have become saline. Equally, it will stop people who are excited adversely and unfortunately by the appearance of these wet patches on their properties from being seduced by the purveyors of snake

oil into believing that the water has come as a consequence of some mischief or other associated with the presence of the Stockyard Plain Disposal Basin. We need to know, and we need to let those people know, why it is happening, where it is happening and what is to be done about it if indeed it is related and otherwise if it is not related. Equally, good science must be brought to bear to explain the phenomena and not have people rushing off in all directions. Accordingly, I commend the report that the Public Works Committee has made on the additional investigations it undertook.

There is one other thing that I want to say personally. It does not arise from the committee's deliberations but from my own observations, and that is that the amount of ground water currently removed from the Qualco Sunlands area, which is used for the irrigation of stands of lucerne that are somewhat more tolerant than the horticultural crops on which the ground water was otherwise put in the first instance (and that ground water was irrigation water originally), has infiltrated below the root zone of the crops and has to be removed or it will saturate the root zones and kill the crops. That water needs to be used with more efficiency. It is not to be splashed around as though it were second rate, and it ought to be used on those crops that return the greatest possible contribution to the gross state product. I am not sure that that is happening at present. There may, finally, be better uses. The amount of water getting past the root zone is too great. Irrigation practice efficiency must be improved and the means to achieve it must be explained to the irrigators, whether they like it or not. Too many of them still regard the water as being too cheap and use too much.

Time expired.

Ms THOMPSON (Reynell): I am pleased that the Minister for Water Resources is present in the chamber to hear the debate on this report because it is not a normal report but something that arose as a result of communications with the committee which indicated that there was disquiet in the community about the Qualco Sunlands ground water control scheme. As a result of receiving community representations, the committee decided that it would make a trip to examine this scheme, part of a tour looking at a number of matters on the committee's agenda, all of which had some connection with the issue of water management in this state.

As somebody who is essentially a city slicker, having spent only a few years of my early childhood in the Mallee, I really had little knowledge or understanding of the matters at which we were looking on paper, so seeing them on the land was of great benefit to me and considerably assisted in my understanding of them.

It not only showed me the technological complexity of the issues we are dealing with in looking at the effective use of our water resources and the damage that has been done to them, but it also demonstrated to me the problems being experienced within the communities that are most directly affected by these issues. People who have put their lifetime into the management of their property are finding that their property is not what it used to be. The stories they have in their families about what they used to grow here, when and where, how much water they had and what they did do not apply to them any more. They are finding salt patches on their property and they do not know where they come from. They are naturally suspicious.

One of the difficulties is that, when action such as the Qualco Sunlands ground water control scheme is taken to try to remedy the problem, some members of the community are

not sure whether the problem is being made worse by the remedies or whether their property is being adversely affected by the remedy. Thus it was very useful for me to learn something about the community complexities of the issues that we as a state and as a nation are facing in dealing with the problem of salinity, particularly along the Murray.

The other issue that became clear to me was how impressed is this whole rehabilitation process. I was really quite amazed by the number of times on which I would ask a question and the answer would be essentially, 'I'm sorry, we don't know.' It was often 'On the best of evidence available so far' or 'Something that happened somewhere else indicates that', or 'We have no evidence to the contrary'. It was often very polite and very elaborate ways of saying, 'I'm sorry, we don't know.' I accept both parts of that: they are sorry, and they would really like to know. Some of the people whom we met, both the experts working in SA Water and those employed by them as contractors, were clearly very committed to solving the problems. By going away, we had the opportunity to share a dinner with some of these people, so not only was there the information we gained in the formal hearings, which the minister has the benefit of being able to read on the record, but also there was the information that we gained in across-the-table discussions.

The sincerity and commitment of these people was obvious. Their frustration at not knowing yet all the answers was also obvious. The confusion in the community and the way that folk stories develop a legend status were also obvious. One of the issues that came up was an underground limestone cavity system and the role that this might play in spreading saline water which might damage farmers' properties. This related to stories about Uncle Harry who chased a rabbit down a burrow 40 years ago and came across something interesting. So, when people find mysterious patches of salt developing on their properties, Uncle Harry's stories take on new meaning. They are searching for answers. The scientists say, 'We don't think that is so: we have this evidence that tells us it is not, but we don't have any real hard evidence to tell us what is happening.'

The Hon. M.K. Brindal interjecting:

Ms THOMPSON: Yes, as the minister says, dealing with misinformation is as much a problem as dealing with real information. Certainly, when the Public Works Committee, as a representative body of parliament, goes to an area, people are able to get some of these things on record and we at least have some record of what the misinformation is, so that we can start dealing with that misinformation.

However, one of the conclusions that the committee reached is that there is a need and an opportunity to develop a centre of excellence on the matter of salinity. I understand that there have been some moves to develop this since the committee sat. However, I want to emphasise very strongly the need for us to develop a centre of excellence in this state to look at the issue of salinity. We are undertaking a huge amount of expenditure and looking at expending vastly greater amounts than this, yet we do not really know if what we are doing is going to work. One of the earliest references with which I was involved as a member of the Public Works Committee was to look at irrigation remediation. It struck me, as we were being taken around the irrigation channels and told how dreadful they were and how silly it was that people were using them, that the people who put in those channels sincerely believed that they were doing the right thing. They were using the best available engineering information at the time and now it is a disaster. My fear is that what we are

doing now may also be a disaster if we do not improve our knowledge.

I strongly support the recommendations of the committee and urge the minister to establish a centre of excellence for research and better management of saline ground water uses and effects. We are not only not solving the problem and doing damage, but we are probably also wasting a resource. As the member for Hammond said, there does not seem to be any real understanding of how we can use the resource that is being created by what we are doing at the moment in ground water management. The lake at Stockyard Plain is offering us a great opportunity. The fact that 110 species of birds visiting this lake have now been identified is an exciting environmental issue. In fact, 10 000 swans were identified there in one season and this is, again, a really exciting development. Whether this relates to the natural cycle in this area before we came in and started messing around with it, we do not know. Every time we undertake a significant environmental development we have to think about what the consequences might be and I do not think we always understand them. So, while the Stockyard Plain environmental centre, as it might now be called, is really exciting and offers great tourism opportunities and great ecological opportunities, we also have to look at what risks might be involved in this new ecological phenomenon.

As I said, a city slicker I am, but I have been very excited by what I have seen as part of the work of this committee. I have a much better appreciation of the magnitude of the task that we as a nation, and particularly people in rural regions, are facing, and I urge the minister to take the committee's recommendations on board because I hope that they will add value to the work that is being undertaken in the management of ground water problems in this state and nation.

Motion carried.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE: NATIVE FAUNA AND AGRICULTURE

Adjourned debate on motion of Mr Venning:

That the 41st report of the committee, being the native fauna and agriculture report, be noted.

(Continued from 29 November. Page 711.)

Mr VENNING (Schubert): As I said in my previous speech on 29 November, all Australians recognise and value native birds as an integral part of our unique environment, and the clearing of native vegetation as a result of 165 years of agricultural and pastoral development in South Australia has had a dramatic effect on the numbers and the behaviour patterns of some native fauna in this state. Both the report and my speech relate the effects of what is happening (negative and positive) to native fauna, particularly birds, in agriculture today. We hear about bird pests in orchards and vineyards and the efforts to control and protect them, and also the crops. The use of scare guns and other means were also mentioned in the report and in my speech and I will not repeat them again. Hopefully, the two speeches will connect, even though they are separated by quite an amount of time.

At the end of my contribution I was wanting to thank the following people who assisted in this inquiry, particularly those who made submissions and gave evidence—and there were a lot—and also the Minister for Environment and Heritage and his staff. Certainly they were a great help to us and always fully supportive. It is a pleasure as chairman to

inform the minister of what is happening and certainly to get encouraging sounds back. I also wish to thank my committee staff, particularly our secretary, Mr Knut Cudarans, who is in the gallery and also our new research officer, Mr Stephen Yarwood, who is proving to be a most enthusiastic addition to our committee staff.

I also report again to the parliament that our record is still in tact; that is, during the four years that I have been the chairman we have not had one single minority report. Certainly it speaks wonders about team work. That is what committees are all about: to come up with a consensus and certainly to enrich and enlighten the parliament about these issues. I note the minister is present at the moment and I personally thank him for his input and guidance on these matters. The impact of agricultural development on native fauna is yet to be fully realised, with many changes having subtle impacts that are often expressed over hundreds of years in terms of changing patterns of native fauna and flora. A concerted effort in the immediate few years will be an important step in collecting necessary information and managing birds, habitats and agricultural structures for the benefit of the community, the environment and the economy of our state.

It is an excellent report, adding now to a long list—in fact 41 in all—of excellent reports; all relevant to our state and our community. They should be available via our web site, but, as yet, it has not eventuated. We only discussed this matter this morning. I urge the powers that be to address this problem. We can read committee reports from other states, but they cannot read ours. We are told that we are the IT state, but our web site is practically non-existent.

Now is the time to address it. We are at the start of 2001, so we have to get with it. We must have a web site that is active and reactive, so that people anywhere in our state can log onto our web site, read about what we are doing and what is before us, become involved and, most importantly, read our past reports. I hope that that is addressed, because the community of South Australia is missing out on a vital pathway taken by this parliament via its committees. I commend the report to the House, and I look forward to the minister's response to it.

Mr De LAINE secured the adjournment of the debate.

SOCIAL DEVELOPMENT COMMITTEE: RURAL HEALTH

Adjourned debate on motion of Hon. R.B. Such:

That the 13th report of the committee, on rural health, be noted.

(Continued from 25 October. Page 247.)

Mr ATKINSON (Spence): I served on the Social Development Committee's rural health inquiry. The inquiry was first proposed because general practitioners had retreated from obstetric practice in the country to avoid the prohibitive cost of insurance. In the four years or so that the proposed inquiry waited its turn, the state government moved to subsidise the insurance of doctors delivering babies in the countryside. The federal government also offered a number of incentives for country practice. One general practitioner from the Flinders and Far North Division of General Practice told the committee:

Last year I paid \$4 000 to be indemnified as a procedural GP because I perform obstetrics. The state government has a deal going with various insurance companies whereby they pay the rest. If I

were to insure through one of the recognised medical indemnity companies, it would cost me about \$12 000.

Our focus shifted from obstetrics to mental health, to the effect of regionalisation of the Health Commission, to overseas doctors on temporary visas, and how we could keep doctors, nurses and allied health professionals in rural areas. The committee heard 91 witnesses between 8 December 1999 and 5 May 2000. We visited Naracoorte in the South-East, Berri and Barmera in the Riverland, Port Lincoln, Cleve and Whyalla on Eyre Peninsula, and Port Augusta and Wallaroo on Yorke Peninsula.

We heard that South Australians living outside Adelaide were in much poorer health than those living in the city. South Australians in the countryside were more likely to suffer disease, illness and injury, and their life expectancy was not as long as that of people in the capital. For instance, the incidence of diabetes in remote areas was double that of Adelaide. Aboriginal people were particularly affected by diabetes. Death rates from injury for men in large regional towns was 22 per cent higher than in the capital and 69 per cent higher in remote areas. Death rates from road accidents for men in remote areas was double that in the capital. Suicide rates for males in the countryside were 20 per cent higher than in the capital. There was excessive morbidity and mortality among agricultural and mining workers.

Despite this vulnerability, per capita use of Medicare services was 25 per cent of the national average in some remote areas. South Australia's population per general practitioner is 572 in Adelaide and 1 216 outside Adelaide. Adelaide was well supplied. The SA Farmers Federation referred to a discussion paper produced by the Australian Medical Work Force Advisory Committee which showed that the Australian medical work force had more than doubled between 1979 and 1996, while the population had increased by only 30 per cent. The discussion paper made the following salient point:

In Australia's health system, an oversupplied medical work force in a given geographical area does not result in unemployed doctors. Medicare data indicate that in these areas patient use of medical services has expanded, maintaining employment and medical incomes.

Rural South Australia had fewer general practitioners per head of population than any of the Australian states and territories save non-metropolitan Western Australia. Each year, 1 200 people graduate from medicine in Australia and 270 overseas trained doctors migrate to Australia, by which I mean they obtain permanent residence. We found that the number of overseas trained doctors coming to Australia on temporary contracts with two-year visas had increased from 893 in 1993-94 to 2 224 in 1998-99. The reason so many overseas trained doctors are needed is partly because we get less work out of medical graduates than we used to.

Dr Lloyd Evans of the South Australian Division of General Practice told the committee:

Out of every male graduate we are getting 0.7 of a full-time equivalent and from every female graduate we are getting only 0.3 of a full-time equivalent, so we need two graduates to get one full-time GP.

