

## HOUSE OF ASSEMBLY

Tuesday 14 May 2002

The **SPEAKER (Hon. I.P. Lewis)** took the chair at 2 p.m. and read prayers.

### SAME SEX COUPLES

A petition signed by 20 residents of South Australia, requesting that the house support the passage of legislation to remove discriminatory provisions against same sex couples from South Australian legislation, was presented by Ms Bedford.

Petition received.

### PAPERS TABLED

The following papers were laid on the table:

By the Minister for Consumer Affairs (Hon. M.J. Atkinson)—

Regulations under the following acts—  
Liquor Licensing Act—Dry Areas—Wattle Park  
Trade Measurements Act—  
Glass Measure  
Units

By the Minister for Environment and Conservation (Hon. J.D. Hill)—

Aboriginal Lands Trust—Report 2000-01

By the Minister for Transport (Hon. M.J. Wright)—

Regulations under the following acts—  
Harbors and Navigation Act—Time Extension.

### TEACHERS' SALARIES

The **Hon. K.O. FOLEY (Deputy Premier)**: I seek leave to make a ministerial statement.

Leave granted.

The **Hon. K.O. FOLEY**: I wish to make a ministerial statement regarding the availability of necessary funding for the teachers' enterprise bargaining agreement negotiations. I was unaware of the 21 December minute—

*Members interjecting:*

The **Hon. K.O. FOLEY**: Do you want to listen? I suggest that you do. I was unaware of the 21 December minute from the Under Treasurer to the former treasurer and I thank the member for Davenport for bringing its existence to my attention. I will elaborate on this point further towards the conclusion of my ministerial statement. Indeed, I was pleased that the member quoted from a document, as it served to emphasise the point that I have been making about the lack of funding set aside by the former government for the teachers' enterprise bargaining agreement. As I previously acknowledged in an answer to a question of 8 May, there had been a contingency amount set aside to fund the teachers' enterprise bargaining agreement factored into the Liberal government's last budget in May 2001. This includes a small but insufficient contingency held in the Department of Treasury and Finance of 1.5 per cent, together with an even smaller and still insufficient allocation within the Department of Education, Training and Employment.

Given the history of overspending in the Department of Education, Training and Employment, I am cautious about relying on these amounts. I remind the house of the most recent financial history of the education department:

1999-2000, overspent by \$47 million; 2000-01, overspent by \$20 million; and 2001-02, a projected overexpenditure of approximately \$37 million. On 8 May in this house, I quoted the Under Treasurer's advice to the former treasurer, the Hon. Rob Lucas, which was—you have to read more than one day's *Hansard*, Iain—

The **SPEAKER**: Order!

The **Hon. K.O. FOLEY**: He said, 'The cost of the Department of Education and Training enterprise bargaining is certain to exceed the contingency allowance currently in budget funding.' Having already mentioned—

*Members interjecting:*

The **Hon. K.O. FOLEY**: Just wait. Having already mentioned in the house that the government had a contingency allowance for the teachers' enterprise bargaining negotiations in the May 2001 budget, I can hardly be accused of keeping it a secret. The former government's mid-year budget review, as members would know, is a document designed to inform the parliament and the public on the government's progress against forecasts at budget time and is to take account of changing revenue and expenditure conditions.

Mr **Brindal**: You know this is what hung Ingerson. He came in here and made a statement. He didn't last long afterwards.

The **SPEAKER**: Order!

The **Hon. K.O. FOLEY**: In the preparation of this review, which was to be released during the state election campaign, the Under Treasurer wrote to the then treasurer, Rob Lucas, advising him of a large number of cost pressures that should be included in the mid-year budget review and, in particular noting, as I said to the house on 8 May, 'The cost of Department of Education and Training enterprise bargaining is certain to exceed the contingency allowance currently in budget funding.' The former treasurer chose to ignore this advice, as to include these cost pressures would have resulted in a mid-year budget review revealing a substantial budget deficit in the middle of an election campaign.

*Mr Brindal interjecting:*

The **SPEAKER**: The member for Unley will come to order and remain orderly for the balance of question time!

The **Hon. K.O. FOLEY**: Thank you, sir. They don't like what they are hearing. I remind the house that the Hon. Rob Lucas, in response to the Under Treasurer's advice that there was a need to include an allocation for the teachers' enterprise bargaining agreement in the mid-year budget review, wrote:

As you know, I oppose the size of the bid so Department of Treasury and Finance should not incorporate specific provisions for the bid in our documentation.

The contingency—

*Members interjecting:*

The **Hon. K.O. FOLEY**: Just listen, please. The contingency already in the budget that I referred to on 8 May is approximately \$205 million. On the advice of the Under Treasurer to the former treasurer and me, it is clear that this amount is grossly inadequate. As I have said, the former treasurer—

*Members interjecting:*

The **Hon. K.O. FOLEY**: Just listen.

*Mr Brokenshire interjecting:*

The **SPEAKER**: The member for Mawson will come to order and remain orderly for the rest of question time!

The **Hon. K.O. FOLEY**: Thank you, sir. As I have said, the former treasurer was advised that it would be wise to

make allowances for these amounts and that of a number of other cost pressures. I repeat: the former treasurer was advised to make an allocation in the mid-year budget review to provide for sufficient funding for the teachers' enterprise bargaining agreement. He did not make that allocation as recommended. He chose to do so with a note to the Under Treasurer that said, and I repeat:

As you know, I also oppose the size of the bid so [the Department of Treasury and Finance] should not incorporate specific provision for the bid in our documentation.

Whilst the former treasurer is claiming—

*An honourable member interjecting:*

**The Hon. K.O. FOLEY:** If you listen you will hear it all. You do not have to interject to hear it: I can tell you that. While the former treasurer is claiming that headroom could have been used to assist the extra funding of wage rises, the Under Treasurer has advised me that this is not correct.

**An honourable member:** Why?

**The Hon. K.O. FOLEY:** Why? If you listen I will tell you. It is the Under Treasurer saying this. The Under Treasurer stated in his written advice to me on 13 March 2002, when referring to the use of headroom—and it is a public document, incidentally:

These provisions should not be regarded as available to offset the deficits identified in table 1—

which are the cost pressures, including the teachers' wages. In referring to the headroom he stated:

These are relatively small provisions in the context of the budget and will be required to meet emerging (and unfunded) issues both in 2001-02 and across the forward estimates as future budgets are developed.

**An honourable member:** Such as wages.

**An honourable member:** Such as salaries.

**The Hon. K.O. FOLEY:** I am coming to that. Just listen. The recurrent—

*The Hon. I.F. Evans interjecting:*

**The Hon. K.O. FOLEY:** This little bit is for you, Iain.

**The Hon. I.F. Evans:** You're a sucker.

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** I am not sure who the sucker is here. The recurrent headroom available that the Hon. Rob Lucas (the former treasurer) refers to is \$176 million over the four years. The unavoidable cost pressures that I was presented with upon assuming office—which includes the teachers' enterprise bargaining negotiations—amount to \$502 million over four years.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** You have to compress 502 into 176: the maths do not work. Clearly, the former government's policy of funding emerging cost pressures through the use of headroom was not going to work on this occasion, and this was the advice of the Under Treasurer. As I said in my remarks on 9 May 2002, if you believe the former treasurer, they were not going to pay the teachers. I do not know what was in the mind of the former treasurer.

*Members interjecting:*

**The SPEAKER:** The member for Newland will come to order and remain orderly for the duration of question time.

**The Hon. K.O. FOLEY:** I do not know what was in the mind of the former treasurer and, indeed, what the intentions of the previous government were. All I can do is provide an opinion on the facts as they were presented to me. It is my view that the former treasurer and the government were preparing for significant industrial disputation with the

teachers immediately following the election, given that they had grossly underfunded the expected outcome of the enterprise bargaining negotiations. Given their previous history of wage negotiations with the teachers that stretched over many months, that would not have been an unreasonable opinion to hold.

In addition, my investigations into the whereabouts of the 21 December 2001 minute referred to by the former treasurer and the member for Davenport have revealed that this original file cannot be located in my office—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** —and I am advised—

**The SPEAKER:** The member for West Torrens will come to order and remain orderly for the duration of question time.

**The Hon. K.O. FOLEY:** I am advised by public servants within my office that the original document was marked to the former treasurer Rob Lucas on 23—

**The SPEAKER:** Order! The member for Unley has a point of order.

**Mr BRINDAL:** The manager of the house's business pointed to this side of the house and referred to us as 'thieves'. That is unparliamentary and I demand he withdraw.

**The SPEAKER:** I cannot understand the point of order. What was the allegation made?

**Mr BRINDAL:** He referred to members on this side of the house as 'thieves'. I believe that is an unparliamentary expression and I ask you to ask him to withdraw.

**The SPEAKER:** I heard no such comment. Did the minister make such a comment?

**The Hon. P.F. CONLON:** I did use the word 'thieves'. It was not addressed to the members but, if one of them wants to take ownership of it, I apologise and withdraw.

**The Hon. K.O. FOLEY:** I would also like to add that my investigations into the whereabouts of the 21 December 2001 minute referred to by the former treasurer and the member for Davenport have revealed that this original file cannot be located in my office. I am advised by public servants within my office that the original document was marked to the former treasurer, the Hon. Rob Lucas, on 21 December 2001 and there is no record of any subsequent movement of the document, i.e., it would appear that the former treasurer has not returned the file.

The matter of government files being removed is a serious one and, whilst I am not making any allegations other than stating the facts, I will today be seeking advice from the Chief Executive Officer of the Department of Premier and Cabinet as to the appropriate action concerning this issue. However, if Mr Lucas has a government file that he should not have, perhaps Mr Lucas could return the file to my office.

*Members interjecting:*

**The SPEAKER:** Order!

## FISCAL PRESSURES

**The Hon. K.O. FOLEY (Treasurer):** I seek leave to table a document relating to the cost pressures facing the incoming government.

**The SPEAKER:** It does not require leave; you have tabled it, and it will be incorporated into the records of documents tabled.

## DIRECTOR OF PUBLIC PROSECUTIONS 2000-01 ANNUAL REPORT

**The Hon. M.J. ATKINSON (Attorney-General):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. M.J. ATKINSON:** It has been brought to my attention that a section of the annual report of 2000-01 of the Director of Public Prosecutions (contained in the section 'From the Director') can be read as accusing the defence legal team in the matter of Karger (that is, Messrs Jonathon Wells QC, Ross Mayne and Jon Lister) of impropriety and professional incompetence resulting in a waste of time and public money. Such was not the intention of the Director of Public Prosecutions and I apologise unreservedly if such an inference was drawn. The point that the director was trying to make was that, in his opinion, there needs to be a change in the trial process requiring disclosure by the defence of expert reports in advance of the trial.

Obviously there was no requirement on the defence to do so in the Karger trial, but in the DPP's view the non-disclosure of the reports was a factor in the length of that trial. The Director of Public Prosecutions does not believe that the defence in Karger was conducted other than in a professionally competent and proper manner and the defence lawyers properly advised their client in accordance with their instructions.

## HEALTH REVIEW

**The Hon. L. STEVENS (Minister for Health):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. L. STEVENS:** I wish to inform the house that the government has commissioned a major generational review of South Australia's public health system. This is the first such review for 30 years. This review is the first step in the delivery of the government's health pledge made at the last election. In his campaign launch the Premier—

*Mr Brindal interjecting:*

**The SPEAKER:** I warn the member for Unley.

**The Hon. L. STEVENS:** In his campaign launch the Premier announced the government's commitment to this major review. Premier Rann announced that this will be the most sweeping and comprehensive review of our health system since the Bright Committee under Don Dunstan. The generational review will articulate and drive the new government's vision for the state's health system. We want to build a health system that supports and assists you, your family and community to achieve your full health potential. We want to build a health system that is there when you need it, that is fair and that you can trust; a health system that encourages you to have your say, listens to you, and ensures that your views are taken into account.

This review will set a comprehensive plan for the state's health system over the next 20 years. The No.1 priority will be the consumer. It is about improving health services for all South Australians and ensuring that we can access the highest standards of health and health care. It will look at how taxpayers' money can best be invested to enhance a focus on prevention and primary health care delivery, regional funding mechanisms and improvements in the efficiency and effectiveness of health care.

The development of this plan will bring together the best talents of this state and nation headed by Mr John

Menadue AO as chair of the review. Mr Menadue, a former South Australian, has had a distinguished career with over 40 years' experience in senior government and business appointments and, most recently, he completed a review into the New South Wales health system. Assisting Mr Menadue is a team of highly respected people including:

- Professor Carol Gaston who brings expertise to the review in nursing and health administration. Professor Gaston also has international experience and is a World Health Organisation consultant in nursing;
- Professor Paddy Phillips, Head of Medicine at Flinders Medical Centre;
- Dr Helena Williams, general practitioner and chairperson of the South Australian Divisions of General Practice;
- Professor Dick Ruffin, Professor of Medicine at the Queen Elizabeth Hospital;
- Ms Sarah Macdonald, Executive Officer of the Youth Affairs Council of South Australia;
- Professor Stephen Leeder, Professor of Medicine, Dean of the Medical School at Sydney University, and a recognised national leader in health policy;
- Associate Professor Judith Dwyer, who is Associate Professor in Health Services Management at the School of Public Health at LaTrobe University and former Chief Executive Officer of Flinders Medical Centre;
- Professor David Wilkinson, Director of the South Australian Centre of Rural and Remote Health and Pro-Vice Chancellor and Vice President of the Division of Health Services at the University of South Australia;
- Ms Sue Crafter, Director Urban Pacific and a member of the government's newly formed Social Inclusion Board. Officials assisting the board include Mr Jim Birch, Chief Executive Officer of the Department of Human Services, and Mr Gino DeGennaro, the Deputy Under Treasurer.

The review will commence its work within the next 10 days and will be reporting to me over the next 12 months. The hallmark of the review will be an open and consultative process. Health is everybody's business and I want to ensure that the people of South Australia have their say about the direction of their health services. To that end a series of metropolitan and regionally based consultations will also be held. There is also a 1800 free call telephone number, as well as a web site for the review where all significant papers and submissions will be published. The web site address is [www.dhs.sa.gov.au/generational-health-review](http://www.dhs.sa.gov.au/generational-health-review). For further details about the review, its membership and the terms of reference, I invite all members to go to the review's web site by visiting the DHS home page and following the prompts.

## DOCUMENTS, TABLING

**The SPEAKER:** Order! Last week I advised the house that I would be making a statement relating to the tabling of documents and dockets by ministers. I have had a number of representations on the matter and I have considered the issues carefully. I note that the House of Commons is designed so that there is no place for ministers to store dockets and files in the chamber, other than that they sit on them. That is equally the case in the lower house in New South Wales. As a result, ministers in those places must be on top of their portfolios if they are to be accountable to their respective houses.

By contrast, this house was constructed with benches and drawers. This has encouraged all MPs, including ministers, to bring documents and files into the chamber with them,

with the unfortunate result, perhaps, that ministers have become reliant on views prepared by their advisers rather than views formulated by themselves after taking advice, and/or their cabinet colleagues. With the advent and introduction of information technology and laptop computers on the desks in the chamber it will become possible for all MPs, in a technological context, to have statements typed up by somebody outside the chamber, particularly to have answers to parliamentary questions typed instantly by a faceless adviser located somewhere outside this chamber. In my view, that is to be deplored.

I intend formulating rules on the use of technology in this house in the near future. I invite all members to make their views on this issue known to me over coming weeks. For instance, it may be possible to link in the switch-off of the desk top at the time the microphone is switched on.

I return to the rule relating to tabling documents and/or dockets. The rule on documents and dockets has not been so certain, and I take this opportunity to provide clarification by way of a ruling from the chair now. A minister of the Crown may not read from or quote from a dispatch or other state paper not before the house unless he or she is prepared to lay it before the house.

The purpose of this rule is to ensure that the correspondence in question is not quoted out of context or, selectively, giving an unintended or unbalanced impression of the advice. For as much as anything, it is to protect the reputations of those people professionally providing the advice as it is to protect the house from being under a misapprehension, if not misled. So, I go on and say that if, after the document has been tabled, the Speaker believes that an unbalanced or misleading impression lingers, then the Speaker may demand the minister to disclose to the Speaker the docket or other file containing the document referred to. The chair will then determine which, if any, other relevant items in the file are to be tabled, in order that members will be able to understand the context against which the advice quoted was prepared and any authorities which may have been relied upon in its preparation.

The chair will not require a minister to table documents in a docket if it is in the public interest to so order. Such was the case in the context of the document that I was shown last evening by the Treasurer, since it contained things clearly not sensibly revealed and which would be clearly against the public interest had they been disclosed by tabling. Thus when a minister decides to ascribe or redirect responsibility for an opinion or policy to someone who is an outside adviser (that is, outside of cabinet), the house can be assured that the author of the quotation is not cited in a misleading or selective manner.

#### MEMBER FOR BRIGHT

**The SPEAKER:** Order! I would like to address a matter relating to a breach of standing orders, practices which guide us and the privileges of this house. In doing so, I must explain that this is the earliest opportunity available to me to address the matter in a considered way. It grieves me to have to return to an issue upon which I have already had a number of things to say.

During an Address in Reply or a grievance debate, I point out to members that they are free to choose the topic they wish to discuss. That does not allow them to impugn the reputations of other honourable members. On Thursday 9 May last I reminded members—and I take this opportunity

to remind them again—that, during such times, members remain bound by this chamber's rules of debate, particularly standing orders as they appear from 104 to 153.

Standing order 128 provides that a member may not impute improper motives to any other member or make personal reflections on any other member. Erskine May provides that reflections upon the actions or character of the Speaker may be punished as breaches of privileges. Erskine May also provides that, unless the discussion is based upon a substantive motion, drawn in proper terms, reflection must not be cast in debate upon the conduct of members of either house of parliament.

In yesterday's Address in Reply debate, the member for Bright made a number of serious allegations and reflections upon my conduct. The member also made serious reflections upon the character of the Speaker. My having given the house several warnings about making unfounded allegations or adverse reflections, members are on notice that adverse reflections will not be tolerated other than by way of substantive motion.

The member for Bright chose not to make his remarks by substantive motion. I refer all honourable members to the precedent set by the former Speaker as recorded in *Hansard* of 27 May 1997 in the 48th Parliament. I name the member for Bright and provide him with an opportunity to make a suitable apology in a form acceptable to the house. Does the member for Bright wish to make an apology and an explanation?

**The Hon. W.A. MATTHEW (Bright):** Thank you, Mr Speaker. I thank you for the opportunity, under standing order 139, to explain my situation. I do not apologise, and I do not withdraw, for to do so would be to withdraw that which is truthful. It is my right as a member in this parliament to bring forward matters of concern.

**The SPEAKER:** Order! That is highly disorderly and against the standing orders to which I have just drawn the house's attention. If the member for Bright is not prepared to apologise or otherwise suitably explain his actions, he is out of order. I order him to now sit and call the—

**Mr BRINDAL:** I rise on a point of order, Mr Speaker. I believe there can be nothing more serious for this house to attend to than that to which you have called this house's attention. It is a longstanding tradition that a member can be heard by way of explanation or apology. The member may explain the situation—and I believe he is doing so—and, Mr Speaker, I crave your indulgence to let him at least explain; then the house may determine what it does with him. But he has the right to be heard.

**The SPEAKER:** He must apologise before he attempts to explain. He has clearly stated that he does not intend to. I call the Minister for Government Enterprises.

**The Hon. DEAN BROWN:** I rise on a point of order, Mr Speaker. Standing order 139 provides that, when a member has been named by the speaker or the chair of committees, the member has the right to be heard in explanation or apology.

**The SPEAKER:** Yes, and I require an apology.

**The Hon. DEAN BROWN:** Mr Speaker, you just ruled that it had to be an apology first.

**The SPEAKER:** Order! Yes, I did, and I am consistent in that. I am telling you that there is no further point of order on standing order 139. I have already considered the contingency. If the member is not prepared to apologise, there is no point in proceeding further with the matter. That is my ruling.

**The Hon. DEAN BROWN:** Standing orders are very clear—

**The SPEAKER:** And I understand them as clearly.

**The Hon. DEAN BROWN:**—the member has the right to be heard in explanation or apology.

**The SPEAKER:** Order! Does the Deputy Leader wish to continue to defy the chair? The Minister for Government Enterprises.

**The Hon. DEAN BROWN:** Mr Speaker, I move disagreement with your ruling, because it is clearly in breach of the standing orders that we have before our house. I will therefore sit down and write my motion of disagreement with the Speaker's ruling.

*Members interjecting:*

**The SPEAKER:** Order! The Minister for Government Enterprises will come to order.

*The Hon. M.D. Rann interjecting:*

**The SPEAKER:** Order! The Premier will come to order. I have received a motion moved by the deputy leader and signed by the leader, to wit:

I move dissent from the Speaker's ruling as it is in conflict with standing order 139.

Does the mover wish to speak to the motion?

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** Yes, I do, Mr Speaker. I move this motion and it grieves me to have to move a motion like this so early in the term of a new parliament with a new Speaker, but I think all members are aware that the new Speaker has laid down a number of rulings in recent days, some of which defy reason in terms of understanding them. This afternoon you have made a ruling—and I think I paraphrase it correctly—that the member must apologise before being heard in explanation. I refer to standing order 139, 'Suspension of a member', which states:

When a member has been named by the Speaker or the Chair of Committees,

1. the member has the right to be heard in explanation or apology.

A member has the right to be heard. There are two key words, the right to be heard in 'explanation' or 'apology'. Having been a member of this place for a considerable number of years, I have seen numerous members named by the Speaker, and on some occasions I have seen those members apologise. On other occasions I have members not apologise, but at least they have been able to explain why they made the statement in question. It is a fundamental right put down in the standing orders. As Speaker, you have no right to rewrite the standing orders: only this house has that democratic right to rewrite the standing orders of the house and it requires a majority of the house to do so.

This afternoon, Mr Speaker, you have put an entirely different interpretation not only on the standing orders but also on the English language. Suddenly the word 'or' means 'must'. Certainly at the school I went to—dear old Unley High School—the word 'or' meant 'either/or', and you had one, two or more options. On this occasion it is quite clear that you have removed the right of the member to explain himself or herself without an apology, contrary to what is allowed under standing orders.

I point out that a former Speaker, Mr Peterson, allowed a member of this house, the member for Unley, to explain and not apologise on a previous occasion—just one of a number of occasions that has been allowed in this house. I ask you to reconsider your ruling, Mr Speaker, as I believe your

ruling clearly contravenes the standing orders of the house and therefore the rights of members, because standing orders give certain rights to members within this chamber. I had understood and assumed that in the past you had been one of those members who, on a number of occasions, stood in this house and argued very vehemently for the rights of members.

I do not know what has occurred or suddenly changed in the past three months, but certainly it would appear that a great deal has changed. Someone who on numerous previous occasions raised issues about the rights of members now wants to remove the rights members may have under existing standing orders. I would ask you, Mr Speaker, to be reasonable and to ensure that commonsense and coolness apply in this chamber, particularly so early in the new session with a new Speaker, and that you reconsider your ruling and in fact allow the honourable member to give an explanation to the house. It may well be that, at the end of the explanation, the member may apologise; we do not know yet. He needs to be given that right, at least, as the standing orders clearly state.