The proportion of female medical students increased from 43.6 per cent in 1989 to 52.7 per cent in 1999. We were told of a survey of final year medical students in which only one-quarter saw themselves working full time. In a similar survey a few years before, 45 per cent of final year students thought they would work full time. At Port Lincoln, Dr Peter Morton told us:

Currently, 50 per cent of graduates are female, and I am not being critical of them, but they do not see themselves doing the blood and guts work that doctors have always done in the country, 24 hours a day for 20 years, and neither do the boys. People's social mores are changing. You could find half a dozen graduates in this town who, like me, married a nurse, and they went where we went. With female graduates, the careers might not match.

The medical graduates willing to practice in the country were mostly from the country themselves. Forty-five per cent of nursing and medical students who come from rural Australia will return, but only 5 per cent of Australians of city origin will go to the countryside to work. Alas, fewer than 10 per cent of medical school undergraduates are from the country, despite one-quarter of young Australians living there.

Mr David Wilkinson of the South Australian Centre for Rural and Remote Health told us:

We found rural doctors were more likely to have grown up in the country, but the single most important factor for rural doctors was the background of their partner.

Often we were told that a country town was in a much better position to recruit a person if it could offer a person's husband or wife a job. The committee made 34 recommendations, many of them anodyne. I shall mention seven of them if I have time. The first two I shall mention are:

1. Overseas trained doctors who are appropriately accredited be encouraged to fill vacant positions in country South Australia where there are no Australian trained doctors willing to take up those positions.

3. The Australian Medical Council examinations be reviewed to ensure that any inequities and unnecessary barriers to overseas trained doctors gaining entrance to country practice be removed.

I think that members of the committee had a lingering suspicion that the Medical Council imposes difficult tests on overseas graduates more to protect their market than to protect patients. The committee leaned towards bonding medical students into rural practice, but doctors pleaded with us not to do this. Mr Wilkinson said that, if we had to recommend this, it should be for only a short time, and he said:

We know there are only 45 vacancies in South Australia for rural GPs. That is not a huge number.

One person providing health services who is not dubious about bonding medical graduates to work in the countryside is the former Regional Manager in the South-East, Mr Chris Overland. He told the committee that the best way to overcome the shortage was to introduce an indentured labour system whereby it would be an enforceable condition of doctors migrating to Australia that they spend time practising in the country. Although this attracts me, I think it may run into constitutional difficulties as a form of civil conscription by the commonwealth. It could only be based on the defence power in wartime.

Mr Overland also suggested geographically linked provider numbers. In the years since the Hon. Sandra Kanck first proposed the inquiry, the state and federal governments had committed huge amounts of money to attract medical practitioners to the countryside and had offered valuable support to those prepared to stay there. These initiatives are enumerated in some detail in the report at pages 14 to 18 inclusive. The Executive Director of the Hospitals and Health Services Association, Mr Ken Goodall, warned us that much of this good work might be undone by changes to the fringe benefits tax. He told us:

A number of people, including allied health providers and people in education and the police, who received motor vehicles and subsidised housing, would be caught up in these changes.

Time expired.

Mr VENNING (Schubert): I support the motion and note the comments of the other speakers. They certainly have my full support, because rural health is a very important issue, particularly in my electorate, as it is in most country electorates. I have a problem in the Barossa in that our hospital infrastructure is in dire straits. It has been the subject of much media attention of late, particularly with many MPs of all persuasions visiting, then getting in the paper and grandstanding on the issue.

I have raised this matter on several occasions. I have raised it with the Minister (Hon. Dean Brown). As members would know, we currently operate two hospitals in the Barossa: one at Tanunda and a larger regional hospital at Angaston. Both hospitals are accredited, both offer excellent services and both are manned by marvellous doctors and nurses. There have been several reports, but the main one, undertaken two or three years ago, recommends that both hospitals be closed as hospitals and a new one be built on a site identified and now chosen in Nuriootpa, commonly known as Reusch Park.

Knowing the Barossa as well as I do, I was amazed that the community accepted this decision that they would lose two hospitals and gain one. Of course, the trade-off was that the new facility would be built adjacent to the Sturt Highway at Nuriootpa, serving the greater Barossa area. Since then, little money has been spent on the hospitals, and I know that the shadow minister would have heard of this issue. Little or no money has been spent on either hospital because we know of their pending closure. We now have a grave situation whereby these hospitals, particularly the Angaston Hospital (which, I remind members, is only an upgraded house and which has outgrown itself several times) are inadequate. With the burgeoning population of the Barossa region, we have seriously outgrown these facilities.

We have also been seeing a few disputes between the Wakefield Regional Health Board and our local Barossa Area Health Board, where they seem to be in conflict over this issue and also that of having to close the elective surgery theatre, because they have blown out their budget by several equisepts. So, we have had to see that theatre close for three to four weeks during January to allow them to catch up. Even though it has been closed I understand from the CEO, Mr Dennis, that they are still behind and have overblown their budget quite considerably. I am concerned about this ongoing conflict between the local and regional boards, particularly when funds are short. Last year the regional board underspent some of the funds, which caused even further angst. I believe that all these boards are doing the best they can and have the common goal of providing the best possible service to the region. Both boards are 100 per cent behind the provision of a new health facility.

A new facility has been costed at approximately \$11 million. This is on a green field site; it would be brand new, starting from scratch. However, because no money has been spent on the facility, it has got to the stage (and I will have to choose my words carefully) of being on the edge of basic health standards. I have inspected this hospital at Angaston and have even taken a video of it to show the minister some of the problems at first hand, particularly in the kitchen and other areas. We take these hygiene areas as standard in our homes, but they should be even more important in hospitals. We have serious problems, and I hope

that we do not have an event soon that will cause a breakdown.

Just the other day we had a serious accident in the Barossa concerning a school bus. We all know about that, and we all feel for the family of the bus driver who lost his life and also for the 22 children who were injured and traumatised in that accident. That accident showed the deficiency we have. Many of those people had to be treated on the roadside, because we knew we could not have treated them at Angaston Hospital. It speaks wonders for our emergency services, doctors and nurses that they were able to handle that situation as well as they did with the facilities that we have. It highlights the fact that we must address the problem.

The problem is that right now Angaston Hospital is on the brink of being dysfunctional. We do not want an incident to prove that it is, but what do we do? We do not want to spend millions of dollars—I think the figure was \$3 million or \$4 million—just to upgrade it; not renew it but just upgrade it to a basic standard that would pass inspection. We do not want to spend \$3 million or \$4 million but, even if we agreed to build a new hospital today, it would take two or three years to come to fruition. So here is the problem. All politics aside, I have addressed this with the minister. He is aware of it, but the problem is having a spare \$11 million.

Ms Stevens interjecting:

Mr VENNING: That is why the \$8 million that is saved by the Le Mans is certainly a vital key in providing services to people. There is a way out. I spoke to the Treasurer and the Minister for Human Services, Hon. Dean Brown, together (and I certainly appreciated that meeting) only last week about whether, apart from the capital works budget, we can put this out to private enterprise to fund this amount of money—in fact, whether we can go out to the money market and borrow \$11 million. I believe that the interest on that \$11 million, plus the efficiencies of operating one new facility, would almost be the same amount of money that is required to upgrade and run two hospitals. If it is not the same it would certainly be very similar. I repeat again: the interest on \$11 million would be approximately the same as the cost of operating two hospitals and upgrading Angaston Hospital, so it is not far away from the ball park.

That is where we are now. We are working along this line. This project of a new hospital is now my highest priority in my electorate. As the Barossa grows it is providing marvellous service for our state and is giving the economy of our state a magnificent boost; and tomorrow we open the Mildara Blass facility north of Nuriootpa which will result in hundreds of jobs. People love to live in this area but they are not very impressed with the standard of medical care. The doctors and nurses are doing a marvellous job; the problem is the facility in which they are expected to work.

I appreciate the work done by the Social Development Committee in looking at the subject of rural health. It is difficult. If only we had money we could do a lot of things. I highlight the problem I have, and I appreciate all the work done by the medical people, the CEO and others in my electorate who work with me to provide the best possible service. I agree with the sentiments expressed in this report and I support the motion.

Mr SNELLING (Playford): I wish to continue the remarks of the member for Spence. Mr Goodall predicted that the state may have to spend between \$25 million and \$30 million a year to offset the federal changes. The third and

fourth recommendations which I draw to the House's attention are as follows:

7. Undergraduate medical, nursing and allied health courses put more emphasis on equipping students to be generalists.
8. The federal government give nurse practitioners limited and appropriate prescription rights for pharmaceuticals.

Doctors and allied health professionals in the country need to be more versatile than their city counterparts. They may well be working alone and they will see a broader range of illnesses, diseases and trauma than they would see in the capital. Yet many country areas are without a general practitioner.

At Naracoorte, the member for Fisher canvassed the merits of the Chinese office of the barefoot doctor, namely, a medical generalist without formal medical qualifications. I think the member for Fisher thought that nurse practitioners might fulfil this role in small country towns without a general practitioner. Many witnesses emphasised in their testimony to the committee that attracting doctors to the country was not enough. There is a serious lack of dentists, psychologists, radiographers, social workers, physiotherapists, pharmacists, occupational therapists, speech pathologists, dietitians and podiatrists. One witness claimed South Australia needed 260 more midwives.

Doctor Gary Misan of the Services for Australian Rural and Remote Allied Health told the committee:

Programs of professional support and incentives are heavily weighted in favour of medical personnel to the detriment of almost all other service providers.

The fifth and sixth recommendations to which I draw the House's attention are as follows:

20. A scheme, similar to WorkCover, be introduced to allow medical compensation to be capped.
21. The suitability of compensation settlements paid as an annuity rather than as a lump sum be investigated.

Each time the topic of negligence was raised, a chorus of antipathy to lawyers and the legal system was raised. Doctors argued that clever lawyers were manipulating foolish judges into finding negligence in circumstances where, by the standards of the time and place, the doctor had done his or her best. Worse, the same clever lawyers were easily persuading foolish judges to award monstrously large damages because the judges knew the doctors were insured. The cost was then being spread over all rural doctors to the countryside's detriment. There is, in my opinion, more force in the second argument than the first and it is true of negligence findings generally, not just medical negligence.

Mr Nino DiSisto, the chief of the Riverland Regional Health Service, said that, from December 1999, 21 country hospitals out of 72 had stopped delivering babies because of the risk of litigation. My colleagues on the committee were impressed by these contentions but, owing to the absence of evidence from the accused, the issue was never properly tested and recommendation 20 should not have been made in the absence of that testing. Dr David Senior, President of the Rural Doctors Association, said:

The concept of providing a capital lump sum pay-out in this sort of instance is, I think, somewhat obscene. I think what should happen is that the individual concerned should have access to an ongoing pension to ensure that there is ongoing care for the rest of the individual's life. To provide a lump sum, which at times in the past has been expended by the parents, and then to have the child fall back on the public system, seems to me to be quite wrong.

I would like to hear the plaintiff lawyers argue against that one, and I suppose I shall do so when I next see the Hon. Nick Xenophon, and when the Labor candidate for

Cheltenham, Mr Jay Weatherill, arrives in this House after the next election, as he probably shall.

The seventh and final recommendation to which I refer is:

22. A number of hospitals within each region be resourced with appropriately trained support staff and have a designated room, or a room that can be adapted safely and quickly, to care for a person suffering from an acute mental episode.

When a person has a psychotic episode in country South Australia, there will never be a psychiatrist to see that person promptly. The mentally ill person must be dealt with by his or her family, neighbours and the police. Chances are that the person will be escorted by police to the local hospital, where there will be no staff trained to deal with a psychosis and no suitable room in which the patient can be safely secured and observed.

If the episode is particularly acute, the police will have to escort the patient in an ambulance or aircraft to Adelaide. About 25 mental patients a year are transferred to Adelaide from Port Lincoln by air ambulance, and about the same number from Mount Gambier. Police do not like this kind of work. While the escort duties are being performed, the area is without an ambulance and without its full complement of police officers.

All the evidence was that the number of mentally ill people in the countryside has been increasing. In an earlier inquiry of the Social Development Committee—namely, an inquiry into rural poverty—we were told that the decline in the rural economy had led to hundreds of dwellings being vacated in the countryside. These dwellings were let at incredibly low rentals and had attracted people who were running away from the city, were permanently on welfare or were keen to experiment with illegal substances in a remote and lightly policed location.

The Director of Mental Health at the Flinders Medical Centre, Mr Len Payne, told the committee that one-third of current admissions in Adelaide from the countryside would be managed locally if the expertise, facilities and support were available. A Flinders Medical Centre survey had shown that most country consumers of mental health services would prefer to be admitted to the local hospitals, close to family and friends, but they also believed that there was more psychiatric expertise in Adelaide, which is undoubtedly true.

I commend the report to the House and thank our scribe, Mary Covernton, and our organiser, Robyn Schutte, for their good work.

Mr LEWIS secured the adjournment of the debate.