**The Hon. M.D. RANN:** I rise on a point of order. Something as serious as this should be conducted with decorum, particularly when the member named is laughing throughout the deputy leader's speech. The people of this state demand better behaviour, and they are going to get it.

**The SPEAKER:** Order! I uphold the point of order. If members of the opposition have no more respect for their deputy leader than to carry on like they are, then I leave it to others to judge exactly what they are on about.

**The Hon. DEAN BROWN:** Mr Speaker, I have a right to argue my case—

**The SPEAKER:** I am not denying that.

**The Hon. DEAN BROWN:**—and I am doing exactly that, and I think it is totally inappropriate for the Speaker to tell me what I can and cannot say by way of argument in a substantive motion in disagreeing with the Speaker's ruling. I highlight the fact that standing order 139 is very clear indeed. It is there in black and white: a member may have the chance to stand in this house and explain his previous statement, over which he has been named, or the member may apologise, or the member may do both. The Speaker today has, in fact, removed that right of explanation, and I again read the standing order: the member has a right to be heard or apologise. Therefore, I urge all members of the house, including the government benches, if they have one ounce of decency in terms of democracy in this parliament, to support this motion.

**The SPEAKER:** Having been persuaded by the view expressed by the deputy leader, and given the fact that members must also recognise rights, as the deputy leader has claimed, they also have responsibilities. The warning given to all members, including the member for Bright, about that conduct was deliberately defied in his speech, as I explained in the course of my remarks. I now invite him in an appropriate manner in his disposition to apologise and explain why he defied the chair yesterday.

**The Hon. DEAN BROWN:** I seek a point of clarification, Mr Speaker.

**The SPEAKER:** I have made it absolutely plain what the member for Bright must now do. There is no further point of order.

**The Hon. DEAN BROWN:** As I understand it, we have a substantive motion before the house. You have allowed the member for Bright to continue that explanation and therefore the substantive—

**The SPEAKER:** No, I have not. To expedite the process, I have enabled the member for Bright simply to proceed with his explanation.

*Members interjecting:*

**The Hon. DEAN BROWN:** As I understand it, Mr Speaker, you are now allowing the member for Bright to give an explanation. I therefore withdraw the motion disagreeing with your ruling as in fact you have now ruled in favour of the motion.

**The SPEAKER:** The motion is withdrawn. The member for Bright.

**The Hon. W.A. MATTHEW (Bright):** In the closing remarks of my address yesterday evening I said (and I quote from the draft of *Hansard* from those proceedings):

Mr Speaker, I think you and I know very well the member to whom I am referring and you would be very familiar with the details of this information that I put to the house. In so doing, I reflect not on you—for this occurred before you were Speaker—but, of course, I refer to the member for Hammond.

I remind you again, Mr Speaker, that my remarks to the house last night were not referring to you as Speaker but rather referring to the conduct of the member for Hammond before the time that he became Speaker. I referred to a number of occasions back as far as the time when I was minister for administrative services in 1997-98 through, more recently, to my time as minister for minerals and energy. Clearly, it is the case that you were not in the position of Speaker at the time that I held those portfolios. I expressed concern in relation to a code of conduct that is being released by the public sector. Indeed, I was pleased to put on the record my congratulations to the Commissioner for Public Employment for the code of conduct—

**The SPEAKER:** The Minister for Government Enterprises has a point of order.

**The Hon. P.F. CONLON:** Mr Speaker, having been extended a good deal of leeway by you, the former minister (the member for Bright) is not attempting to make any explanation. He is merely once again traversing his offence. I ask that you ask him to provide whatever explanation he has and then sit down.

**The SPEAKER:** I uphold the point of order. The fact is that the member is being heard in explanation and apology, not in a revisitation of the substance of the debate which he knew at the time was highly disorderly or he would not have otherwise used the strategy that he used in delivering the remarks. The member for Bright.

**The Hon. W.A. MATTHEW:** The crux of the matter is that the code of conduct which has been circulated to public servants from October and November last year is a good basis on which to build a stronger code of conduct for members of parliament. I put in debate last night that at least one member of parliament has regularly traversed that code which is required by government ministers of their public servants and which was certainly required by the ministers of a Liberal government of their public servants. I do not move back from the position that members of this parliament ought to abide by a stronger code than that set for servants of the public.

Mr Speaker, if it is the case that a member not once, not twice, but many times does not comply with the standards that we in this place expect of public servants, then I see it as my right to express my concern in this parliamentary forum as an elected member. If, for that, today I am to be condemned, by a person sitting as judge and jury who may regard himself as being the victim of those words, then so be it. But,

Mr Speaker, you were sitting in the chair when I was making that speech. If at any time you objected to what I was saying, you were clearly at liberty, as the chair, to intervene, to sit me down and to make statements, and you did not. I stand by the statements that I put on the public record and, Mr Speaker, if you judge me accordingly, then so be it.

**The SPEAKER:** I have already explained to the member for Bright that he cannot revisit the substance of the debate. If he has concluded his remarks, I call the Minister for Government Enterprises.

**The Hon. P.F. CONLON (Minister for Government Enterprises):** I move:

That the member's explanation not be accepted.

I would like to speak to that motion. The member for Bright engaged yesterday in the most egregious reflection upon the character of the Speaker of this house that I can find on the record. He did it in his usual glib and pompous fashion and has attempted to disguise it by an argument that he was referring to some person who was the member for Hammond in the last parliament but not the current Speaker. I do not understand, and I do not think any reasonable person could understand, how the character of the current Speaker could somehow be disentangled from the character of the person formerly known as the member for Hammond, because they are one and the same person and, no matter how glib the member for Bright is, he cannot escape that.

Sir, I refer you to precedent. We have a former Speaker of the house sitting on the opposition benches who certainly named members of this parliament and refused an explanation or apology for far less egregious crimes.

*An honourable member interjecting:*

**The Hon. P.F. CONLON:** He has been allowed an explanation but it is not going to be accepted. The member for Bright's refusal to apologise or explain and his desire simply to traverse again the offending remarks seem to be evidence that the opposition, having been warned repeatedly for reflecting on the Speaker, is determined to test your mettle and the mettle of this house in that regard. If it was not today, it would be another day that we would have to deal with the opposition member, because it appears to be a concerted attempt not to deal with the government, not to be in opposition, but to continue to run a campaign against the Speaker. Is the member for Bright genuine—and we know his moral character; I know a great deal about it and the former premier, John Olsen, could tell you a bit about it, too—in his complaints? He said this was a complaint about the member for Hammond and he refers to 1997 and 1998, but since then there has been 1999, 2000 and 2001. What did we hear? What did we hear through all those years, if he had wanted to reflect on the member for Hammond? There was a stony silence—not a bleat. Now, the police in an investigation have a rule, that if you do not give an explanation early it is probably not credible because it is probably not true.

If these matters so offended this fellow, perhaps he could have raised them in 1997 and 1998. If they were about your character, sir, as the former member for Hammond, perhaps he could have raised them in 1997, 1998, 1999 or 2000—or, perhaps, sir, they are not true. Perhaps they are simply not true. I say that the opposition has been warned and warned and warned. They have forgotten their responsibilities as Her Majesty's loyal opposition. Their responsibility is to test us, to make sure that we are a good government. The opposition has forgotten that completely. They are continuing their

vendetta. If the explanation is accepted today, there will come a day when it will not be accepted, because they are not going to give it away.

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** We oppose the motion and, therefore, would argue very strongly indeed that the explanation given by the member for Bright be accepted. This afternoon we are talking about the whole conduct of this house. I find it unacceptable that the Minister for Government Enterprises, when he came into the house today, right from the beginning of the sittings, apparently knew that the Speaker would be making this ruling.

*Members interjecting:*

**The Hon. DEAN BROWN:** Yes, you did. I personally heard at least two interjections across the house from the Minister for Government Enterprises that clearly indicated that he knew exactly what you were going to say, Mr Speaker. He indicated by way of interjection across the house, 'Was the member for Bright ready to walk?' So, Mr Speaker, it appears to me that the Speaker has in fact had a discussion with at least the Minister for Government Enterprises—

*The Hon. P.F. Conlon interjecting:*

**The SPEAKER:** Order! The Minister for Government Enterprises will resume his seat. That is a direct reflection on the chair. I take exception to it, and it will be withdrawn. I tell the house plainly: I have not spoken to the Minister for Government Enterprises about this matter.

**The Hon. DEAN BROWN:** Mr Speaker, I withdraw the remark—

**The SPEAKER:** And apologise.

**The Hon. DEAN BROWN:**—and any reflection on the chair, but I do highlight that the Minister for Government Enterprises has been sitting here so far this afternoon making interjections across the house, saying to the member for Bright, 'Are you ready to walk?' and referring to—

**The Hon. P.F. Conlon:** Sir, that is simply untrue, and I ask him to withdraw it.

*Members interjecting:*

**The Hon. P.F. Conlon:** I said, sir, that he was the one that might be moved—

*Members interjecting:*

**The SPEAKER:** Order! The appropriate course of action for the Minister for Government Enterprises is to make a personal explanation after this matter has been dealt with. The Deputy Leader of the Opposition.

**The Hon. DEAN BROWN:** I point out, Mr Speaker, that it is an offence for the minister to mislead this house. The second point I raise in accepting the explanation of the member for Bright is the fact that you, Mr Speaker, were sitting in the house when the remarks were made last night. If at any stage during that debate—and certainly I have seen this on numerous occasions when Speakers think ministers are starting to stray into a reflection not just on the Speaker but, rather, on any member of the house—immediately the Speaker calls the member to order, asks him to refrain, and, if any reflection has been made, asks the member to withdraw those remarks. I am surprised that last night apparently no member of the house took a point of order to that extent.

*The Hon. M.D. Rann interjecting:*

**The Hon. DEAN BROWN:** Well, no point of order was taken, according to the report of the debate in *Hansard*, and that is the record to take. Mr Speaker, you were sitting in the Speaker's chair during that debate. I also highlight the point

that the Minister for Government Enterprises claimed that this dated back to 1997. In fact, a number of the issues raised are extremely current indeed, as raised by the member for Bright.

**The Hon. P.F. Conlon:** He said 1997-98.

**The Hon. DEAN BROWN:** No, he was reflecting on incidents that had occurred recently, just prior to the state election, as I understand it. Mr Speaker, I think the member for Bright has given an explanation. He has clearly pointed out that he was not reflecting on the Speaker of this parliament. I ask that his explanation be accepted and, therefore, the motion moved by the Minister for Government Enterprises be rejected.

**The SPEAKER:** Before the house votes on the matter, in response to the substantive points made by the Deputy Leader of the Opposition in the course of his remarks in defence of the member for Bright, let me point out that, in the first instance, I was unable to hear him clearly in the remarks he was making and not knowing what he was talking about. Further, at the time there was limited time available in which I had said to the house at the earliest possible opportunity that I would provide a ruling as to the matter of privilege raised by the member for Davenport. In that limited time, that is all it was possible for me to do before 6 o'clock. When the member for Bright revealed that he was talking about me, I was absolutely astonished and resolved to consider the substance of the remarks that he had made, and I then did that last evening.

The house divided on the motion:

AYES (24)

Atkinson, M.J.	Bedford, F.E.
Breuer, L.R.	Caica, P.
Conlon, P.F.(teller)	Foley, K.O.
Geraghty, R.K.	Hanna, K.
Hill, J.D.	Key, S.W.
Koutsantonis, A.	Lomax-Smith, J.D.
McEwen, R.J.	O'Brien, M.F.
Rankine, J.M.	Rann, M.D.
Rau, J.R.	Snelling, J.J.
Stevens, L.	Such, R.B.
Thompson, M.G.	Weatherill, J.W.
White, P.L.	Wright, M.J.