Mr MEIER: Mr Speaker, I draw your attention to the state of the House.

A quorum having been formed:

DENTAL PRACTICE BILL

Adjourned debate on second reading.

(Continued from 27 February. Page 941.)

Ms STEVENS (Elizabeth): I would briefly like to recap the major points that I made yesterday. First, this bill causes an update of the Dentists Act 1984, and it should facilitate meeting the challenges that have faced the profession over the past 50 years in relation to providing quality dental health care to the community. I canvassed some of the challenges that I believe will be before us in future years, and I covered areas such as the dental health status of the community, the

change in dental health status over recent years and the barriers in relation to accessing dental services, and I concluded by looking at work force issues.

This afternoon I will address the role of the federal and state governments in the provision of dental services before addressing the bill itself. First, in relation to the federal government, I refer to the Senate Community Affairs Reference Committee Report on Public Dental Services released in May 1998, and I will briefly mention the recommendations that were brought before the federal parliament by that committee. Of course, those recommendations were placed firmly at the feet of the commonwealth. However, many of them referred to the need to consult, work with, or undertake joint policy development with the states. They were as follows:

Recommendation 1

That the commonwealth, in consultation with the states and territories and other key stakeholders in the public and private dental sectors, support the development of programs to improve the promotion of oral health throughout Australia.

Recommendation 2

That the commonwealth government support the introduction of a vocational training program for new dental graduates, especially to assist in the delivery of oral health services to people in rural or remote areas.

Recommendation 3

That the use of dental auxiliaries such as therapists and hygienists be expanded, particularly to cater for the needs of specific disadvantaged groups, and that to this end the states and territories be encouraged to review legislation restricting the employment of such auxiliaries.

And, of course, that particular recommendation has been addressed to some degree by the minister in the bill that is before us today in relation to the role of dental therapists, and the opposition has an amendment in this House which will further enable that recommendation to be addressed in future. The next is:

Recommendation 4

That support be given to a national oral health training strategy for health workers and carers, specifically including those working in the fields of aged care and aboriginal health.

Of course, members will note that those were two of the areas that I mentioned last night as being in particular need of attention. The next is:

Recommendation 5

That the commonwealth assist the states and territories to establish, conduct and evaluate highly targeted pilot programs to address priority oral health needs of the following specific disadvantaged groups:

Preschool-aged children, 1 to 5 years; young adult health card holders, 18 to 25 years; aged adult health card holders, 65 plus years; the home-bound; rural and remote communities; and indigenous Australians.

The DEPUTY SPEAKER: Order! I apologise to the member for Elizabeth. There is far too much side chatter in the chamber at the present time. It is difficult to hear the member for Elizabeth.

Ms STEVENS: Thank you, sir. The next are:

Recommendation 6

That the commonwealth government adopt a leadership role in introducing a national oral health policy and give consideration to the possibility of using the national public health partnership as the vehicle for developing and implementing that policy in partnership with the states and territories.

Recommendation 7

That the national oral health policy include the setting of national oral health goals, the establishment of national standards for the provision of and access to oral health care and equality of services, the establishment of national strategies and priorities for oral health care reform with an emphasis on preventive dentistry, the setting of

minimum service targets and monitoring national oral health goals through the maintenance of a national data collection and evaluation centre, and undertaking research into current and projected needs.

Recommendation 8

That the commonwealth allocate resources for a national oral health survey to be conducted as a priority, and to establish data on the oral health status and oral health needs of the Australian community.

Recommendation 9

That the Commonwealth Department of Health and Family Services create a dedicated section or appoint an appropriately qualified senior officer with responsibility for oral health matters and that the necessary resources to fulfil the role and responsibilities of such an office be provided.

In relation to the national survey on oral health, I understand that the last national survey was in 1987-88, so a new survey is long overdue. There does need to be a national approach to this and to policy and planning in this area. I understand that there has been a commitment by state governments through AHMAC to spend \$200 000 nationally to develop a national oral health plan, including the financing of this plan, and the minister referred to this in his second reading explanation. I also understand that the federal Howard government to this date has not been interested in this proposal, and I would be interested to hear whether that is the case and whether the minister can confirm this and provide information to us on South Australia's own commitment.

Of course, the commitment of the federal government to dental health care has been appalling. Following the cancellation, virtually without notice, in 1996 of the commonwealth dental health scheme, that action by the commonwealth has precipitated considerable stress in the system for the states and has led to the enormous blow-out in waiting lists that I have referred to previously in my speech. So, the role of the federal government is very critical in terms of dental health care in providing national leadership and using its role to draw together all states and territories in order to have a national approach to policy, planning and service delivery. As I said just a moment ago, this has been sadly lacking during the years of the Howard government. In fact, we have gone backwards in this regard, and I suppose we will have to wait for a federal Labor government to once again take the initiative in this area.

I acknowledge that it was the federal government that cancelled the commonwealth dental health scheme, but this state government has only ever made a token response to the cutting of that program. We have had no ongoing plan to address properly the need that has been created. In fact, in June last year when the minister first announced his dental co-payments scheme he said that it would raise \$1.2 million, which would result in dentists in our public hospitals being able to treat an extra 4 000 people per year. Our estimation was, of course, that if 100 000 people were currently on the waiting lists it would take the minister's plan 25 years to clear the appalling waiting lists that exist now. The minister followed his \$1.2 million co-payment addition with further funding of \$3.2 million for public dental services. But, again, we are looking at 100 000 people.

These are only very small amounts of money to address an enormous problem, and we would still be way behind the eight ball in terms of addressing the current need. On that note, I would be very pleased if the minister would tell us the status of the current waiting lists and what impact his tiny initiatives have had on them. I certainly have had a great deal of difficulty in ascertaining that information. Waiting list data for public dental services seem to have gone to ground. I

would be very pleased if the minister would provide that information in his response.

I also mention that the minister has, on a number of occasions, referred to a review of dental services in South Australia. The minister referred in *Hansard* to a review of public dental services. Again, I believe that a review has occurred but we see neither hide nor hair of it. I refer to *Hansard* of 6 August 1998—over two years ago. I had directed a question to the Minister for Human Services in relation to the state of our dental health programs and, at that time, the waiting list was only 80 000. In answer to my question on Thursday 6 August, the minister said:

I assure the honourable member that we have a fundamental review of the whole dental service under way at present.

The minister's last comment was as follows:

When the review is completed and we have worked out exactly how we will achieve this increase in activity level, I will bring a report to the House.

Well, we are still waiting. It is now the end of February 2001 and the waiting list is in the vicinity of 100 000. We still do not know what the minister intends to do, what the review indicated and what the plans for the future are. I suppose that it is just another matter that has not been a priority for the current Liberal government.

Before I address the bill in detail, I would like to comment on the dental work force. Obviously, the quality of the dental work force in each of its categories is absolutely critical to the quality of care that is provided to the people. I pay a compliment to those professionals who work in a very professional way to deliver that care.

In thanking staff, I must say a particular thank you to my own dentist, Dr Jim Dundon at Parafield Gardens. I am a very reluctant attendee at dental surgeries because when I attended the dentist as a child we did not have such things as injections to dull the pain. We had full fillings removed without the benefit of an anaesthetic in the gum. I still carry that fear with me. However, Dr Dundon is an excellent dentist to me, and I am sure that there are many dentists like him—not only dentists but also therapists, hygienists and technicians—all the categories.

I note that this is the second bill dealing with a class of professionals following review of their legislation as a result of competition policy. The first was the Nurses Act, which came before the House about a year and a half ago. I have looked at the bill that is before us now and at the Nurses Act to see whether there is a flow through of consistency and approach across both pieces of legislation. I will ask some questions during committee and I will move some amendments to make the two pieces of legislation more consistent. I have a copy of the competition review panel's report of February 1999 in relation to the Dentists Act and I note that there were 33 recommendations. I would be pleased if the minister could refer to those 33 recommendations and explain the degree to which they have or have not been implemented.

I have said before and I say again now that the opposition largely supports the bill and recognises the efforts of the minister in achieving general satisfaction with the outcomes of consultation and drafting across the sector. We note and applaud the underpinning of the legislation with the theme of protection of the health and safety of the public, specifically through the functions of the board in several provisions, such as the medical fitness to practise provisions. That is as it should be.

We are pleased to see the expanded number of registers, with dental therapists, dental technicians and dental students included. In relation to dental therapists, we are pleased to note the removal of the restriction to practise in the private sector, which was suggested in recommendation No. 11 of the competition review. However, we have an amendment on file in relation to the provision in the bill that restricts dental therapists to working only with children. The opposition notes the competition review recommendation No. 12, which states:

The restriction preventing dental therapists from working on adults should be removed once competence to do so is able to be demonstrated. For this purpose, the board should report to the minister as to the training or other requirements that, in the board's opinion, are necessary to ensure such competence.

The opposition's amendment would still leave in the hands of the board registration authorising the therapist to provide dental treatment of a prescribed kind in prescribed circumstances. We believe that that is a much more appropriate way to structure our legislation for the future. It may still preclude working with children but, should change be required in the future, it would enable it to occur more easily. I will speak more about that in committee. More importantly, the current exclusion of everyone over 18 years is not appropriate for today when the scope of practice should be described in terms of competencies.

In relation to the training of dental therapists and dental hygienists, I understand that courses are offered at a number of universities. The Bachelor of Oral Health in Queensland, the Diploma of Oral Health in Victoria and a bachelor degree in Adelaide are coming online in 2002, and that will ensure a broader set of skills and more flexibility in the work force.

We need to pursue the issue of flexibility with the involvement of all stakeholders in the public interest in ensuring greatest possible access to quality dental care for the greatest number of people. I understand that through AHMAC (Australian Health Ministers Advisory Committee) a project has been set up to consider a different distribution of responsibilities within a dental team and that the first issue to be considered was the dimensions of dental therapists working with adults. Will the minister comment on that? I will refer further to this at the appropriate time in committee.

We are pleased to see the other categories in the bill and the various parts of the bill that apply to them we approve. I make particular mention of the clinical dental technicians, now called dental prosthetists. The opposition welcomes the creation of two categories—dental prosthetists and advanced dental prosthetists—in relation to the ability of advanced dental prosthetists to make and fit partial dentures. We have long supported this. Two private members' bills, with the view of achieving this, were put forward by the opposition in the last term of the current government. My colleagues, the member for Spence in this place and the Hon. Paul Holloway, both put forward private members' bills, and were unsuccessful at the time, to do exactly what the government is doing today. So we are pleased to see this.

I put on the record a letter I received from the Dental Technicians and Dental Prosthetists Society of South Australia Incorporated in which it states:

Just a few lines to clarify our view of the Dental Practice Bill 2000 now before parliament. The executive of our association feel that there are some things in the proposed legislation that might be improved upon. One issue of contention is the term 'advanced dental prosthetist'. If any amendments are to take place we would like to follow Victoria and simply categorise prosthetists with access to

partial denture patients as 'dental prosthetist with endorsement for partial dentures'.

After much consultation with our members, and since most stakeholders appear content to proceed with the present bill, we feel disinclined to meddle, preferring to see the speedy implementation of the agreed upon changes for the benefit of both the general public and the whole profession.

I will certainly raise this matter in committee and at least canvass the minister's view on their suggestion that is simply in relation to the name.

I will also raise the concerns of the ADA (Australian Dental Association) in relation to the matter of advanced dental prosthetists and partial dentures. There is a concern there in relation to quality of care, standards and public safety, but I will leave that and raise it at the appropriate time in committee. The opposition has put forward some amendments in relation to structure and membership of the board and the Dental Tribunal, which we hope the House will consider favourably. I will go into details in committee, but essentially the opposition firmly believes that consumers, ordinary people—people who are not members of the profession or legal practitioners who hold positions on the board by virtue of their professional qualifications—the other category on the board, is a very important category in terms of upholding the public interest and has a very important contribution to make to the deliberations of professional boards. That is the prime reason why we have increased the number of people in that category. As I said before, I will speak more about that at the appropriate stage in committee.

With those words, I conclude my second reading contribution. In summing up, I say that we generally support the bill. We believe that the amendments that we will be putting forward in the committee stage are appropriate and we hope that they will be supported by members.

The Hon. R.B. SUCH (Fisher): I want to comment on the fact that this bill will allow dental technicians to practise in a way that they should have been able to many years ago. For all his sins, Mr Kennett, when he was Premier of Victoria, made sure that dental technicians were able to practise, and I am delighted that in this bill, with appropriate safeguards in terms of training and health standards, they will finally be able to offer a service which has been sought by many members of the public for a long time. That is no reflection on dentists: I can understand dentists wanting to uphold the highest professional standard, but I think this bill is a reasonable compromise between their demands and the demands of the wider community. So I am delighted and pleased that this minister is about to deliver on that particular aspect, because it is something that I have been keen to see happen for a long time. With those brief words, I commend the bill to the House.