NOES (20)

Brindal, M.K.	Brokenshire, R.L.
Brown, D.C.(teller)	Buckby, M.R.
Chapman, V.A.	Evans, I.F.
Goldsworthy, R.M.	Gunn, G.M.
Hall, J.L.	Hamilton-Smith, M.L.J.
Kerin, R.G.	Kotz, D.C.
Matthew, W.A.	McFetridge, D.
Meier, E.J.	Penfold, E.M.
Redmond, I.M.	Scalzi, G.
Venning, I.H.	Williams, M.R.

Majority of 4 for the Ayes.

Motion thus carried.

**The SPEAKER:** Can I say to the member for Bright before I require him to withdraw, and to all members of the house, that they may not reflect on any member other than by substantive motion. I am not restricting any member's right to say anything, only requiring them to do so in an orderly fashion, that is, by substantive motion for such matters. And as I direct the member for Bright to leave the chamber, before he does so, may I counsel him against imprudent comment,

especially in connection with this decision of the house. The member for Bright will now withdraw.

*The honourable member for Bright having withdrawn from the chamber:*

**The SPEAKER:** Order! The Minister for Government Enterprises.

**The Hon. P.F. CONLON (Minister for Government Enterprises):** I move:

That the honourable member for Bright be suspended from the service of the house.

Motion carried.

## QUESTION TIME

### MEMBER'S REMARKS

**The Hon. I.F. EVANS (Davenport):** Following the Treasurer's meeting and discussions last night with the Speaker on the matter of privilege raised yesterday, will the Treasurer be open and accountable to the house, and table today all the documents provided to the Speaker by the government as part of its response to the issue, all the questions raised by the Speaker to the Treasurer and the Treasurer's staff and officers in relation to the issue, and the response to each of those questions?

**The SPEAKER:** Order! I point out to the member for Davenport that there is no need for the Treasurer to have anything further to say in response to his question. If the member for Davenport had listened to the ruling I gave at the commencement of the today's proceedings on the tabling of documents referred to by ministers, he would have understood that the Treasurer will in the fullness of time do that when it is no longer against the public interest for him to do so and that I am satisfied that the documents, to the extent that it is possible for them to be tabled in support of the remarks which he made and which were the subject of the question of privilege raised by the member, are already tabled and in the possession of the house.

**The Hon. I.F. EVANS:** I rise on a point of order, Mr Speaker. The question also refers not only to documents but also to questions that may have been raised by the Speaker with the Treasurer, the Treasurer's staff or officers, and the response to each of those questions. We are asking the Treasurer, in the interests of open government, to table all the questions raised by the Speaker, with the Treasurer, the Treasurer's officers or staff, and the answers to each of those individual questions. That is a separate issue to the documents which was the third point within the question. With due respect, I think the question should stand.

**The SPEAKER:** Order! I rule the question out of order.

**Mr BRINDAL:** I rise on a point of order, Mr Speaker. I believe that, as part of your explanation to this house, you said that this matter is now in the hands of the house. How can the house make a determination on a matter on which the house will be denied documentation? While I accept—

*An honourable member interjecting:*

**Mr BRINDAL:** I haven't finished.

*Members interjecting:*

**The SPEAKER:** Order! The member for Unley has the call.

**Mr BRINDAL:** —unreservedly your word on the documents, Mr Speaker, nevertheless, as you point out, the longstanding tradition is that the Speaker rules this chamber

on behalf of every member of this chamber. In fact, in matters of privilege the determinant is not the Speaker—except *prima facie*—but this house. How can this house further determine this matter if it is denied documentation that should be, if not in the public interest, in the interest of the democratic process and of this house?

**The SPEAKER:** Order! There is no point of order. The matters to which both the members for Davenport and Unley have drawn attention in their respective explanations of a point of order have been dealt with not only in the statement I made at the beginning of the day but also just now. All the material that can be put before the house and the manner in which it was put before the house, and will in future be put before the house, is now before the house. The question is out of order.

**The Hon. I.F. EVANS:** I have a point of clarification, Mr Speaker. Your statement to the house today in relation to the tabling of documents was made after the Treasurer had given answers to this house. I am seeking clarification. Mr Speaker, is your ruling to apply retrospectively to all questions answered in this chamber since the beginning of this session?

**The SPEAKER:** No.

**The Hon. I.F. EVANS:** I have a further point of clarification: if it is retrospectively applying to the Treasurer's questions, to which other questions is it retrospectively applying?

**The SPEAKER:** None.

**The Hon. I.F. EVANS:** On another point of clarification, if it applies retrospectively only to the Treasurer's answer in relation to the matter of privilege, on what basis are other answers by other ministers being treated differently to the answer given by the Treasurer?

**The SPEAKER:** Given that the matter raised by the member for Davenport was raised as a matter of privilege and examined by me as a matter of privilege, all questions from this point forward, including that matter of privilege, are governed by the ruling I gave to the house at the commencement of today's proceedings.

### RIVERLAND WATER CONTRACT

**Mr RAU (Enfield):** Will the Minister for Government Enterprises advise the house on the status of the Riverland Water contract?

**The Hon. P.F. CONLON (Minister for Government Enterprises):** It would be well known to this house that, against the disagreement of the then opposition some years ago, the management of a great deal of South Australia's water system was—we say privatised, they say outsourced—contracted to private contractors. One of those contractors was the contractor referred to in the member's question. That contract has been the subject of a great deal of controversy since then. One of the obligations imposed by the former government—one of the methods in which the contracts were sold to the public—was that there would be obligations on the new private sector managers to create economic development and export.

It is well known in this place that, for many years, there has been a dispute between SA Water and the contractor with regard to the delivery of those obligations. According to the view of the government and SA Water, they have failed consistently to deliver those obligations, and we remain in that position today.



Since becoming the minister, I have decided that this is an unacceptable situation. I have met with the contractors and with SA Water, and I have said that the government will no longer tolerate a failure to meet obligations with nothing being done about it. The problem I have is that the previous government, in its haste to privatise our water and its haste to outsource the contracts, has placed penalties in the contract for failure to meet multi-million dollar obligations which were derisory. A failure to meet a \$20 million obligation incurred a penalty of \$700 000 or thereabouts.

Strangely enough, the private sector noted this, and it has moseyed along now for years simply ignoring those obligations. Who could say it is not in its commercial interests? What a dog of a contract was written by the former minister and the former government!

I can further advise that some time ago SA Water, regretting this position—as any sane person would—put to the former minister (the former member for Adelaide) that the contract be renegotiated as it was so fundamentally flawed. The former minister (whom I might term the legend of Sleepy Hollow, given his level of activity) declined to do that because it would have been a political problem for the government, as one of its major outsourcing privatisation contracts had plainly failed. In fact, the only time the legend of Sleepy Hollow (the former minister) showed any activity was when he was racing out of Adelaide to get away from Jane Lomax-Smith, but that is another story.

I put on the record today that I have spoken to the private sector contractor and to SA Water, and I have indicated that I want the contract renegotiated. I want proper benefits for the taxpayers of South Australia, over and above the derisory penalties drawn in by the previous government. I will be writing to the private sector contractor to indicate that, should it not be able to arrive at a proper resolution of this dispute in a short time with SA Water, we will consider the revocation—the cancellation—of the privatised contract.

I put on notice that this new government will not be dictated to by the private sector or by the failed contracts of the previous government. They will be delivered upon or cancelled. That is the message that will be going out to the contractors, because we have been taken for a ride through the gross incompetence of the previous government and it is not happening any more.

It has been suggested to me by the former minister for police that I need help but, by the end of the week, I can tell him who will need help in this place. By Friday he will be a sick and sorry individual, but that is another matter.

*Members interjecting:*

**The SPEAKER:** Order! Reflections on other members by the Minister for Government Enterprises are highly disorderly.

**The Hon. R.G. Kerin:** Name him.

**The Hon. P.F. CONLON:** I withdraw my reflection. An important question goes with this government's commitment to deliver to the people of South Australia on the outsourced contracts. We announced before the election that we would review the privatised and outsourced contracts. We are doing that, and I indicate—

**Mr BRINDAL:** On a point of order, sir, it has always been considered practice to address remarks through the chair and a discourtesy to have one's back to the Speaker, and in this regard I draw your attention to the minister.

**The SPEAKER:** It is more important, I remind the member for Unley and all other members, for the chair to be

addressed rather than faced. The Minister for Government Enterprises.

**The Hon. P.F. CONLON:** I repeat the gist of the answer, namely, that we will protect the taxpayers of South Australia. We will overcome the difficulties that exist in the failings of the previous government to contract properly with the private sector, and we will be indicating by letter to Riverland Water that, if it is not prepared to renegotiate to compensate for the failures under the contract, this new government will be considering the cancellation of the contract.

## TEACHERS' SALARIES

**The Hon. I.F. EVANS (Davenport):** Will the Treasurer confirm that, at the recent budget bilateral meeting between the Treasurer and the Minister for Education and their officers, he was provided with advice that a \$205 million provision, or another provision, for the teachers' wage case had already been included in the budget forward estimates?

**The Hon. K.O. FOLEY (Treasurer):** I made very clear in my statement on 8 May in this house that I acknowledged on the public record—and I quote again for the member's benefit—that 'the cost of the Department of Education and Training enterprise bargaining is certain to exceed the contingency allowance currently in the budget funding'. That was the \$205 million. I never kept it a secret. The point of the exercise is that there was 1.5 per cent in Treasury, a very meagre amount—\$10 million to \$30 million, or a little more—in education which represented but a portion of what was needed. The reality was that that amount of money was of no value if an allocation was not made, as the Under Treasurer advised the former Treasurer, in the mid-year budget review.

In respect of what I said or did not say or what I gave to you as Speaker, sir, I am happy to say that what I provided to the Speaker last night was a copy, which I had to get from Treasury because the original document released yesterday was missing. It was not returned by the former treasurer or one of his staff, to the best of my understanding. So, I had to ask the Under Treasurer for his copy of the original so that I could explain the document to the Speaker. I showed to him a copy of the minute of 15 January, which is on the public record, where the former treasurer used the words I mentioned earlier. I showed him *Hansard* of 8 May where I had said already that a contingency was in the budget. The advice was that it was not enough and I explained it, so I do not know what more the honourable member could possibly want.

*Mr Brokenshire interjecting:*

**The SPEAKER:** The member for Mawson has already been invited to be orderly. The member for Wright.

## VOLUNTEERS

**Ms RANKINE (Wright):** Will the Premier inform the house what action the government is taking to promote volunteering during Volunteers Week and Volunteers Day?

**The Hon. M.D. RANN (Premier):** I thank the honourable member for her question and for the fine work she is already performing as my parliamentary secretary in the area of volunteering.

*The Hon. Dean Brown interjecting:*

**The Hon. M.D. RANN:** I ask the deputy leader to allow me to answer this question.

**Mr Hamilton-Smith:** You never did.

**The Hon. M.D. RANN:** You have to remember that there are often school children in the galleries and they would like us to behave better than they do. National Volunteers Week, which commenced yesterday, is set aside in the Australian calendar for celebrations to recognise and promote volunteering. As Premier and Minister for Volunteers, I join with the South Australian community in thanking the volunteers for their absolutely selfless generosity in giving their commitment, energy and time in helping others. It is estimated that about 420 000 South Australians volunteer time and energies to a range of endeavours including the arts, community education, emergency services, sport and recreation, health, tourism and the environment.

The government has heralded the start of Volunteers Week with banners along King William Street to highlight the theme of Volunteers Week: 'Thanks very much.' The government has given \$31 000 in special National Volunteers Week grants to community groups to help recognise and celebrate the contributions of the state's volunteers. It is essential that volunteers and those who manage them be provided with opportunities to improve their skills and enhance their knowledge.

I am therefore very pleased to announce that the government has provided the Onkaparinga TAFE and the Australasian Association for Volunteer Administration with \$10 000 each for scholarships and other support for volunteer managers.

The culmination of Volunteers Week is the Adelaide Cup carnival and Volunteers Day holiday to be held next month—a day of celebration that is unique to South Australia. To celebrate this occasion the government has invited over 3 000 volunteering organisations to honour its valuable volunteers at a morning tea at the beautiful and historic grounds of Carrick Hill. Volunteering will also be promoted during the Adelaide Cup carnival through the South Australian volunteers handicap race and 'Thanks very much' signage at the Morphettville racecourse. Throughout Volunteers Week the Government will work closely with community groups to highlight in their local media examples of outstanding work undertaken by volunteers in their local community.

*Mr Brindal interjecting:*

**The Hon. M.D. RANN:** I would like, as that is the way I do business, to pay tribute to the former ministers for volunteers for their efforts—

**Mr Brindal:** Especially this one.

**The Hon. M.D. RANN:** Not especially anyone, but to former ministers for volunteers. I will personally recognise volunteers on Friday by meeting with volunteers from Meals on Wheels, the Red Cross and the Radio of the Third Age. In fact, I invite all members of parliament, if they so wish, to join me in a bipartisan way in giving blood on Friday at the Red Cross. I will be joining the member for Norwood, who will be giving her 77th pint of blood. I will be giving my second litre. Would it not be terrific to see the Leader of the Opposition and me together giving blood on Friday? I hope members will join me in recognition of the tremendous work of Red Cross and in the recognition of volunteers.

The volunteers of this state fight the fires and floods and work to assist those who are sick and injured; they work in terms of lifesaving through service groups and in countless other ways in the community. It is important that we as a parliament and as community leaders honour and respect the absolutely selfless generosity of South Australian volunteers who freely give their time to support our community and

assist in making lives better and who in many cases risk their own lives to save others.

### TEACHERS' SALARIES

**The Hon. I.F. EVANS (Davenport):** Can the Treasurer confirm that he told the Speaker yesterday that he had not seen the Department of Treasury and Finance memo of 21 December from the Under Treasurer to the former treasurer until after 9 May, and that he has led the Speaker to believe therefore that the Treasurer was unaware of the specific DTF advice and there was a specific allocation of funding in the budget forward estimates for the teachers' wage case?

**The Hon. K.O. FOLEY (Treasurer):** I think all has been covered in my ministerial statement. You must read the ministerial statement and you will get exactly the answer to that question.

### INSURANCE, THIRD PARTY

**Mr SNELLING (Playford):** Can the Treasurer advise the house whether the government has made a decision as to the amount by which compulsory third party insurance premiums will rise, as well as the amount an average motorist can expect to pay?

**The Hon. K.O. FOLEY (Treasurer):** Prior to question time today, I held a press conference to announce the decision of the government in respect of the Motor Accident Commission. As I said, the advice to government was that, if urgent action was not taken by government, the solvency ratio would be very seriously eroded. At present, I understand that it is heading towards a 4 per cent solvency ratio, despite the fact—

**Mr Brindal:** From what?

**The Hon. K.O. FOLEY:** It was 9 per cent at 30 June last year, spiralling down to 4 per cent. The former government, as I outlined to the house, failed to act. We have to act and, as I indicated today, we are doing so in a way that will provide sufficient solvency as quickly as possible for the Motor Accident Commission but in a way that reduces the impact on families. For the average car, there will be an increase of \$45. That is approximately 15.5 per cent, not the 21.7 per cent as recommended.

The advice I am given is that that will see solvency in the fund rise to above 11 per cent over the next three years or so. I have indicated that we will be looking at a further increase next year. We cannot be absolute on what that will be because there is actuarial advice, Murphy's law in terms of the investment market and as to what may occur over the course of the next 12 months, but we are foreshadowing the possibility of around about a further \$20 increase in 12 months' time. As I said, that figure may vary once we get the advice.

The important thing is that the Motor Accident Commission, through decisive action of this government, will be stabilised and will become more solvent, which will remove the danger that can be caused by a government enterprise requiring a taxpayer-funded bailout. More particularly, we have moved to cushion families as best we can, given the prudential and financial constraints that we find ourselves in.

### HOMESTART FINANCE

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** Can the Minister for Health confirm that the HomeStart loans scheme for the construction of aged care

beds, as approved by the previous government, has now been withdrawn by the present government, and if so why? Last year, as minister for human services, I introduced a scheme where non-profit organisations with aged care licences could take out a concessional loan with HomeStart to build the new facilities. Criteria for the approval were agreed to by the then treasurer and minister for human services, and the first project was given final approval to proceed in early January 2002. At least 10 other applicants, many of them country hospitals, were interested in taking out loans under the scheme. Yesterday, the Minister for Health said it was important that aged care beds were built as soon as possible.

**The Hon. K.O. FOLEY (Treasurer):** I can answer that question because, after becoming Treasurer, I put on hold a number of decisions taken by the former government on the eve of the last state election, because they were done—

*Members interjecting:*

**The Hon. K.O. FOLEY:** I am getting to it; the member for Finnis must be patient. In doing so, I was advised very quickly in the piece by the Under Treasurer of actions that were occurring in HomeStart which, as the new Treasurer, concerned me. What concerned me—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** On becoming Treasurer, I took advice, considered that advice, and formed a view that there are a number of aspects of the use of HomeStart finance by you and your government that caused me concerns, and I am reviewing them. HomeStart finance—

*Members interjecting:*

**The Hon. K.O. FOLEY:** Hang on. HomeStart finance was established to provide—

*Members interjecting:*

**The SPEAKER:** Order, the Deputy Leader of the Opposition!

**The Hon. K.O. FOLEY:** It is very hard to talk when the person I am trying to explain to is engaged in another conversation. The former minister for health had, on a number of occasions it would appear, used HomeStart finance not for what it was designed for, namely, to provide low-cost loans for those who cannot afford other loans, but to take government activity almost off balance sheet, that is, to get around the capital works budget, to get around the fact that you had run the Health Commission in such a way that it was blowing its budget. You started to find ways to creatively get around your budget constraints by borrowing money from HomeStart finance to fund your capital works project. That is not all you did, Dean.

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** I apologise, that is not all the deputy leader did. He used to shift money around in all sorts of ways in his portfolio. I have an announcement for the member for Finnis and deputy leader—

**Mr BRINDAL:** I rise on a point of order. Mr Speaker, you have ruled several times today about members not impugning improper motives other than by substantive motion. The minister appears to be impugning improper motives to one of the former ministers on this side of the house.

**The SPEAKER:** I did not take that inference from the remarks that were being made but I remind the Treasurer not to fall into such a trap. The Treasurer.

**The Hon. K.O. FOLEY:** I will conclude by simply saying that the use of HomeStart loans to fund capital works in the Health Commission and other areas of government is

of concern to me because it is a way of getting around the agreed capital works budget.

*The Hon. Dean Brown interjecting:*

**The SPEAKER:** The deputy leader will come to order!

**The Hon. K.O. FOLEY:** The former treasurer might have been a soft touch when it came to the minister for health, he might have been able to get his way, and a number of aspects of the Health Commission, under the former minister, warrant further investigation, and they are being investigated.

**The SPEAKER:** The member for Napier.

*The Hon. Dean Brown interjecting:*

**The SPEAKER:** Order! I have called the member for Napier. The deputy leader has had a go.

## URBAN BOUNDARIES

**Mr O'BRIEN (Napier):** Can the Minister for Urban Development and Planning advise the steps undertaken by the government to protect the metropolitan area's green belt? I understand that the previous Liberal government's urban growth boundary was recently up-ended by the Supreme Court and that this government has taken speedy action to remedy the situation.

**The Hon. J.W. WEATHERILL (Minister for Urban Development and Planning):** The previous minister for planning decided to prepare a plan amendment report, which created a zone for an urban growth boundary for metropolitan Adelaide. That rezoning was to create areas for farmland and also areas where there could be further residential development. The plan amendment report was gazetted, giving immediate effect, but that meant that certain areas were created for rights for immediate residential development. The difficulty with that is that certain of those areas were contentious. One of those areas was in the Gawler region and the previous government failed to secure the support of the Gawler council for that proposition. The Gawler council is led by a popular Labor mayor—

*Mr Brindal interjecting:*

**The Hon. J.W. WEATHERILL:** Yes, and the view of the council was that it seemed to stand in the way of the government making its best endeavours with the Gawler council. The council took the matter to the Supreme Court, which up-ended the plan amendment report. The Supreme Court handed down its decision on 5 March. It found that the previous minister had failed to properly invoke her powers. This meant that the land that was the subject of the new zoning arrangements reverted to the previous zoning arrangements, which exposed the state to the risk of speculative investment. So, the new government acted quickly to meet with the Gawler council and secure its agreement to a new plan amendment report, and it reserved certain areas for further discussion. This was achieved and the new plan amendment report is in place.

We are confident of achieving a sensible resolution to Gawler council's concerns. We are adopting a much more conciliatory approach to Gawler council than did the previous government, and not only will we resolve this matter but also we will go further and bring to this house legislation which enshrines Adelaide's green belt and puts in place our vision for a second generation of parklands.

## MILLICENT HEALTH SERVICE

**Mr WILLIAMS (MacKillop):** Can the Minister for Health explain to the house why a loan approved through

HomeStart to the Millicent Health Service for the construction of aged care facilities to utilise commonwealth aged care bed licences has been withdrawn? After securing a financing avenue through the Wattle Range council by way of a special council rate and council borrowings through the Local Government Finance Authority, the hospital was advised by the South East Regional Health Service that it would be appropriate to fund the project from state sources, namely, Homestart. An application was subsequently made to Homestart for loan funding in lieu of the council facility. With DAIS ready to call tenders for the construction and Homestart having approved the loans, the hospital was advised on 29 April that the loans had been stopped and that other avenues of funding should be sought.

**The Hon. L. STEVENS (Minister for Health):** I will take the question on notice and get back to the member with an answer.

### HEALTH REVIEW

**Mrs GERAGHTY (Torrens):** Can the Minister for Health outline to the house some of the issues that led to the decision to commission the generational review of South Australia's public health system? The former minister for human services, and now shadow minister, has been reported as saying that the review is not necessary.

**The Hon. L. STEVENS (Minister for Health):** I am delighted to answer the question from the member for Torrens. For the last eight years South Australia's health system—which represents the government's biggest single budget outlay—has been run without a comprehensive plan for investment in the delivery of services, either now or in the future. As a result of this ad hoc approach, the system has failed. Let me illustrate with a few examples.

More than 400 hospital beds were closed between 1993-94 and 1999-2000. This is not news to anyone; no-one in this chamber would be surprised at what I am saying. Sick people have been kept on trolleys all day because no beds have been available. Major surgery is regularly cancelled, and often after the patients have been prepared for surgery, because there are no beds. Ambulances are put on by-pass because the system cannot cope.

The directors of emergency departments warned the previous government of the risks of serious adverse events because of overloaded emergency departments. Our hospitals have the highest rates of hospital acquired infection of Australian states, not to mention the 94 000 people waiting for dental treatment, a mental health system that is in crisis and a mental health reform process that has fallen behind other Australian states. At the same time, our hospitals have accumulated debts of \$56 million, and some health units are still operating with unsustainable deficits, which are forecast to reach another \$10 million this year.

So, this is the legacy of the former minister who now claims that nothing needs to be done. I think it is quite clear to everyone in this chamber and in this state that things need to change, and a generational review will provide the plan for South Australia and for the Labor government to rebuild the health services as we promised.