Ms THOMPSON (Reynell): I wish to support the remarks of the member for Elizabeth, who is leading support for this bill on the opposition side. I want to emphasise the need for this bill as setting a framework in which appropriate dental care can occur. I see in my office in the electorate of Reynell a number of people who are at the moment not able to access appropriate dental care. The distress that this causes them—the pain and the diminution of their daily living—is really something that we do not expect to exist in this modern, wealthy community in which we live. We know that, wealthy as we are as a nation, the wealth is not evenly shared and access to dental care is something that is not evenly shared in our community.

Growing up in a very poor household, I was subjected to teeth being removed rather than filled and as a result it has cost me many thousands of dollars to get that fixed up. You would think that it could not happen today. It happened 40 years ago when I was a child, but today we would not think that it could happen. Fortunately, we have the School Dental Service, which plays a major role in preventing that sort of barbaric practice from happening.

However, in relation to senior citizens, we do not have that service. The member for Elizabeth has indicated that there are probably about 100 000 citizens waiting for dental treatment. People who come into my office desperately need treatment and have often been on waiting lists for 18 months. I always feel a little uncomfortable when they insist on coming to see me rather than talking to me over the phone about their problem because they want to show me what a mess their mouths are in. Looking in messy mouths is not something that I find a particularly enjoyable task. But I find, listening to these people and their stories, how much the lack of dental care is affecting their lives.

In one case, I had a certificate from a general practitioner who said that the lack of dental care was affecting a constituent's general health. The GP had suggested that this person come to see me in an attempt to try to get something done about his dental care. In this case, I am pleased to say that the minister responded to my pleas and Mr B was given the dental care that he needed. However, he had been put through a pretty awful situation beforehand.

Constituents who see me have funny little stumps of teeth which, due to the minimalist treatment that is available from the dental service, are often filed so sharply that they cut into their gums. They wake up at night with their mouths bleeding from the way in which the pointy little stumps have cut into their gums. They are often reduced to eating baby food because they are unable to eat anything else. They find this humiliating; and it is bad for their physical health as well as their mental health. They are not able to go out in public and undertake the types of social activities to which they are accustomed.

One man I saw would always put his hand up in front of his mouth when he was speaking to me. His wife said that he had not been like this previously, that he had been a very outgoing person—in fact, the two of them run a stall at the Christies Beach community market—but that his activities in this way had been curtailed because he was so embarrassed by the sight of his teeth and by the foul odour which he knew emanated from his mouth. We would not expect that anyone would be living like this in South Australia today. And it is not just one person who has been to see me about these issues: it is several. When I am not able to fix up something locally, there is the pleading letter to the minister. I know the minister always tries to respond, but he has not always been able to provide the treatment that is required in the necessary time frame.

The whole issue of organising the dental work force in a way that can maximise the amount of treatment available, particularly to our older citizens, is something that we must treat with priority. Once we have the work force situation sorted out, we can start thinking about the resources that are required and the issue of the agreement (or the lack thereof) with the commonwealth and what the commonwealth has done to treat pensioners' dental care as one of the least of its priorities.

The other community group which concerns me is that of school leavers and young adolescents. They do not always

appreciate how important it is that they continue to use the dental services that have been available to them at school. At that age, they are busy trying to sort out their lives; their incomes are small; many of them are incurring HECS debts; and many of them must pay extraordinarily high TAFE fees these days. So, paying for private dental care is not very high on their agenda. They do not have any understanding of the impact that this is likely to have on their long-term dental health and, as we are seeing more and more, the connection between dental health and general health on their long-term health.

I am quite confident that we would have a lot of difficulty finding a person between the age of 18 and 24 who was able to tell us that their failure to attend a dentist on a regular basis was likely to result in their having heart problems in later life. If they did happen to know, I doubt that they would care because, as we know, people of that age regard themselves as invincible. In looking at a rearrangement of the dental work force, we must look at the sorts of dental services that should be provided to target school leavers, young adults. As they go from the training side and the low income time to developing a family, their priorities go to setting up their home and then to their children's health care.

Again, their health care is not a top priority in their budget. So it can be quite some time before people start to look seriously at their own dental care, and then it is in terms of critical treatment rather than preventative treatment. It is not an area that we have addressed in the public health context with any degree of dedication. We need to get the framework right in this area so that we can meet people's needs and see that we are not developing problems for ourselves and for our community in later years.

Dental care is a community priority. When I have been door knocking I have always been interested to have the issue of dental care raised with me as an area of need and, interestingly, not always by people who themselves are in that situation. They may have a relative or neighbour who is experiencing a problem with their teeth and is not able to get dental care. When community members encounter this problem they, like I, regard it as something that just should not be happening in this day and age. I am pleased to support the bill and the member for Elizabeth's amendments which will assist to put together for our community a really good framework for dental health.

Mr LEWIS (Hammond): I have no intention of seeing this second reading debate go beyond the dinner adjournment. I just want to say that I believe that the minister has shown a great deal of courage in bringing the legislative reforms to the House in the form in which this bill does it. The discretionary capacity which a number of people well trained in their respective skilled areas will have under the provisions of this legislation to practise more freely is an improvement on what has been the status quo to this time, and a more appropriate representative body to be appointed as a dental board of South Australia will, indeed, be an improvement. Other improvements might be made to that in due course.

The Hon. DEAN BROWN (Minister for Human Services): I thank members for their support for this bill. As the member for Hammond has said, this bill at long last tackles and resolves issues that this parliament has been debating for 30 years. If members look in *Hansard*, they will see issues involving where dentists and technicians should practise, and the extent to which some of those barriers

should be adjusted has been a perennial issue in this parliament and has never been effectively dealt with. Here we have a solution. I have broad agreement in principle from all the parties involved, so that, if this bill goes through, at long last that issue should be something in the past. I thank members for their contributions to this debate. A number of issues were raised, and I would like to go through and touch on those.

First, the member for Elizabeth raised the issue of fluoridation within South Australia. She asked me to outline to the House those areas of rural South Australia that do not get fluoridated water. The implication was that most of the country areas do not get fluoride in their drinking water. In fact, the vast majority of the population in rural parts of South Australia do get fluoride in their drinking water, because there are fluoridation plants at Whyalla, Port Pirie and Port Augusta.

They are also located in the country lands to the north of Adelaide such as Balaklava, Snowtown and Gawler, as well as Yorke Peninsula, the towns serviced by the Riverland plants, and the Torrens Valley system supplied to Mannum. In addition, I believe that all the Fleurieu Peninsula is now effectively covered where there is reticulated water, because that comes out of the Myponga system. Fluoridated water is not supplied to the Eyre Peninsula, the South-East or remote country sites such as Hawker, Wilmington, Orroroo, Quorn and Elliston. The Government has been progressively introducing fluoridation to South Australian water through SA Water, which operates water supplies in these areas where that fluoridation is being provided.

[Sitting suspended from 6 to 7.30 p.m.]

The Hon. DEAN BROWN: Immediately prior to the dinner break, I was talking about fluoridation of the water supply, particularly in country areas, and I was pointing out that 90 rural communities supplied with River Murray water are now receiving fluoridated water through the recently completed \$115 million rural water filtration program. I also point out that most underground water contains some fluoride, although generally it is not of a level adequate for the protection of teeth. Most toothpastes now contain fluoride, and in some locations it is advised that people take fluoride tablets if they do not have fluoridated water. However, for the vast majority of people in country areas of South Australia there is fluoridation of the water supply, and the program is continuing to expand.

The second issue, which was raised by the member for Elizabeth and, I think, the member for Reynell, concerns the South Australian Dental Service waiting lists. I was asked specifically about that matter. It is known that as at 1 July 2000 there were 98 000 names on the conservative waiting lists. I was asked what had happened to those waiting lists since then. Members of parliament will know that I introduced a number of measures as at 1 July, the first of which was the introduction of co-payments and the second the provision of some money that had been allocated by the Department Human Services on my instruction to provide treatment through private practitioners for people on the SADS waiting lists. The good news is that those waiting lists have dropped significantly. In fact, by the end of January they had dropped from 98 044 to 91 606.

Ms Stevens: Is that all?

The Hon. DEAN BROWN: In a seven-month period, that is a very significant start.

Ms Stevens: Only 91 000 to go.

The Hon. DEAN BROWN: It is a very significant start, and it is believed that it is now a further 2 000 to 3 000 below that again. Some of these schemes did not even operate until several months into the financial year. Therefore—

Ms Stevens: That indicates how big the problem is.

The Hon. DEAN BROWN: Well, if you look at it, that is a reduction of about 10 000 on the waiting lists.

Ms Stevens: There are 100 000 on the waiting lists.

The Hon. DEAN BROWN: Yes, but I can remember the honourable member saying that it would take 100 years to eliminate the waiting lists.

Ms Stevens interjecting:

The Hon. DEAN BROWN: She made statements publicly and everywhere else.

Ms Stevens interjecting:

The ACTING SPEAKER (Mr Venning): Order!

The Hon. DEAN BROWN: Well, we have reduced the waiting lists by 10 per cent in the first seven or eight months.

Ms Stevens interjecting:

The ACTING SPEAKER: Order! The member for Elizabeth is out of order.

The Hon. DEAN BROWN: Clearly, the forecast made by the honourable member is wrong and for the first time in a long time we have reversed the increase in the waiting lists. Not only have we reversed it but we have reduced it by 10 per cent in the first seven or eight months. Therefore, the measures that we have taken have been effective in reversing that trend and starting to have a significant impact on the waiting lists.

The third issue which the honourable member raised involves the work force. There is a fair bit of detail, and I will touch on some of it. A Victorian dental work force report was undertaken by the departmental Statistics Research Unit based at the University of Adelaide. The South Australian government is aware of the problems caused by dental work force shortages which it is anticipated could increase or get worse.

The honourable member quoted from a report that concluded that this would lead to reduced access to services. Late last year, at my instigation, the Australian health ministers council agreed to develop a national oral health policy, the first draft of which addresses the work force issues at some length. We see it as a national issue and I believe that the honourable member recognised that point.

Many of the possible solutions touched on by the honourable member are addressed in that strategy. In South Australia there are several promising developments, particularly in the efforts to increase the number of dentists in public and private practice. Adelaide University has an intake of approximately six overseas graduates each year, who come for a bridging program consisting of the fourth and fifth years of the Bachelor of Dental Surgery.

The university also conducts a one-year course preparing overseas graduates for the Australian Dental Council exam, which is a prerequisite for registration here in South Australia. Adelaide University is working closely with the South Australian Dental Service and TAFE to integrate the various arms of dental education, including those for people studying to be dentists, dental therapists, dental hygienists, dental technicians and dental assistants.

The high attrition rate from the parodontal professions is partly a function of poor articulation between the programs, which results in extremely limited flexibility in career paths. The proposed Bachelor of Oral Health course should result

in many more people who enter the profession finding themselves able to develop to a satisfactory career level in a growing industry.

In relation to dental services in rural and remote areas, the government has made extensive use of the private sector where we cannot get public dentists. We have also instigated significant financial incentives for those private dentists to work in rural areas. About 18 months ago I agreed that the rate paid to private dentists would be the same as that paid by the Department of Veterans Affairs.

We have also sought to make the best possible use of the excess capacity in the private sector, where we believe there is spare capacity or that the dentists are under-used. That is where we put the \$2 million and outsourced both emergency and waiting list clients from the South Australian Dental Service. That is one of the main reasons why we have suddenly been able to reverse the increase in the waiting lists and, at this stage, reduce the waiting lists by about 10 per cent; in other words, take about 10 000 people off those waiting lists.

As I said, in that area we are mindful of the work force issues. The other issue that the honourable member raised was that of a federal initiative. I took a paper to the commonwealth/state ministerial council which advocated that there should be a national perspective on oral health.

Ms Stevens: As there should be.

The Hon. DEAN BROWN: We prepared the paper here at my instigation and the other state health ministers have supported me very strongly in that, first, in the preparation of the paper and, secondly, in the fact that it has been tabled; and they have been very supportive of a range of the options that I have put down. As I said, South Australia's was the lead minister at the Australian Health Ministerial Advisory Council, that is, the public service group—the heads of the public service departments. They endorsed that paper and I took it to the ministerial council. It also included significant material regarding the financing of dental services.

Ms Stevens: What happened in relation to that?

The Hon. DEAN BROWN: That matter is still before the federal ministerial council. The honourable member asked what has happened with the dental review. In fact, a lot of the changes we have made that have now helped to reduce the waiting lists by 10 per cent have come out of that review and have been adopted, and I will touch on some of those. The review made a recommendation about co-payments, and we implemented that I think on 1 July. The use of private dentists was another recommendation. That took a few months longer, but we have sorted it out; it is working and has been very effective indeed.

Another recommendation was that a feasibility study should be carried out in relation to an Australian centre for oral health. That feasibility study is still under way, and people from the university, TAFE and the South Australian Dental Service are involved in that.

I have talked about the recommendation in the report that we have an oral health promotion task force of the national public health partnership. South Australia has taken that up and we lead in that. Also, the Dental Advisory Committee, which has now been renamed the Oral Health Advisory Committee, was established. That includes membership of the South Australian Dental Board, the South Australian Dental Association, the South Australian Dental Service, the University of Adelaide and TAFE. That shows that the review of dental services has been very effective, and many of the recommendations have been acted upon.

Ms Stevens: Will you be tabling the report?

The Hon. DEAN BROWN: I will look at that. They are the main issues that were raised during the second reading debate. Because members have raised a number of other minor points, I will look at the *Hansard* pulls and pick up other points that I have not had a chance to answer here.

I thank members for their support for this bill; it is a significant step forward. For 30 years the role within the oral health area of a number of different professional groups has been an unresolved issue, and this measure brings it together for the first time. It allows coordination in planning among a number of different groups, including the therapists, hygienists, assistants, technicians, dentists and prosthetists. We are dealing with a lot of different groups here, and now we have one board that covers the lot. That is the most commonsense approach.

I take this opportunity to thank my staff, the departmental staff and the staff of the dental board, who have worked very hard over a long period. I thank those who carried out the competition review and the members of the different professional groups, because they have been very constructive in working with us on this, which in the past has been very destructive. More than two years of work has gone into bringing all this together. Much recognition and credit must be given to a number of key people who have put a lot of effort, energy and commitment into achieving this agreement.

I would like to thank those professional groups who at the end of the day saw that the bigger picture was what we were driving to achieve through this bill and who were therefore willing to set aside individual points on some of which they might have had pretty strong views but on which they were willing to compromise to make sure there was final agreement.

That raises the next point. I know that there are some amendments on file, but I point out to the House that over many months the parties have been working through what was proposed. In respect of membership of the Dental Board and a range of other matters, they have agreed that a balance has finally been negotiated. When considering any amendments, I have to take into account that balance to which all the professional groups have agreed. As a result of that, where we have a level of goodwill and support to ensure that this bill works, I think it is very important to put behind us the 30 years of antagonism that has been going on in the profession.

If we can maintain that balance, I think the results will be a significant step forward in terms of dental treatment provided in South Australia. I think it puts us in a position where other states will be envious of the sort of level of cooperation we have been able to achieve. I ask members to bear that fact in mind, because any change of any substance will be a change that has not been negotiated with the professional groups, a change that alters the balance and, therefore, potentially, brings undone all the good work we have set out to achieve. I urge members to support the bill as it goes through the committee stage.

Bill read a second time.

In committee.

Clause 1.

Ms STEVENS: I will ask the minister a question about the structure of this act as it may relate to the Nurses Act, but before I do that I want to say something about the minister's comment in relation to dental waiting lists. The minister is fond of telling other people that they have got it wrong and he did so in terms of my forecast—

The ACTING CHAIRMAN (Mr Venning): It is not appropriate. We are considering the short title at the moment.

Ms STEVENS: I am leading to a question on the short title.

The ACTING CHAIRMAN: Can you ask the question please?

Ms STEVENS: Can I finish my preface to the question?

The ACTING CHAIRMAN: As long as it is relevant.

Ms STEVENS: It is relevant, sir. My forecast was based on the minister's wrong forecast that the \$1.2 million co-payment system would result in dentists being able to treat an extra 4 000 people a year. That is what the minister said. That is what my forecast was based on, so the minister's forecast was actually wrong. However, I am pleased that the minister has done better than he thought.

The ACTING CHAIRMAN: Order! We must deal with the short title before we go any further.

Ms STEVENS: Yes, sir. In my second reading speech I asked the minister a question—to which he did not respond in his reply to the debate—about how this bill bears any consistency in structure and approach to the Nurses Act, which was the first measure to come through after the competition review of professions.

The Hon. DEAN BROWN: Firstly, I point out that we are going through all the health professional acts and I guess that, as we go, we are picking up more and more points and taking a more sophisticated approach with each one. The next one, I can assure the member, is the Medical Practitioners Act, and we have developed more and more ideas in terms of that as well. The approach here is similar to that with respect to the nurses. It is not identical to the nurses one but it is certainly similar, and we have picked up here under the Dental Act many of the approaches that we took in the Nurses Act.

Clause passed.

Clause 2 passed.

Clause 3.

Ms STEVENS: Under the definition of dental practitioner in subclause 1(d), 'a registered advanced dental prosthetist', the minister might recall that in a second reading speech I raised an issue that was raised with me by the dental prosthetists, who argued that their preference for their title was 'dental prosthetist with endorsement for partial dentures' rather than 'advanced dental prosthetist', à la Victoria. Can the minister comment on their request?

The Hon. DEAN BROWN: You have prosthetists, and you have those who are endorsed to do certain work and those who are not endorsed. Instead of the public coming along and asking, 'Are you endorsed or are you not endorsed?' we have said, 'You are a prosthetist—and are you an advanced one which allows you to do more work?' We think that that is a more professional approach than asking, 'Are you an endorsed one or are you not an endorsed one?' We did consult on this, and I think that there was wide acceptance of the fact within the profession. There was a view within the general profession that it was best to deal with the advanced dental prosthetists rather than to just say 'endorsed' or 'not endorsed'.

Ms STEVENS: Under the definition of 'dental treatment' you have three categories, (a), (b) and (c), but then you have the remainder of a sentence, 'but does not include any treatment excluded from this definition by the regulations'. Can the minister explain what this would be?

The Hon. DEAN BROWN: You are dealing with pretty complex areas here—and, in fact, there may be technical

advances, and you may at some stage want to do something by regulation to tidy up an area where there may be an inconsistency or where, because of change in technology, you had not clarified that area.

Ms STEVENS: Are any such treatments presently excluded from this definition by the regulations?

The Hon. DEAN BROWN: No.

The ACTING CHAIRMAN: Does the member wish to move her amendment, because she has asked three questions? Only three questions are allowed for each clause, so I suggest that the member move her amendment.

Ms STEVENS: The problem is that it is a very long clause with a lot of different issues.

The ACTING CHAIRMAN: The member can explain her amendment.

Ms STEVENS: I move:

Page 7, after line 6—Insert as follows:
and includes a person who is a putative spouse in accordance with subsection (1a);

The intent of my amendment is to extend the definition of 'putative spouse' to include couples of the same sex.

The Hon. DEAN BROWN: This involves the broader issue of principle and the government does not support it. I know that it is something that has been discussed, but there are wider ramifications and until they are dealt with the government is not willing to support it; at this stage, it is counter to government policy in other areas as well as in this instance.

Ms STEVENS: What are the wider implications just mentioned by the minister?

The Hon. DEAN BROWN: If something like this is adopted in relation to 'putative spouse' we need to look at having consistency across all areas of legislation, so it has wider implications.

The committee divided on the amendment:

AYES (19)

Atkinson, M. J.	Breuer, L. R.
Ciccarello, V.	Clarke, R. D.
Conlon, P. F.	De Laine, M. R.
Foley, K. O.	Geraghty, R. K.
Hanna, K.	Hill, J. D.
Hurley, A. K.	Key, S. W.
Koutsantonis, T.	Rankine, J. M.
Snelling, J. J.	Stevens, L. (teller)
Thompson, M. G.	White, P. L.
Wright, M. J.	

NOES (22)

Armitage, M. H.	Brindal, M. K.
Brokenshire, R. L.	Brown, D. C. (teller)
Buckby, M. R.	Condous, S. G.
Evans, I. F.	Gunn, G. M.
Hall, J. L.	Hamilton-Smith, M. L.
Ingerson, G. A.	Kerin, R. G.
Kotz, D. C.	Lewis, I. P.
Matthew, W. A.	Maywald, K. A.
McEwen, R. J.	Meier, E. J.
Penfold, E. M.	Scalzi, G.
Venning, I. H.	Williams, M. R.

PAIR(S)

Rann, M. D.	Olsen, J. W.
Bedford, F. E.	Oswald, J. K. G.

Majority of 3 for the Noes.

Amendment thus negated; clause passed.

Clauses 4 and 5 passed.

Clause 6.

Ms STEVENS: I move:

Page 9, line 19—Leave out '6' and insert '5'.

This amendment relates to the membership of the Dental Board. I acknowledge that the minister's bill is a tremendous improvement on what currently appears in the Dentists Act. In the act, the total number of people on the board is eight, and six of those eight members are dentists. There is one legal practitioner and one person acts in the interests of people receiving treatment. It is an incredibly lopsided arrangement.

In keeping with the broadening of this legislation, it is pleasing to see that the board's membership in terms of practitioners is greatly increased, so that we have not only dentists but one representative of each of the other groups of practitioners. A legal practitioner remains a member of the board. Instead of there being one person who represents the interests of those receiving treatment, to use the old wording, the minister has included two people, and they are defined as two people nominated by the minister to represent the interests of consumers of dental treatment.

The opposition seeks to amend this clause because we believe that the number of consumer representatives, which is currently two out of 13, should be increased by one to three. In the Nurses Act, which is the other legislation of a professional group that has been reviewed, the total number of representatives on the board is 11, and three of those 11 members come from categories of people who are not eligible for appointment in nurse practitioner categories. The new Nurses Act has three out of 11 representatives in the 'other' category, but this bill provides for only two of a total of 13 representatives on the Dental Board.

Our amendment increases the category (d) representation from two to three, so it means that there will be three board members who are not dental practitioners. Instead of the wording that the minister has drafted, that they must be persons nominated by the minister to represent the interests of consumers of dental treatment, my wording provides:

(d) 3 (not being dental practitioners) must be persons nominated by the minister who are not eligible for appointment under a preceding paragraph.

I have talked about the number three rather than two in terms of increasing the representation on the board. This is a very important issue in this day and age. I think that all boards must have appropriate professional representation but, equally, they must be open to the public and they must allow a wide cross-section of interests, attitudes and skills to be brought to bear on the business of the board in the public interest. It is very important for the Labor Party to ensure that that occurs. We will be pressing for this sort of amendment in all the legislation that comes before us, because we believe that the public has a right to representation in reasonable proportion on a registration board. That is dealing with the number aspect of my amendment. In terms of the other wording.

I was quite amused to see the minister's wording in this bill because I recall clearly that when we debated the Nurses Bill I put up an amendment that was the same as the minister's current wording and the minister disagreed with it on the grounds that, when you had that sort of wording, you got yourself involved with people who felt that they needed to represent various groups of consumers. He made the point, which I accepted when we debated the Nurses Bill, that the important thing was that you extended the membership of the board and the people you got on to the board simply needed

to be not of the previous categories of professionals but individuals who would come on to the board using their own skills, experience and expertise and who would be able to use those skills as an individual on the board to progress the matters before it.

I was rather surprised to see that the minister had returned to the wording with which he had disagreed in the previous bill. I would have thought that, on the grounds of consistency, we would have stuck to the same meaning. I cannot see why there would be any difference between the role of this sort of category from the Nurses Board to the Dental Board.

Finally, in order to keep the total number of the board at 13, with an increase in category D from two to three, I have decreased category A, which is the number of registered dentists, from six to five, and I have also decreased the number in 6(1)(a)(i), which is the number of registered dentists nominated by the minister, from three to two. The minister has been very careful to point out on a number of occasions that there has been extensive consultation, that this was a package deal accepted across the profession and that he was unwilling to upset it in any way. What I am suggesting is a small alteration in terms of the number of dentists—a reduction of one sixth—but for the number of consumers, which is a much smaller group, it is a significant increase and takes into consideration our understanding of the importance of people who are not part of the profession having a particular role to play on the board.

I must add that even with my changes the total number of practitioners on the board is still nine out of 13. On balance they are still well represented and the other category, the consumer type category, is better represented. Finally, I refer to part 5 of the bill, the investigations and proceedings section, and I note in clause 59, for example, that when the board is undergoing these proceedings it works with five or more members present. When you have greater numbers in each of the categories who will be called upon to meet in all circumstances when the board is doing its businesses, if you have a category of three rather than two you reduce the burden on those people in the small category because the consumer category must be present each time the board meets. However, for instance, some of the practitioners must be present only if a like practitioner is before the board. So, for all those reasons, I have moved the amendments standing in my name and ask for the committee's support.

The Hon. DEAN BROWN: A couple of points are involved here. First, let us look at where we have come from. We have a board at present with six of the eight being, in fact, dentists, with one lawyer and one consumer. Under this proposal, we will go from 75 per cent of the vote from the dental profession to six out of 13, so it will be less than half. That is a very significant shift indeed—from 75 per cent to less than 50 per cent in terms of representation by dentists on the board. Secondly, we have doubled from one to two the number of consumers on the board. I think no-one would argue that that, therefore, is a very significant departure from where we are: it is representing the interests of other groups. For the first time, we have recognised other people such as registered dental prosthetists, registered dental hygienists, registered dental therapists and registered dental technicians.