### OUTER HARBOR

**The Hon. R.G. KERIN (Leader of the Opposition):** Will the Premier advise the house whether the government remains committed to the building of a new deep sea port at

Outer Harbor, including the vital rail link and the third river crossing?

**The Hon. M.D. RANN (Premier):** We will be making a major statement on that at a future date.

**The Hon. R.G. KERIN:** I have a point of order.

**The SPEAKER:** Does the Leader of the Opposition have a supplementary question?

**The Hon. R.G. KERIN:** No, I have a point of order regarding your ruling about answering questions. Last week you said much in the media about the fact that you would be requiring questions to be answered. I assume that that comment was not what you required?

**The SPEAKER:** Let me say that there is no point of order, but I invited the leader, if he wished, to seek a date or such other supplementary information as might be appropriate in the circumstances of the reply. The reply is sincere enough.

**The Hon. R.G. KERIN:** Will the announcement be tomorrow?

**The Hon. M.D. RANN:** The announcement will not be tomorrow.

### BARCOO OUTLET

**Mr CAICA (Colton):** Can the Minister for Environment and Conservation detail what action has been taken to keep the public informed about the results of water quality testing at the Barcoo outlet? The previous government constructed the Barcoo Outlet at a cost to the South Australian taxpayer of \$16.804 million. After rain, effluent from the outlet can be discharged, and this can potentially make the beaches and Patawalonga Lake unsafe for swimming. The previous government did not take action to make testing results readily available to the public regarding the state of these areas.

**The Hon. J.D. HILL (Minister for Environment and Conservation):** I thank the member, who has had a long-standing interest in this issue and used it to great effect during the recent election campaign. As members would know, the former government constructed a pipeline at West Beach to take the untreated effluent—some of it was untreated effluent—and stormwater out to sea. This was really taking it from one place and putting it into another. It was redirected from the Patawalonga, where it had gone before, and was put out to sea.

I can inform the house that from April 2002 the Environment Protection Agency has taken over responsibility for monitoring water quality in the Patawalonga Lake and the beach near Barcoo Outlet following storm events. They have taken over this responsibility I think in part from the Department of Water Resources and also in part from SA Water. A monitoring protocol has been established. Samples are collected from three sites on the Patawalonga Lake and four sites on the beach, and those samples are taken when 5 millimetres of rain or more is recorded at Adelaide Airport.

Results are usually available from the laboratory three or four working days after the samples have been collected. It is expected that the monitoring program will quickly establish a pattern whereby water quality deteriorates for a few days following an event, as in the case for other areas such as West Lakes. The information can then be used to provide general advice to people not to use the Patawalonga Lake or the beach for a specified number of days. That information is available to the public on the EPA web site and the address is [www.epa.sa.gov.au](http://www.epa.sa.gov.au) under the latest news—

*The Hon. I.F. Evans interjecting:*

**The Hon. J.D. HILL:** The former minister is informing the house that he launched the web site. I congratulate him on doing that, and I hope over the next four years he thinks up some other good ideas as well. The point is that the results to date—

*An honourable member interjecting:*

**The Hon. J.D. HILL:** Yes, that is right. The results to date from the two storm events indicate that water quality is unsafe for swimming in the Patawalonga Lake for a few days after a rainfall. The Department for Human Services—

*Mr Brindal interjecting:*

**The SPEAKER:** Order, the member for Unley!

**The Hon. J.D. HILL:** —has requested that the City of Holdfast Bay place notices around the lake advising people to this effect. Water quality at the beach near the outlet deteriorates for about a day after a storm but not to the point where beach closure is warranted. Local citizens have a great deal of concern about the operations of this outlet. The government is determined that the effluent disposed of through that outlet will be monitored, and the information will be made available to the public on a regular basis so that people can make their own judgment about whether or not it is safe. Over time, we will have an accumulation of knowledge which will allow a proper understanding of what happens down there, and the government is determined that the public is aware of that.

#### TAXI COUNCIL

**The Hon. M.R. BUCKBY (Light):** Will the Minister for Transport inform the house whether there will be industry members on the proposed Premier's Taxi Council, and will those positions be made by appointment or by election from the taxi industry? Yesterday, the minister advised the house that he will be establishing a Premier's Taxi Council. This morning, he confirmed on radio that it would be similar to that established by Jeff Kennett. I am aware that the taxi industry is divided upon the manner in which members should achieve a position on the council, that is, via appointment by the government or by election from the industry.

**The Hon. M.J. WRIGHT (Minister for Transport):** There will be industry appointments to the Premier's Taxi Council. The government will be in a position in the very near future to announce the make-up of the council. It was a major commitment made by the then Leader of the Opposition in the lead-up to the last election and, of course, as Premier, he will deliver on that matter.

#### THEBARTON BIOSCIENCE PRECINCT

**Mr HAMILTON-SMITH (Waite):** My question is directed to the—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr HAMILTON-SMITH:** My question is directed to the Minister for Science and Information Economy. Has the minister secured the land identified for the expansion of the Thebarton bioscience precinct, as approved by the previous government? In January this year, the previous government announced plans to expand the Thebarton bioscience precinct, a step which is vital for the future growth prospects of the industry and which enjoys overwhelming support from industry, our universities and other centres of excellence. The plan hinges on the government's acting promptly to negotiate the purchase of a 4 hectare site at Thebarton from the Michell

group of companies. Any delay or procrastination by the minister could see the land purchase fail and the precinct scuttled to the great detriment of the biotech industry.

**The SPEAKER:** Order! Before calling the minister to answer, I inform the member for Waite that I suspect much of what he was saying was not legitimate explanation but, rather, debate, but I could not hear him, and I regret that aspect. The minister.

**The Hon. J.D. LOMAX-SMITH (Minister for Science and Information Economy):** The member's question is one that I can answer only briefly. To my knowledge, the negotiations on this land sale were being carried out by the Department of Industry and Trade, therefore, it is not directly under my control.

#### WORKCOVER

**Mr KOUTSANTONIS (West Torrens):** Can the Minister for Industrial Relations advise the house whether the average levy rates set by WorkCover will rise, stay the same or fall for the 2002-03 financial year?

**The Hon. M.J. WRIGHT (Minister for Industrial Relations):** As the member is aware, average levy rates are one of the factors that impact on South Australian businesses. On 8 May, the member for Davenport asked a question about the cost of WorkCover for businesses. In the media the very next day, he talked about premiums. Costs and premiums are two different concepts altogether. I advise the house that, as announced today by WorkCover, the decision of the WorkCover board is that the published net average levy rate for the 2002-03 financial year will remain at the same level as it was in 2001-02. Even yesterday, the member for Davenport was talking up a 'likely increase in WorkCover premiums'. Despite the groundless speculation and innuendo, the new shadow minister's first foray into the portfolio has come to naught. He has been proved wrong again—and, by the way, he should know and understand that WorkCover costs vary from business to business and industry to industry, based on claims experience and a multitude of factors. In the context of workers' compensation, 'costs' is a vague and clumsy term—

*The Hon. R.B. Such interjecting:*

**The SPEAKER:** Order! The member for Fisher is out of order. The honourable member may wish to consult by taking his leave to the gallery. The minister.

**The Hon. M.J. WRIGHT:** WorkCover costs vary and, based on claims experience, involve a multitude of factors. As I have said, in the context of workers' compensation 'costs' is a vague and clumsy term and should not be confused with levies. They are two different concepts altogether. The published net average levy rate for the 2002-03 financial year will be 2.46 per cent, which is not a good start for the new shadow minister in a new portfolio area. It will not help his bid for the leadership.

*Members interjecting:*

**The SPEAKER:** Order! I advise the minister that debating the answer was bad enough and I intended to talk to him quietly later, but jibes of the kind he made as a rejoinder before sitting down are so highly disorderly as to warrant a rebuke. The Deputy Leader of the Opposition.

**The Hon. DEAN BROWN:** Mr Speaker, based on your ruling earlier today, I ask that the latest minutes of the WorkCover board be brought before this house.

**The SPEAKER:** On what ground does the deputy leader seek—

**The Hon. DEAN BROWN:** The minister has made a statement this afternoon, and to back it up he has claimed that something was discussed and that the source of that was the board meeting of Workcover. Based on ensuring that the house has accurate information on what the Workcover board decided yesterday, I ask that the minutes of that board meeting be tabled in this parliament.

**The SPEAKER:** Did the minister quote the minutes of the meeting?

**The Hon. M.J. WRIGHT:** No, I did not: I do not have nor have I seen the minutes.

**The SPEAKER:** There is no point of order.

**The Hon. DEAN BROWN:** Mr Speaker, the minister said that the WorkCover board decided yesterday that there would be no increase in premiums. I am seeking to make sure that, in fact, that is an accurate reflection of the minutes of the board meeting.

*Members interjecting:*

**The SPEAKER:** Order! There is no point of order. The minister has not quoted from any record of a department or a quango in the course of making his reply. He has simply relied upon his recollection of the briefing he received and accepts responsibility for the accuracy of that information, as does every other member who provides information to this house. It is highly disorderly for members to mislead this house as, in recent history, to their cost, some members have discovered. Accordingly, can I disabuse the deputy leader of his mistaken belief that supplying factual information to the chamber in response to a question in order to answer that question is no ground whatever for seeking or requiring the tabling of a piece of paper which may contain that information. For all he knows, I know, and any other member knows, the briefing may have been verbal. The Leader of the Opposition.

### MURRAY RIVER FISHERY

**The Hon. R.G. KERIN (Leader of the Opposition):** Will the Premier assure the house that the government intends to honour the commitment that the member for Hammond has made in respect of compensation for Murray River commercial fishers and their families? The member for Hammond is on record as giving an undertaking for compensation for the river's commercial fishers to be based on rest-of-life earnings. Yesterday, on ABC Radio, when questioned about this very clear and determined undertaking, the fisheries minister said that he did not recall such an undertaking being made, suggesting a break of the commitment.

In answer to a question yesterday, the Premier indicated that compensation would be an extremely modest provision in the budget. Previous estimates offered by the Premier were as low as \$10 000 per family for rest-of-life earnings—a figure which, as I said yesterday, has insulted and caused much anxiety for the families involved.

**The Hon. M.D. RANN (Premier):** I am very happy to answer this question. I want you to listen carefully—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** No, I am not getting narky. Will the real Leader of the Opposition please stand up? That is what it seems like today. Let me make it patently clear: yesterday, I said that an announcement would be made in the budget. Didn't I say that? Didn't I say, 'In the budget'? There

will be an announcement made in the budget process. There are currently—

*The Hon. R.G. Kerin interjecting:*

**The Hon. M.D. RANN:** You might find it outrageous—

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —but I regard it as normal because we know the way—

*Mr Meier interjecting:*

**The SPEAKER:** Order! The member for Goyder will come to order.

**The Hon. M.D. RANN:** —in which your government conducted its business. Ours will be done properly and responsibly and it will be done modestly.

### LAW HANDBOOK

**Ms BREUER (Giles):** Can the Attorney-General advise the house what this government is doing to improve education about and access to the law?

**The Hon. M.J. ATKINSON (Attorney-General):** It is early days in the life of this government and we are still in the process of investigating the ways in which to improve the public's understanding of the law. We are always looking to improve access to justice in our courts and elsewhere. I am pleased to be able to report to the house that today I launched a web site that should go some way to improving the speed at which the public can access legal information and, ultimately, encourage greater access to justice for them.

*An honourable member interjecting:*

**The Hon. M.J. ATKINSON:** No, the Hon. Robert Lawson did not do it, but I was pleased to see him in the audience. The *Law Handbook* online is now open for business on the internet and it can be found at [www.lawhandbook.sa.gov.au](http://www.lawhandbook.sa.gov.au). Many members will be familiar—

*An honourable member interjecting:*

**The Hon. M.J. ATKINSON:** No, it has not been blessed, other than my launching it. Many members will be familiar with the hard copy version of the *Law Handbook* which was first published by the Legal Services Commission under the handbook title in 1988. It has been updated every three years since. It has been a valuable resource for students, teachers, social welfare workers, police officers and politicians over the years. Today, with the assistance of funding from the Law Foundation and the e-Government Infrastructure Unit of the Department of Administrative and Information Services, the information contained in the *Law Handbook* is available to all South Australians gratis on the internet—

*The Hon. L. Stevens interjecting:*

**The Hon. M.J. ATKINSON:** For the member for Unley that means 'free of charge'. The web site provides a comprehensive first point-of-call resource that will both improve public understanding of the law and assist legal advisers in their work.

*Mr Brindal interjecting:*

**The Hon. M.J. ATKINSON:** The member for Unley tells us he studied Aramaic. Are you sure? It was the language of our Saviour.

**The SPEAKER:** It is a long time since the member for Unley was in a classroom. I suggest that he need not instruct the Attorney-General; it only delays the answer further.

**The Hon. M.J. ATKINSON:** I am quite prepared to believe that the member for Unley studied Ancient Greek and Latin: I just find it highly unlikely that he studied Aramaic. I encourage all members to acquaint themselves with the site,

to introduce it to their constituents, and to play their part in informing the public about the law, their rights and their duties.

Finally, I place on public record my appreciation of the efforts of about 70 legal practitioners who volunteered their time and knowledge to provide the legal information included on the site.

### MURRAY RIVER FISHERY

**The Hon. R.G. KERIN (Leader of the Opposition):**

Will the Premier inform the house whether or not the government has had formal discussions with the South Australian River Fishery Association in relation to the banning of commercial fishing on the Murray River and the future of its members and families? This morning, Rod Coombe, who is Director of the South Australian River Fishery Association, told the ABC that there had been no formal discussion with the 30 fishermen and their families. Mr Coombe was quoted as saying:

There has been no formal discussion through authorisation by our group of 30 fishermen or their families. The appropriate response would be to respond to our phone call requests or in writing.

The Premier has said that he is determined this process will be done in the right fashion: that being that these families lose their livelihood at the end of June and an announcement being made in July. It is tough on 30 South Australian families.

**The SPEAKER:** The kind of gratuitous advice to the house in which the leader engaged is unedifying. It does not help command better respect for our proceedings and often results in uproar if it is allowed to continue. Please, if we conduct ourselves within standing orders, we will win far more respect.

**The Hon. M.D. RANN (Premier):** Thank you, sir. I agree with the Speaker's remarks. I think it is really important—

*Members interjecting:*

**The SPEAKER:** Order! I know—and that is why I am stopping it now.

**The Hon. R.G. Kerin:** What about the 'tough' comment at the end of the last answer?

**The SPEAKER:** I did not hear any such comment.

**An honourable member:** He said it twice.

**The Hon. M.D. RANN:** I didn't say 'tough'. I did not say, 'Bad luck fishermen, tough'. That's outrageous.

**The SPEAKER:** Order! The Premier will answer the question.

**The Hon. M.D. RANN:** Thank you, sir. It is important for the Leader of the Opposition to help raise the standards of debate in this house. The parliament has been going for the second week. Rob, I think it is important to ask your members to cool it. One has been removed today; apparently, he has given a news conference.

In relation to the issues you have raised, yesterday I offered you a briefing from the minister responsible for fisheries. If you would like that briefing I will arrange it.

### MURRAY RIVER, CONFERENCE

**Ms BEDFORD (Florey):** My question is directed to the Minister for the River Murray. Were there any positive outcomes from the ministerial conference held in Corowa in April this year?

**The Hon. J.D. HILL (Minister for the River Murray):** I am very pleased to finally get a question in this house on the Murray River. I thought that the former minister, the current

opposition spokesman on the Murray River, would have asked me questions about this by now, but I do thank the member for the question.

*The Hon. D.C. Kotz interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. HILL:** I am so glad that the former minister for the environment has raised what we have done compared with what the former government did in relation to the Murray River. In just the first few weeks of this Labor government we achieved more in terms of environmental flow for the Murray River than the Liberal Government did in eight years. We achieved more in eight weeks than members opposite did in eight years. Let me explain it to members opposite, if they do not understand. On 12 April (last month) a Murray-Darling Ministerial Council was held at Corowa.

This was an historic council meeting, which achieved a great deal for South Australia. For many years there has been argument about putting water back into the Murray River for environmental purposes. I must say that the former minister, David Wotton, when he was in the chair, achieved something, because as a member of the Ministerial Council in 1995 he managed to have a cap placed on water extraction from New South Wales and Victoria. But for the first time, in 2002, the Ministerial Council agreed to put additional water back into the river. It has said that it will look to finding flows of between 350 and 1 500 gegalitres—

*Mr Brindal interjecting:*

**The Hon. J.D. HILL:** I will get to that detail in a second. The Ministerial Council agreed that there should be additional water flow, and set benchmarks of between 350 and 1 500 gegalitres of water. Now, 1 500 gegalitres of water is about half of what South Australia needs, but it would go a substantial way to achieving the environmental benefits that we need in this state. The Ministerial Council has agreed to consult and to undertake educational programs over the Murray-Darling Basin to allow the community interests—the farmers, the irrigators, those who have an interest in water use—to have a say in how these savings should be made and to be part of the decision as to what level the savings should be. But the reality is that the Ministerial Council, for the first time, agreed that extra water should be put into the Murray River.

Two or three weeks before that Ministerial Council meeting there was a strong push from some of the states, and I point out that the eastern states did not even have that matter on the agenda but, because of the good relations between this government and the governments of New South Wales and Victoria, we were able to persuade the governments of the eastern states to have that item put on the agenda. What is more, we were able to convince them to support the motion when it was put before the council. Those who have been attending ministerial councils for many years were extraordinarily delighted by the decision and were amazed, in fact, that we were able to achieve so much in such a short time. This is great news for South Australia, and over the next 18 months we will be working with the other states to determine a program where we will see water coming down the river.

I have to point out that the Premier was able to negotiate with the Premier of Victoria an additional 30 gegalitres, which will, in fact, be the first bit of water that will come down the Murray River by way of environmental flow. That is a huge achievement by the Premier, who got out there and fought for South Australia. He achieved more than the former govern-

ment achieved in eight years, in terms of river flow.

## GRIEVANCE DEBATE

### AGED CARE

**Mr WILLIAMS (MacKillop):** Today, despite years of trumpeting about the need to look after people, individuals and families, the house learnt of the lack of compassion of this government when it comes to real activities. We have just heard of the total disregard by the Premier for the families of the fishermen along the Murray River—the fact that they have been told that they will lose their livelihood at the end of June, but no statement will be made on behalf of the government until some time in July. I feel very sorry for those families. However, that is not the reason why I am on my feet today. I want to talk about another issue where the government has shown a total lack of regard for individuals—people of South Australia. What makes it worse is that it is the elderly in our state who have been disregarded by this government; it is the elderly who have been left—

**Mr Brindal:** Abandoned.

**Mr WILLIAMS:**—and abandoned (as the member for Unley points out) by this government after many years of hard and dedicated work, not only by the previous state government but also by the federal government. Today I want to talk about aged care, and I specifically want to talk about aged care in country areas. We do not expect a Labor government to ever have much knowledge about country areas: it does not understand what goes on in country areas. However, a lot of people live in country areas—about a quarter of the population of South Australia lives outside the metropolitan area of Adelaide.

One of the facts regarding aged care is that the commonwealth government provides the recurrent funding, the day-to-day expenses of running aged care beds, and built into that recurrent funding is an amount which allows for the recompense for the investment in capital works to provide the beds. But, unfortunately, investors who have traditionally put their money into providing aged care beds in metropolitan areas throughout Australia will not go into the country because they perceive that there is a high risk to their investment. Unfortunately, it is very difficult—it is almost impossible—to get private investors, and private capital, into aged care beds in country areas. What traditionally has happened is that the local communities, through not for profit organisations and/or through their hospitals, or through sponsorship by their local councils, have obtained bed licences, raised funds and erected accommodation as a community project to care for their own aged. This has happened right across my electorate. A large number of aged care beds and retirement villages have been built right across my electorate on this basis—that is, from private subscriptions and community fundraising.

In the town of Millicent in the electorate of MacKillop, the local hospital board is undertaking a two stage project to build 30 aged care beds onto an existing aged care facility. There are lifelong residents of that town who, when it came to their time of need for an aged care bed, have been moved to towns in surrounding districts, sometimes an hour's drive away from their loved ones—and those loved ones who have an inability to drive themselves—because the beds are not

available in the local town. That is happening right across my electorate and other country electorates. But the community of Millicent through the local hospital board approached the local council and the council struck a special rate and, in addition to providing that money as a capital grant to the hospital board, they sought funding through the local government financing authority and had in place an avenue of funding for stage 1 of the project to build a further 30 beds—stage 1 consisting of some 12 beds. On 29 April, in a heartless manner, when DAIS was about to call for tenders for the construction of these first 12 beds, for some unknown reason, HomeStart, having approved the funding, contacted the hospital and said that the funding was no longer available and that it would have to source another avenue. This is after it already had sourced an avenue of funding through the local council and through community subscription and then gone back over its tracks to go through an application through HomeStart and, at the eleventh hour, this was withdrawn.

Time expired.

### MARINE DISCOVERY CENTRE

**Mr CAICA (Colton):** I rise today to acknowledge and inform the house of the significant contribution to environmental education and learning being provided by the Star of the Sea Marine Discovery Centre. The Marine Discovery Centre at the Star of the Sea school is located on Seaview Road at Henley Beach. Its aim is to encourage—

*An honourable member interjecting:*

**Mr CAICA:** I will let the school take credit for it. The aim is to encourage an appreciation and understanding of marine life with a view to promoting conservation and sustainable use. In the space of just over three years, in excess of 5 000 South Australian school students from both the private and public education system, in addition to community groups, have visited the Marine Discovery Centre. This is in addition to the weekly lessons that all Star of the Sea classes attend at the centre. Currently, the centre is booked out 15 months in advance. This means that another 6 000 South Australian students will have the opportunity for hands-on learning and discovery about our unique marine environment.

The Marine Discovery Centre has coordinated 11 marine education conferences for teaching educators from as far away as Mount Gambier and Port Lincoln. The centre, through a consultancy, is assisting four groups to establish their own marine discovery centre—at Middle Beach, Ocean View College, the Penguin Education Centre and the Whale Watch Centre at Victor Harbor. The Marine Discovery Centre, with its links to the local community, is working closely with the local dune care group and has developed Adelaide's first metropolitan coastal interpretive trail, which covers topics which include the Torrens River outlet, seagrasses and stormwater, sand movement and the human impact on our coast, among other issues.

The Marine Discovery Centre has won or has been a finalist in many state and national environmental awards—too many to name here today in this short time. The centre is located in a small refitted cottage adjacent to the Star of the Sea and features aquaria, working models, science experiments and many more interactive learning activities. Interestingly, the motto of the school is: 'Please do touch,' because they believe this enhances children's learning experiences.

Given the broad interest and significant contribution the Marine Discovery Centre is making to environmental



learning, it is little wonder that the centre is under some stress, that is, it is having difficulty catering for all the groups who wish to be exposed to its unique features. The aim of the school is to construct a new specific purpose-built Marine Discovery Centre in such a way that the centre further enhances environmental learning that sets, by way of example, sustainable building technology that can become our state's benchmark for ecologically sustainable development. At this new premises—when and if it is built—they will use natural lighting, heating and power, and they will recycle grey water and stormwater, as well as implementing other environmental initiatives. By any stretch of the imagination it would be a magnificent achievement.