The other point is that the board composition was very crucial, because this is all about balance—particularly as, in fact, clearly the biggest single group that we are dealing with is the dentists themselves. They have an overwhelming number of people being represented in terms of the professional group. I have negotiated this with them and with all the

other parties. It has taken about 12 months to do it after 30 years of not being able to do it. I argue very strongly indeed that we have reached a balance which gives double the representation for consumers. In fact, it is fair to say that the lawyer is a consumer as well. However, we have specifically doubled representation for the consumers and we have taken the dentists from 75 per cent of the membership down to below 50 per cent.

In the same way as nurses argued vehemently in terms of their representation on the Nurses Board, and parliament spent some considerable time debating the issue, we finally settled on the fact that a nurse practitioner had to be the chair. In fact, dentists are not in as good a position as the nurses. So, if the honourable member wants to be absolutely consistent, she would be going the other way and putting more dental representation on this board than there is currently, but there is no consistency there.

So, I argue, for all the reasons I have stated, that the composition of the board is a very crucial part of that, and the dentists have agreed and the others have agreed in terms of the composition I put up and negotiated with them over that 12 month period. I therefore reject the amendments.

Ms STEVENS: The minister said that this was all about balance and that the biggest single group is the dentists. I would say that the biggest single group is the consumers, the people of South Australia, who are not in any of these categories. I still say that we need to ensure that there is a balance, and I believe that the balance is still achieved. I add, too, that the minister has almost a slight defensiveness about this. No-one is doubting his efforts and the work he has done to change things. That is not to say that we cannot go a little further in the public interest.

Mr McEWEN: I am somewhat attracted to the amendment and I read it a little differently from the minister, in that I still see nine professionals in the area out of the 13 on the board and the tenth being a lawyer. Again, I do not think we have taken the professional representation from 75 per cent to less than 50 per cent. Yes, we have broadened the professional representation, and so we should. We are now encapsulating an allied profession, if you like. I am attracted to the idea that we redress what I do see as an imbalance and that we simply add one more consumer representative and reduce the number of dentists to five, keeping in mind that that still gives us nine practitioners in the field. However, will the minister explain to me what is meant by 'a suitable person' in subclause (4)? Does it have to be a like person?

The Hon. DEAN BROWN: Subclause (4) provides:

The Governor may appoint a suitable person to be a deputy of a member and a person so appointed may act as a member of the board in the absence of the member.

We have this delicate balance, and the last thing I wanted to do was to throw out all that delicate balance simply because someone has, say, the flu or, for a legitimate reason, cannot attend a board meeting. In some of these areas you only have one representative from that area, for instance, a dental technician. Something may come up at the board meeting concerning dental technicians and, if the dental technician cannot attend a board meeting, they should be allowed to have a deputy attend.

We are doing that to maintain the balance so that any professional group cannot claim that, because their person could not get there, they could not be represented on issues dealt with by the board on that day. That more than ever highlights this point I have been making: it is all about a delicate balance. I stress the fact that all these parties have

agreed to this balance we have put down. It was probably one of the most fundamental issues in the whole thing. They have all agreed and, if members vary that, then I think the parties have every right to be somewhat disturbed about the fact that this has been varied without their consultation. They have written letters to me supporting, in principle, this bill, but that is based on the way the bill is presented, and this is one of the fundamental aspects of the bill as presented.

Mr McEWEN: I do not think the wording captures quite what the minister is describing; actually, it is much looser, because it does not say 'the Governor may appoint a like delegate' to maintain this delicate balance. It actually says 'a suitable person' which, to my mind, is far broader. If the minister wants to stick to exactly what he is trying to achieve he needs to consider that 'a like delegate' rather than 'a suitable person' is more consistent with his argument than mine. I do not have as much difficulty with it as the minister seems to have.

On the more fundamental issue of the balance, there is an opportunity for everybody to revisit this, and we would hope that the stepping off point was something that we thought was close to ideal rather than something which had been negotiated to this point. The great thing about this parliamentary process is that the legislation can go to another place which provides the opportunity for further consultation if so needed. I would always prefer to step off with what we think is an ideal resolution and not necessarily the best possible compromise that has been achieved at the time, noting that we may find ourselves reverting to that. But we should at least step off with something that is closer to the ideal. The ideal to my mind is the balance that the shadow minister is proposing. However, I also do not believe that the minister's intention in relation to keeping it tight is captured, although I am not suggesting that I would be proposing any amendment to tighten it up. That is the minister's prerogative not mine.

The Hon. DEAN BROWN: Under clause 4, I can now see the point that the member for Gordon is making. I am happy for an amendment to be drafted between the lower house and another place to tighten it up to the point where it reflects the same professional group such that the deputy would be from the same professional group as the principal member. That was implied, and I will ask the draftsman to look at making sure that without any doubt if the member was a dental technician the deputy would be a dental technician. Likewise, if they were a dental therapist, dentist, dental hygienist or dental prosthetist equally so would be the deputy, and equally with the lawyer. So there would be a deputy for each of the members who were on the board, except for the chair, of course. So the chair would be a dentist, and the deputy chair would have to be a dentist, as well. I will get an amendment drafted so that that is perfectly clear. That is what was intended at any rate, because that is part of this delicate balance. One of the issues they raised was that very point, that if they could not get there, they wanted to make sure that someone else represented that professional group within the dental area who would maintain that balance. That is all the more reason to highlight the point of delicate balance and the fact that we have negotiated here with all the parties involved. We have negotiated this with about five or six different parties.

Mr McEWEN: I am offering the minister an acceptable trade-off by indicating that I am happy to support an amendment that adds three instead of two, and drops the number of dentists from six to five. The trade off is that I am then supporting the minister who now tightens up the 'suitable

person' to make sure that there is always the new balance on the board.

Ms STEVENS: That is a good point raised by the member for Gordon. It is interesting to note that the minister's bill did not reflect the intention of the fine balance that he had been able to achieve. It is good that it will be achieved in the upper house. The minister mentioned that what he had come up with had been the result of wide consultation of all parties. What consultation has the minister done with the consumer movement in relation to its representation on the board? Even though the minister has addressed the issue of the numbers, he certainly did not address the issue of the terminology. Is the minister now reverting back to a position that he disagreed with in the last bill? That is fine, but it would be interesting to know whether that is the case.

The Hon. DEAN BROWN: There was a lot of comment on this, including a lot of public comment from broad community groups. I cannot stand here and name all of those groups, but I know that consumer groups were consulted as part of the whole process.

The committee divided on the amendment:

AYES (22)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Ciccarello, V.
Clarke, R. D.	Conlon, P. F.
De Laine, M. R.	Foley, K. O.
Geraghty, R. K.	Hanna, K.
Hill, J. D.	Hurley, A. K.
Key, S. W.	Koutsantonis, T.
Maywald, K. A.	McEwen, R. J.
Rankine, J. M.	Snelling, J. J.
Stevens, L. (teller)	Thompson, M. G.
White, P. L.	Wright, M. J.

NOES (21)

Armitage, M. H.	Brindal, M. K.
Brokenshire, R. L.	Brown, D. C. (teller)
Buckby, M. R.	Condous, S. G.
Evans, I. F.	Gunn, G. M.
Hall, J. L.	Hamilton-Smith, M. L.
Ingerson, G. A.	Kerin, R. G.
Kotz, D. C.	Lewis, I. P.
Matthew, W. A.	Meier, E. J.
Oswald, J. K. G.	Penfold, E. M.
Scalzi, G.	Venning, I. H.
Williams, M. R.	

PAIR(S)

Rann, M. D.	Olsen, J. W.
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Majority of 1 for the ayes; amendment thus carried.

Mr LEWIS: May I ask the result of the division? I did not hear what you said, sir.

The CHAIRMAN: I said it as loudly as I could. It was 22 ayes and 21 noes, so the question passed in the affirmative.

Mr LEWIS: Did you vote, Mr Chairman?

The CHAIRMAN: No.

Mr LEWIS: What would have happened, on a point of order, had you voted?

The CHAIRMAN: It is not the prerogative of the chair to vote.

Ms STEVENS: I move:

Page 9, line 20—Leave out '3' and insert '2'.

Amendment carried.

Ms STEVENS: I move:

Page 10, lines 1 and 2—Leave out paragraph (d) and insert:

(d) 3 (not being dental practitioners) must be persons nominated by the minister who are not eligible for appointment under a preceding paragraph.

Amendment carried; clause as amended passed.

Clauses 7 to 9 passed.

Clause 10.

Ms STEVENS: What, if any, are the current levels of remuneration, allowances and expenses?

The Hon. DEAN BROWN: These are set by the Commissioner for Public Employment. I do not know what the present remuneration is. There is a scale depending on the nature of the board and so on, and I think you will find them all in the *Government Gazette*. They are formally gazetted, so those amounts are available. I will try to get the figure for the honourable member, but I cannot tell her now.

Ms STEVENS: I am happy to receive them from the minister in the near future.

Clause passed.

Clauses 11 and 12 passed.

Clause 13.

Ms STEVENS: I move:

Page 11, after line 19—Insert new paragraph as follows:

(aa) to regulate the practice of dentistry in the public interest.

I am suggesting that this new paragraph relate to the very first function of the board. I note the functions that the minister has listed, and they are fine, but I believe it is very important to state right up front that we regulate this practice in the public interest. I do that noting the wording in clause 13(2), and because it is also the wording in the Nurses Act. I believe it is very important to put that issue right up front.

The Hon. DEAN BROWN: As I have no difficulty with that, I accept the amendment.

Amendment carried.

Ms STEVENS: I move:

Page 11, after line 28—Insert new paragraph as follows:

(ea) to provide advice to the minister as to the making of regulations for the purposes of section 31; and

Section 31 of the act deals with the authority conferred by registration on a register. I have on file an amendment to section 31, which requires my moving to insert this function in clause 13.

The CHAIRMAN: The member for Elizabeth could speak to the principles involved.

The Hon. DEAN BROWN: I am going to accept this amendment. We would normally seek the advice of the board when making regulations.

Amendment carried.

Ms STEVENS: I move:

Page 11, line 29—After 'provide' insert:
such other.

This follows on from the previous amendment. This amendment inserts the words 'such other' because we have a further part to the functions of the board, that is, 'to provide advice'. It now reads 'to provide such other advice'. It is consequential on the previous amendment.

The Hon. DEAN BROWN: I will accept the amendment.

Amendment carried; clause as amended passed.

Clauses 14 to 17 passed.

Clause 18.

Ms STEVENS: Clause 18(3)(c) provides that:

[a person] who misbehaves before the Board, wilfully insults the board or one or more of the members in the exercise of the member's official duties, or interrupts the proceedings of the board;. . . is guilty of an offence.

How often does this happen?

The Hon. DEAN BROWN: Not very often, but I know there was an incident with a board where it was reported and action was taken.

Clause 18 passed.

Clauses 19 to 24 passed.

Clause 25.

Ms STEVENS: I move:

Page 17—

Line 6—Leave out '10' and insert:

11.

Lines 19 and 20—Leave out paragraph (c) and insert:

(c) 3 (not being dental practitioners) must be persons nominated by the minister who are not eligible for appointment under the preceding paragraph.

These amendments are in relation to the composition of the Dental Professional Conduct Tribunal. The tribunal has a very important, critical role in the tasks that it undertakes. My amendment increases the number of people who are members of the tribunal from 10 to 11 in total; it also changes the number in clause 25(1)(c) from two to three; and the wording changes to reflect similar wording in the amendments moved in relation to the composition of the board so that clause 25(1) provides:

(c) 3 (not being dental practitioners) must be persons nominated by the minister who are not eligible for appointment under the preceding paragraph.

The reason why I am doing this is that I note that when the Dental Professional Conduct Tribunal does its work it is constituted of four people: one is the presiding member, one is a registered dentist—

The Hon. Dean Brown interjecting:

Ms STEVENS: The minister gives up, so I will give up as well. I will not go any further. The minister has indicated that he will accept the amendment, so I will stop my explanation.

The Hon. DEAN BROWN: I have no difficulty at all in making three consumer representatives available for the tribunal; that is fine with me.

Amendments carried.

Ms STEVENS: I move:

Page 17, lines 19 and 20—Leave out paragraph (c) and insert:

(c) 3 (not being dental practitioners) must be persons nominated by the minister who are not eligible for appointment under a preceding paragraph.

Amendment carried; clause as amended passed.

Clauses 26 to 30 passed.

Clause 31.

The Hon. DEAN BROWN: I move:

Page 21, after line 13—Insert:

and the manufacture of dental prostheses

This was an oversight in the drafting, as can be clearly seen. We want to make sure that the manufacturer of the prosthesis is also included.

Ms STEVENS: The opposition supports the government's amendment.

Amendment carried.

The Hon. DEAN BROWN: I move:

Page 21, after line 19—Insert:

and the manufacture of dental prostheses

Amendment carried.

Ms STEVENS: I move:

Page 21, line 23—Leave out 'to children'.

This amendment refers to the work of dental therapists. The opposition argues that the scope of practice of any dental practitioner should be in the province of the Dental Board. First, we believe that it is better practice: in other words, on the basis of an age rather than on the basis of competency to do a particular task is a much more accurate way to describe someone's scope of work. Secondly, we believe that this should be the province of the board.

I refer to the competition review, the report of the review panel dated February 1999. Recommendation 12 states as follows:

The restriction preventing dental therapists from working on adults should be removed once competence to do so is able to be demonstrated. For this purpose the board should report to the minister as to the training or other requirements that in the board's opinion is necessary to ensure such competence.

With this clause, the minister has gone some way to changing the scope of practice for dental therapists. As members probably know, dental therapists are presently restricted to working in the public sector, and with children. The minister has removed the restrictions and has broadened the ability of dental therapists to work in a wider sector but he has persisted in restricting their work to children. We do not believe that is appropriate: the scope of practice should be the province of the board.

The South Australian Dental Therapists Association is not happy with the current bill, and it has sent me a copy of a letter that it forwarded to the minister on 4 July 2000 in which it refers to the recommendations flowing from the review of the legislation under the national competition policy, to which it added the following comments:

The underlying concept of testing the viability of an expanded role for an appropriately trained dental auxiliary has been widely discussed in international and national forums over many years. However, attempts to vigorously explore this area have been suppressed. Therefore, a full examination has never been undertaken.

The letter continues:

We request you give further consideration to this matter and draw your attention to the following:

- Dental auxiliaries and in particular dental therapists have demonstrated competency over many years in providing quality services within their scope of practice to the community.
- The spiralling cost of health care delivery and predicted increase in demand for dental services should require that all opportunities which have the potential to address these concerns receive due consideration.
- We acknowledge an alternative concept to that which has traditionally been in place is likely to attract some opposition; however, as we live in a contemporary environment, traditionalism and vested interest should not dictate the future.

Finally they say:

- To address some anomalies which currently exist in the dental health status for socially disadvantaged groups, it is imperative innovative concepts are able to be fully explored and not stifled because they may challenge the established framework.

I think that they are interesting points that the Dental Therapists Association has made. I would also mention the situation that I understand exists in some other states in Australia—and I point out that I did follow this up with my colleagues in Tasmania, Victoria and Queensland. In Victoria the Dental Practice Act 1999 was passed by the previous Coalition government with bipartisan support, and implemented by the current Labor government. Under the new act there is no restriction on dental therapists working in the private sector. The new act contains no reference to the duties of dental therapists, or any restriction to the age range they may treat.

The previous act restricted them to the public sector and to pre-school age children, that is, they did not have to be at pre-school, and school children at school but under 18 years. Under the new act the details of the duties of all registered dental providers are left to the Dental Practice Board to control through codes of practice developed to reflect the training of a dental provider. This approach was adopted—and this is really important, I believe—to allow flexibility for the tertiary education authorities and the dental profession through the Dental Practice Board to change duties, etc., to reflect changes in dental practice training and materials without recourse to parliament.

The newly appointed Dental Practice Board had to have codes of practice for all providers and so they enacted temporary codes while they developed more considered ones. These temporary codes of practice for all groups simply maintained nearly all previous restrictions, including the restriction of therapists to pre-school age children, that is, they did not have to be at pre-school, and school children, that is, at school and under 18 years. The restriction to the public sector was not included because the government had been so specific about its intention on that point. I understand that the Victorian Dental Practice Board has just begun to consider new codes of practice for all groups that reflect the full intention of the act.

The comment that was made for me in relation to this matter was that it is clear that dental therapists have high levels of skills in the elements of diagnosis, treatment, planning and the provision of preventative and restorative dental care. This raises the potential to allow them to apply these skills to other age groups. This would certainly have the potential to reduce the cost of private dental care and then the public sector contribute to the reduction in dental waiting lists. Clearly, there is no logical reason why a dental therapist who can provide a dental check-up and a filling for a 17 year old cannot do so for an 18 year old, or even a 42 year old.

However, some may argue that dental therapists would need additional training to provide care for older patients. The Victorian act allows the Dental Practice Board to make judgments about the training of the dental provider and develop codes of practice to reflect that training. The board may decide that a dental therapist's current training already would allow them to treat adults within their competencies. Alternatively, the dental therapy course may have to be modified to enable them to satisfy the board that they have these competencies. In either case there would be no need to have the act or regulations changed as this would be achieved flexibly by codes of practice. This approach involved the dental professions and the training institutions in controlling dental practice in a way that ensures public safety and maximising flexibility so that dental care is accessible.

From my inquiries, I understand that the Queensland government is about to proceed with legislation that follows the Victorian model, and I have found that in Tasmania they are about to undertake a pilot, a trial, in relation to extending the practice of dental therapists to adults in some categories. I am aware that some groups, for instance, the Australian Dental Association, are very concerned about this. All my amendment does is remove from the legislation the restriction of working with children. In my view and in the opposition's view it is more appropriate that the scope of practice of a particular profession is better handled by the Dental Practice Board, and this will give flexibility for any future changes that may occur without the need to refer back to the parliament. It allows that flexibility and, on the other hand,

it still protects the public interest because the Dental Board will need, obviously, to be examining the issues of training, competency, safety and all of those issues that it would normally look at in terms of practitioners to ensure that, if any changes are made, the public interest could be guaranteed.

The Hon. DEAN BROWN: I oppose this amendment. First, we ought to be clear about what the other states do. No other state allows a dental therapist to operate on an adult at this stage. Let us be clear about that. The honourable member said that this does not preclude them on age. That is true, but it does say that they must be at school. There would be virtually no students at school over 18 years of age.

Ms Stevens: What about re-entry students? I was the principal of a re-entry school.

The Hon. DEAN BROWN: There are very few students at school over 18 years of age. I am not saying that you would not find some, but there would be very few. To imply that in Victoria they are allowed to operate on patients of any age is wrong. They are allowed to operate only on school students. In Tasmania, it has not yet been implemented and it is only a pilot trial. It can be implemented only under the supervision of a dentist, and the dentist must be on site to tell the therapist what to do, how to do it and supervise the treatment as it is done. I read to the committee what the Australian Dental Association, South Australian Branch, had to say on this, as follows:

The Australian Dental Association (SA) believes that there may be a proposal to delete the word 'child' from the description of the authority bestowed by the registration of the dental therapists which prescribes the kind of treatment that may be provided by them in the bill. As you are aware from previous submissions, the Australian Dental Association (SA) is totally opposed to the concept of allowing school dental therapists to treat adults.

The Australian Dental Association (SA) position can be summarised as follows. School dental therapists are only trained to treat schoolchildren. Adult dental problems are much more complex than those encountered in schoolchildren. An extensive retraining program would be needed before therapists could treat adults. The cost of this retraining and the associated wage increases would make the employment of therapists in the public sector much more expensive. Allowing under-trained therapists to treat adults would result in a two-tiered system of dental care where the disadvantaged only have access to a lower tier. Consequently the Australian Dental Association (SA) would vehemently oppose consideration of such an amendment.

The Australian Dental Association (SA) believes that you have understood our previous representation on this matter. However, the Australian Dental Association would be keen for you to stress the importance of this issue to your Liberal Party colleagues. A change of this nature would significantly alter the description of the duties of the school dental therapists and would alter the intent of the bill itself. There is no evidence that this would be in the public interest.

The letter is signed by Mr David Miles, President of the Australian Dental Association (SA).

I have sought advice outside of the Australian Dental Association, and the advice that has been given to me is that a therapist's training is suitable for them to work only on children. The other point that I make is that the honourable member mentioned a pilot study in Tasmania, but in Tasmania that would be allowed only in the public sector, not in the private sector.

I am opposed to this amendment. All the professional advice that has been given to me is opposed to it, and that professional advice is from both the Australian Dental Association and other professionals in the broad area of oral hygiene. I stress the point that this is a fundamental issue as far as the government is concerned, and we will oppose it strongly.

Ms STEVENS: The minister implied that I had not accurately portrayed the situation in other states. I wish to correct that. I did accurately portray it and said what the minister said. I quoted from the advice I received from the Victorian government in relation to its position, exactly as they gave it to me, and also that of the Queensland government and the Minister for Health in Tasmania. There was no inaccuracy at all in what I said.

I want to return to what I am doing. By removing these words, I am not opening the flood gates for dental therapists to treat adults in the private or public sectors. All I am doing is saying that we should not be as restrictive as we are in the legislation and that all those issues, which are legitimate issues raised by the Australian Dental Association, can be dealt with by the Dental Board. That is what I am saying; I am not answering the question or debating the issue, even though I know other states have moved to be more flexible than the minister here is prepared to be—and that is a pity, because we need flexibility and innovation and should not be frightened of it.

All I am saying is that we take the words out of the legislation and that it become the responsibility of the board. As the minister said, he has undertaken wide consultation and the board will have strong representation of highly qualified people and consumers and the ability to call for advice, research and all the rest of it to enable it to make the best decision in the public interest on this matter.

The Hon. DEAN BROWN: The member for Elizabeth met with the Australian Dental Association (SA Branch) last Wednesday night, I think, and apparently raised this issue. Perhaps she could tell the committee what the Australian Dental Association gave her in terms of advice. I also point out that I understand that when she had that meeting she did not discuss with them (I stand corrected if I am wrong) her proposed changes in relation to the composition of the board. I understand that although she met with them she did not bother to say that she intended to cut out one of the dentists from the board. She may like to confirm whether she raised that matter with them and, if so, what was their reaction.

Ms STEVENS: In relation to this clause, which is what we are talking about (it is a pity that the minister did not raise that matter at the appropriate time when we were talking about the board), I did meet with the ADA last week, and I was quite clear with them about our position in relation to dental therapists because I would not want not to do so. I knew it was an issue for them. The minister was not at the meeting, but I am happy that the minister knew that it occurred. When the Australian Dental Association sought a meeting with me, they presented to me a paper for discussion, so we used their paper as the basis for discussion. Perhaps the minister might like to check that out with them, but I assure him that that is what happened. We discussed not only this bill but also another bill, and we had only an hour and we were scratching to get through the issues which they had on their agenda and about which they wanted to talk to me. That is what happened, minister, but you may like to check that out. Let me return to this particular matter.

The Hon. Dean Brown interjecting:

Ms STEVENS: We have just been through all that.

The Hon. Dean Brown: There are only two important amendments.

Ms STEVENS: Let me say that they requested the meeting, they gave me a list of things that they wished to talk to, and that is what we spoke about. So let us get back to this.

Members interjecting:

Ms STEVENS: Just because you have lost a few votes, you do not have to get uppity.

Members interjecting:

The ACTING CHAIRMAN (Mr Venning): Order!

Ms STEVENS: Returning to clause 31(e), I agree that the ADA has a very strong position—that is, the Australian Dental Association, representing one class of dental practitioners, but a very important class: I do not doubt that. However, one class, a very important class, has a very strong position about extending the scope of practice of dental therapists. We discussed this and I explained that I would move the amendment that I am now moving. I spoke with them about the situation in other states, which they understood a little wrongly in terms of Victoria. However, that is all right: I will be sending them *Hansard*, anyway, so that they will be able to read the material I have received from the Victorian government in relation to its position, because the ADA had that slightly wrong.

But in relation to Tasmania, we discussed the matter, and they made the point that they knew that things were different in Tasmania and that a pilot was about to commence because of shortages. Well, Tasmania is doing it because of shortages, but the argument was that you could not possibly allow these people to do this because of a lack of competency. So, it is all right to do it and we can come back on that if there are shortages. I pointed that out.

I also pointed out to the ADA that I am not saying—and I said this before—that merely removing this from legislation does not mean that we are saying, 'It is open slather, go for it.' We are not saying that at all. We are saying that it is more appropriate for the board to manage this. It is the board's responsibility to hold these discussions to determine the scope of practice as the Victorian board is doing, as the Queensland board is doing and as will be done in Tasmania. I have full confidence, minister, that your board will be able to do this.

The committee divided on the amendment:

AYES (21)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Ciccarello, V.
Clarke, R. D.	Conlon, P. F.
De Laine, M. R.	Foley, K. O.
Geraghty, R. K.	Hanna, K.
Hill, J. D.	Hurley, A. K.
Key, S. W.	Koutsantonis, T.
McEwen, R. J.	Rankine, J. M.
Snelling, J. J.	Stevens, L. (teller)
Thompson, M. G.	White, P. L.
Wright, M. J.	

NOES (22)

Armitage, M. H.	Brindal, M. K.
Brokenshire, R. L.	Brown, D. C. (teller)
Buckby, M. R.	Condous, S. G.
Evans, I. F.	Gunn, G. M.
Hall, J. L.	Hamilton-Smith, M. L.
Ingerson, G. A.	Kerin, R. G.
Kotz, D. C.	Lewis, I. P.
Matthew, W. A.	Maywald, K. A.
Meier, E. J.	Oswald, J. K. G.
Penfold, E. M.	Scalzi, G.
Venning, I. H.	Williams, M. R.

PAIR(S)

Rann, M. D.	Olsen, J. W.
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Majority of 1 for the Noes.

Amendment thus negatived; clause as amended passed.
Clauses 32 to 58 passed.

Clause 59.

Ms STEVENS: I move:

Page 35, line 23—Leave out paragraph (c) and insert:

(c) at least one will be a member who is not a dental practitioner or legal practitioner.

This is just a small amendment to make the wording consistent with changes we have made in previous clauses to subscribe people who are not professionals in the composition of the board.

The Hon. DEAN BROWN: I accept this amendment.

Amendment carried; clause as amended passed.

Remaining clauses (60 to 85), schedule and title passed.

Bill read a third time and passed.

MOTOROLA

The Hon. J.W. OLSEN (Premier): I seek leave to make a brief ministerial statement.

Leave granted.

The Hon. J.W. OLSEN: Earlier today the member for Elder made reference to a series of documents in relation to the Motorola contract. I stated at the time that I had no idea as to the documents to which he was referring but that I would report back to the House. I have since seen the documents that the member for Elder has provided to the media today. This is the first time I have seen these documents. I have since been advised—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.W. OLSEN: —that the documents in question were given to my chief of staff in December by the Chief Executive Officer of the Department of Industry and Trade—

Mr Foley interjecting:

The Hon. J.W. OLSEN: No, I'm not. She advises me that she then forwarded the documents to the Minister for Industry and Trade as the minister responsible for that department.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr Foley: You are a real good friend! You are a coward.

The Hon. G.M. GUNN: I rise on a point of order, Mr Deputy Speaker. The member for Hart has used the term 'coward' towards a member of this chamber, namely the Premier. That is unparliamentary, and I seek his withdrawal and apology.

The DEPUTY SPEAKER: Order! I believe that it is inappropriate to use that wording, and I ask the member for Hart to withdraw.

Mr FOLEY: I will not withdraw, Mr Deputy Speaker.

Mr HAMILTON-SMITH: I rise on a point of order, Mr Deputy Speaker. The member for Hart is blatantly defying the chair. He has already been warned today.

The DEPUTY SPEAKER: Order! Will the member for Waite take his seat.

Members interjecting:

The DEPUTY SPEAKER: Order! The Premier will take his seat.

Mr Foley interjecting:

The DEPUTY SPEAKER: Order! I have instructed the member for Hart to withdraw.

Mr FOLEY: I withdraw, Mr Deputy Speaker.

The Hon. J.W. OLSEN: Having now seen these docu-

ments, I wish they had been provided earlier. If anything, they would, and do, support my position. That is the point. I am angry that they were not presented to the inquiry, and I have asked the Chief Executive Officer of the Department of the Premier and Cabinet to investigate why these documents were not produced at the time of the inquiry and why it is only now that they have come to light.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr Foley interjecting:

The DEPUTY SPEAKER: Order! I warn the member for Hart!

SANDALWOOD ACT REPEAL BILL

Adjourned debate on second reading.
(Continued from 26 October. Page 301.)

Mr HILL (Kaurua): This bill seeks to repeal a 1930 act, which is the second oldest environment act remaining on the statute book. The only act that is older is the Crown Lands Act 1929. In one way, it is sad to see this old piece of legislation going—maybe it should be heritage protected. The 1930 act regulated the taking of sandalwood for commercial purposes. Prior to 1930, there was a bit of a gold rush on sandalwood, which was taken quite extravagantly from South Australian scrub.

When the act was introduced in 1930, it imposed fairly tough penalties for the illegal taking of sandalwood, including a gaol penalty for the taking of a tree. That is a standard that we are walking away from with this piece of legislation.

In his second reading explanation, the minister says that the Native Vegetation Act and the National Parks and Wildlife Act provide adequate protection for sandalwood these days. When he arrives, I will ask the minister a question regarding that provision. At the moment, I understand there is some woodlotting in South Australia for commercial purposes in relation to sandalwood, and I have also been told that virtually none is taken from the wild, but that is not the case in other states.

Last year, at about the time that this bill was introduced, ABC TV ran a very interesting television program about the sandalwood industry which I happened to watch. I can now share with the House some of the learnings that I got from watching that program.

Sandalwood is a valuable material. If you have a tonne of sandalwood (either dead or alive), you can get \$10 000 for it. That applies to timber that has actually been lying on the ground for 50, 60 or 80 or so years—it is a very valuable plant. If you produce oil from the timber, you can get \$500 a litre for that oil, and there are about 50 litres per tonne. So, you can get \$25 000 of value adding from one tonne of sandalwood. I gather that about 1 000 tonnes are exported each year from Australia and that Australia supplies half the world demand.

About half of our exports, however, are in raw logs. There is strong interest internationally in Australian sandalwood because of the shortage of supply of tropical sandalwood. That shortage is expected to last for 10 to 20 years, so there is an opportunity over the next 10 or 20 years for those interested in taking advantage of this product to plant it and use it commercially. In the 1840s, sandalwood was first exported from Fremantle in Western Australia, and it has been harvested in that state for something like 150 years. I think that South Australia followed shortly after that.

The industry was regulated in the 1930s, when quotas, licences and yearly limits were placed on it. This is a product that has considerable potential. It is a viable farm industry and works particularly in low rainfall areas. It has been described as wooden gold, and it also has the potential for salinity credits. If one were to invest in 20 hectares of land over 20 years, one could harvest two to three tonnes per hectare of sandalwood after that time. At roughly \$7 000 per tonne, you could make a return of \$400 000. So, it is actually quite a good product and it would be interesting to see whether it could be introduced into South Australia on a more commercial basis.

When I was provided with this bill, I contacted the Conservation Council and asked what it had to say about it. It raised a couple of issues, which I will just put on the record. It questioned whether the Native Vegetation Act or the National Parks and Wildlife Act is strong enough to protect santalum in the wild, and that is one of the questions I would like to ask the Minister when I get a chance. It also asked whether there will be an additional regulation written into the Native Vegetation Act of 1991 that specifies that there will be no taking of naturally occurring sandalwood for any purposes or under any other exemption.

I am sure that the Minister will be able to answer those questions when he gets his advisers in here, if he has any with him tonight. Other than that, the opposition supports this legislation.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I thank opposition members for their comments and support. In answer to the question, my understanding is that, because this comes under the National Parks and Wildlife Act, it is automatically covered under the Native Vegetation Act, so the Conservation Council's concerns are covered.

Bill read a second time.

In committee.

Clause 1 passed.

Clause 2.

Mr HILL: Under what circumstances, if any, will sandalwood be able to be taken from the wild under this new regime?

The Hon. I.F. EVANS: Now that we are on to the final clause, the advice is that it is actually illegal to take any quantity under the Native Vegetation Act; it is also covered under the partial act and the National Parks and Wildlife Act. If the honourable member is asking about any commercial circumstances, it is actually illegal under those acts.

Mr HILL: The minister has in part answered my question about whether there is a requirement for an additional regulation under the Native Vegetable Act which could specify that sandalwood requires protection. I think the minister has already said that that is not necessary, but for the sake of completeness, would he reiterate?

The Hon. I.F. EVANS: I repeat that the advice to me is that it is not necessary.

Clause passed.

Title passed.

Bill read a third time and passed.

STATUTES AMENDMENT (AVOIDANCE OF DUPLICATION OF ENVIRONMENTAL PROCEDURES) BILL

Adjourned debate on second reading.
(Continued from 30 November. Page 778.)

Mr HILL (Kaurna): The opposition also supports the bill. I am grateful to the minister for providing me with a thorough briefing from his staff last week and also a briefing paper, which I will read from to expand on some of the points in this legislation. This legislation is necessary because of the commonwealth's Environment Protection and Biodiversity Conservation Act of 1999, which came into operation in the middle of last year. That act requires entrepreneurs or developers to seek particular permission under the commonwealth law in order to do certain things which might have a significant impact on matters of national environmental significance. That may well and in some cases does overlap with state provisions. As I understand it, this legislation dovetails the two pieces of legislation so there are no unnecessary delays or unnecessary burdens placed on developers. As I also understand it, it does not in any way downgrade the standards that South Australia has developed over the many years.

The bill covers five areas, and I am grateful to the minister's office for providing me with some detail and examples in relation to each of those. I will put those on the record. As I understand it, central to each of the amendments proposed is that in all cases a commonwealth document or process must fulfil all substantive requirements of the relevant state legislation before a decision maker (which can be a minister) can exercise a discretion to accept the document or process for state purposes. The five circumstances are as follows. In the first case, the amendments will enable a state decision maker under the relevant state act to accept relevant procedural EPBC documents as procedural documents for the relevant state act. The example given for that is where the EPA may accept a referral under the EPBC Act as an application for a licence to undertake a prescribed activity of environmental significance.

The second case is where the amendments will enable a state decision maker to effectively accredit an EPBC Act process if the process complies with the minimum state process. An example of that is section 35A of the Mining Act, which provides that the minister must cause public notification of his or her consideration to grant a mining lease. The amendment would allow the minister to direct that a public notice procedure that may have been undertaken under the EPBC Act will be taken to have fulfilled the notification requirements of section 35A. The minister's discretion to make such a direction will depend on the EPBC Act procedure (for example, the number of days on display and persons to whom notification is made) also complying with the substantive requirements of section 35A and relevant regulations.

The third case is that the amendments will enable a state decision maker under the relevant state act to accept in whole or in part a substantive EPBC document as all or part of an equivalent state act document. An example given there is that, instead of a minister requiring all or part of an EIS to be separately prepared by a proponent of a major development under the Development Act, the minister may accept all or part of an EIS prepared under the EPBC act. The EIS would need to contain the information required by the Development Act and regulations that have been prepared in a way that meets the requirements of the Development Act as to public notification and consultation.

The fourth situation is that the amendments will require a state decision maker to consider the consistency of the EPBC act and state act conditions. The example here is that, where an action involving vegetation clearance has triggered

the threatened species element of the EPBC act and a decision has been made in the action under that act, the Native Vegetation Council must heed any conditions that have been placed on an approval under the EPBC act and consider whether any conditions to be imposed under the Native Vegetation Act should be consistent with the EPBC conditions. Also, to the extent that they are relevant, the council may impose all or some of the EPBC conditions on its consent.

The fifth situation is that the amendments will certify that, where a document has been accepted for use by a state decision maker, it will not be invalidated for the purpose of the relevant act merely because it has been found to be invalid for the EPBC act. The example here is that the Minister for Primary Industries might accept referral documentation as an application for the purposes of the Petroleum Act. The referral document might later be found by a federal court to have been improperly accepted by the commonwealth minister because it was not properly completed in the required form. This would not automatically invalidate the document for Petroleum Act purposes. A person would need to show separately that the document did not contain the minimum content requirements in the Petroleum Act in order to raise any doubts about the validity of the application.

The only other point I make is that I understand that in nearly all these cases the state decision maker has a discretion as to whether or not he or she needs to accept the commonwealth inspired provisions. I understand there were some submissions to the government that that discretion should not be there; that, in fact, the minister should be obliged to take the commonwealth provisions. I agree with the minister's logic that is expressed in this document, that is, the discretion should stay in South Australia. I think we give up too much already to our federal colleagues and we need to have some jobs to do in South Australia.

I support the legislation. I have one or two minor questions. This is a bill which has some dozens of clauses, so I will not keep the House for very long.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I thank the member for Kaurna for his support.

Bill read a second time.

In committee.

Clauses 1 to 3 passed.

Clause 4.

Mr HILL: My question relates to procedure. This provision applies several times in this bill as each of the state acts is dealt with. It raises a question in my mind as to how the state authority would know what the commonwealth had required. Is it up to the proponent to initiate the request for dual applications or does the state authority get this information from the commonwealth in some other way?

The Hon. I.F. EVANS: My understanding is that, in principle, it is obviously either the proponent's or the commonwealth's job to advise the state. Under the Development Act, if neither proponent notifies the state, there is no requirement on the state then to undertake any procedure in relation to the EPBC act, and under all the other acts procedures are in place—for instance, local government or other authorities would notify.

Clause passed.

Remaining clauses (5 to 9) and title passed.

Bill read a third time and passed.

ADJOURNMENT

At 9.52 p.m. the House adjourned until Thursday 1 March
at 10.30 a.m.