From this house's perspective, we should wish Star of the Sea well with this endeavour and hope that it may be in a position to construct such a building sooner rather than later. I join with the member for Unley in wishing them that luck. As the United Nations Secretary-General (Dr Kofi Annan) stated on 4 June 2000, when speaking to the UN's environment program, education and community awareness is the first priority for improvement in the global environment. I am pleased and proud that in South Australia we have the Star of the Sea Marine Discovery Centre making such a contribution. I congratulate the school, the staff, the students the volunteers and the school community on its outstanding efforts.

#### WATER DISCHARGE MANAGEMENT

**Mr BRINDAL (Unley):** I wish to address two matters today that fall within the bailiwick of the Minister for the River Murray and Minister for Environment and Conservation. The first concerns an answer he gave to a question today in the house. I believe he misled the house, so I put this on the public record and invite him to come back in here and correct the record—as we have no wish to move a motion of establishment of privilege committees. 'Effluent' is defined in the dictionary as leakage from a sewage tank or industrial process. I believe the minister inadvertently today said that effluent is discharged through the Barcoo Outlet. That is simply not the fact. The fact is that from the Barcoo Outlet comes discharge from the city, overflow from the city streets, and things like that. No effluent is discharged from the Barcoo Outlet, and I call on the minister to correct that error of fact which I believe he made in his speech.

On the more substantive matter of the Barcoo Outlet, it is a difficult problem, one which we acknowledged to be a problem when we were in government. It is a problem that occurs at every discharge point along the coast in metropolitan Adelaide. One of the most significant points of discharge for the natural creek system of the Adelaide Plains is, as you would know, Mr Deputy Speaker, the Patowalonga outlet. For about 30 years that outlet was blocked, and the heavy metals, poisons and contaminants that flowed down towards the sea with every rainfall event were trapped behind the weir. By creating the Barcoo Outlet we have allowed to discharge into the sea that which is flowing through the entire creek system. That is not dissimilar—in fact it is exactly the same as what happens regularly in the creeks flowing into the various reaches of the Port River. The other creeks of Adelaide, including the lower reaches of the Onkaparinga and the Sturt we have covered, and the Torrens and a number of others. After every rainfall event, discharging into the sea will allow—

*The Hon. M.J. Atkinson interjecting:*

**The DEPUTY SPEAKER:** Order! The Attorney-General will allow the member for Unley to continue with his remarks.

**Mr BRINDAL:**—rubber, some oily compounds and heavy metals to enter the sea—a number of noxious substances we would rather not see in the environment. The Barcoo Outlet is no better or worse than any other discharge point such as that. Does this present government—and our government when we were there—need to do something? The answer is yes, and the solution is in the proper treatment through environmental wetlands of that water before it is discharged. Hopefully, through the polishing and retention and storage of water, it will not get to a discharge point.

*An honourable member interjecting:*

**Mr BRINDAL:** It is quite easy. You can have quite simple measures in situ. They work by centrifugal force. The water goes in under pressure and speed, it circulates around the rubber, falls to the bottom, and the light fractionates go to the top. For the benefit of the Attorney-General, there is a very good example just down to the southern side of the creek that flows into the Botanic Gardens which the Adelaide City Council put in place. Unfortunately, in the past some of the catchment management boards have been more willing to concentrate on gross pollutant traps, because people can see them, they can see the rubbish, and the argument of the catchment boards was that people could see that their money was being spent and they would also get a cautionary tale: look, this stuff that you drop down the drain ends up in the sea.

That is fair enough, but in my opinion—and it is a matter which I raised with the boards—they were catching the wrong thing first. Those things they catch—gross pollutants—in many instances are made of natural materials that will decompose, wherever they end up, whether it is on the ocean bed, in the creek system or anything like that. Whereas the things we are talking about—the real nasties to our marine environment and our freshwater environment—are those things not so easily seen, the rubbers, the fractionates and the heavy metals. I believe the catchment management boards should now be going to a policy to redirect their money into other things. They are not seen but they have an environmental benefit. They are the challenges that would have been facing me were I to have been sitting opposite as minister.

Time expired.

#### ELECTRICITY METERS

**Mrs GERAGHTY (Torrens):** In March this year I became aware that a number of people had received estimated electricity accounts. When inquiries were made, we were told that the meter readers obviously did not have access to the property, and hence the estimated account, which led to some confusion. Clearly, in all the cases I investigated, there was open access to the property. Some people had wondered whether the meter reader had simply not called and so they were sent an estimated account. Naturally, one question led to another. One was the security of homeowners' keys that are held by AGL to give meter readers access to homes where the meter is inside the property or behind a locked roller door. As I said, that is how we became aware of the difficulty with the keys.

I would like to congratulate the Minister for Government Enterprises for his prompt action on dealing with this. I rang him one Sunday afternoon or early evening and explained to him that it had come to my attention that meter readers had

keys to people's properties to read these meters, as had been the practice when ETSA was a publicly owned utility. However, since ETSA was privatised, the meter readers were contracted by AGL, and they often do not stay in the job for any length of time. The most concerning point about all this was that there were no security checks to ensure that the meter readers were of good character. That is not to defame all meter readers, because I am sure the majority are of good character. But there were no security checks at all. As I said, I contacted the minister, and he was quite appalled and has taken steps to rectify this situation.

The point about security checks not being done meant that AGL had failed in its duty of care because those keys were given to people about whom the householder had no idea. They were given those keys and could just enter a person's property. The fact that strangers could have access to people's homes without AGL considering the safety of those people or having concern for their property is outrageous. When this matter was raised publicly on 5AA, many people said they had no idea that this was occurring. They assumed that the meter readers were employees of AGL and as such there was an inbuilt mechanism to ensure their safety and privacy. Unfortunately, my understanding is that the meter readers were contracted by a company in Victoria which would not have had very much commitment to people in South Australia.

The minister took action, and I congratulate him for that. He advised that he would write—or probably has written—to AGL telling them that meter readers would now be employed under conditions set by him, making them electricity officers under the Electricity Act. This is just one of the failures of hasty privatisation or outsourcing, as no thought is given to the needs of people. Obviously, the dollar factor is more important. It is a lesson to be learnt and, although this Government will not go down that path, it should always be remembered so that in future when the structure or governments change, which I am sure will be a long time in our case, if at all, there are in place processes to ensure the safety of people and their property. In the case of those people whose keys were given out, their insurance policies may have been voided had property been stolen because the key was not secure. I again congratulate the minister, and those people who have their keys placed with AGL will have no further need for concern.

### NATIONAL PARKS

**The Hon. G.M. GUNN (Stuart):** Thank you, Mr Deputy Speaker, for the opportunity—

**The Hon. M.J. Atkinson:** The tourist.

**The Hon. P.F. Conlon:** A very good precedent!

**The Hon. G.M. GUNN:** I am pleased to have the concurrence of the Minister for Government Enterprises. I was pleased with the response I received from the minister the other day with regard to the controlled fuel and hazard reduction program in national parks. Across South Australia we have large areas of native vegetation that have been set aside for national parks and conservation parks. They play a significant role and need to be protected. When the vagaries of nature cause a fire through lightning strikes, which no-one can control, we can have a huge problem that disrupts communities and costs large amounts of money for the long suffering taxpayers, so there needs to be in place a sensible and ongoing strategy to control it.

It has been proved around the world that part of that strategy is to have controlled cold burns at the right time of the year. From time to time, there will be a problem with that. The more experience people have the better they will be at it, but that is no reason or excuse for not continuing the program. The minister has my total and absolute support and I believe he will have the total support of the Country Fire Service and all people in rural South Australia who understand the difficulties associated with it. If we do not do something about it we will have a worse problem, and the cost to the taxpayer will be horrendous. In some of those areas we have had expenditure that could be better spent in other areas. We should direct government finance to the areas where we can get the best return for the most people.

**The Hon. M.J. Atkinson:** That's right: trips overseas by you and—

**The Hon. G.M. GUNN:** When I speak in the Address in Reply debate, I will put on the public record who was the most travelled. We will incorporate it in *Hansard* so that everyone in South Australia can see who was the most travelled.

**The Hon. P.F. Conlon:** Who was it? It certainly wasn't me.

**The DEPUTY SPEAKER:** Order! The member for Stuart should ignore an out of order interjection from the Attorney-General.

**The Hon. G.M. GUNN:** I didn't mind at all because—  
*The Hon. M.J. Atkinson interjecting:*

**The Hon. G.M. GUNN:** I will look forward to that and a number of other comments that will be relevant to the Attorney-General, but that is on another occasion.

**The Hon. M.J. Atkinson:** It's always another occasion.

**The DEPUTY SPEAKER:** Order! The Attorney-General will not interject, and the member for Stuart should ignore the interjections.

**The Hon. G.M. GUNN:** I am easily put off and quite nervous about the whole process. I am just a shy country lad who has come into this place, and I am easily distracted as I am not used to this sort of forum. In this process we must ensure that we have adequate fire breaks and access tracks in these national parks so that people can get to work and burn them at the right time. That then prevents the need to go in during the night with bulldozers and chains and chain large areas of the park to try to control fires.

I declare my interest as I live alongside one of these national parks, and I understand what has happened in the past. I did not own the land when the country between Wudinna and Collie Hill caught alight once before, but I clearly understand what can happen in future, and we should take steps in relation to this. I am sure the minister will get total agreement from adjoining landholders and other people to put in place a sensible program of how to go about it.

There is no point in the parks putting an effective break on their side if the adjoining landholder does not do likewise. There must be cooperation. There is a need to change the thinking of some of the officers in the native vegetation branch who do not want to have adequate fire breaks. If anyone has ever lit a fire or tried to control a fire in native vegetation, they will know that you have to have a decent break. There is only one way to contain it, namely, to burn back. There are a few of us who have actually been involved.

Time expired.

## INSURANCE PREMIUMS

**Mr RAU (Enfield):** I rise to raise an issue relating to the question of insurance, which seems to have been troubling a lot of people quite recently. I place on record the fact that the insurance industry has done an extremely good job of lobbying the writers and commentators of newspapers around Australia to the effect that the blame for increases in premiums can be squarely visited on three groups of people: greedy paraplegics, greedy lawyers and stupid judges. However, nothing could be further from the truth.

If anybody is seriously interested in getting to the bottom of this issue about insurance, I invite them to look at three other matters that have not been the subject of discussion. The first of those matters, which comes conveniently from a report in the newspaper of 7 May, involved a fellow who was a wrestler, was injured in an accident and wound up receiving some \$5.8 million in damages. This is written up as if this man won X-Lotto and was sitting on a beach somewhere in Hawaii having his back massaged and having a drink from a large colourful glass with an umbrella in it.

In fact, this man is able to move only his mouth, and anybody who wants to swap that condition for \$5.8 million is a certifiable lunatic. This 23 year old man received \$5.8 million. How is the money made up: over \$4.5 million is attributable to medical expenses, past and future, and a whopping \$4 million of that is for care—in other words, for someone to look after him, move him around, turn him over in bed, wash him, take him to the toilet and all the other things.

There was a time in this country when people who were seriously disabled, physically or mentally, were looked after in institutions that were funded partially or significantly by the government, state or federal. The truth of the matter is that, over the last 20 years, largely under the excuse of deinstitutionalisation, federal and state moneys have been withdrawn from care. The result is that, where these people were previously cared for by the state and could not have claimed this money from an insurer because they would not have been up for the money, they are now in a position where they cannot get care from the government or any other institution and they are obliged to seek compensation from the insurers.

This trend has been in place for over 20 years, and that brings me to the second and third points that need to be placed on the record. Insurers run a business, and that business has two aspects to it. The first aspect is the striking of premiums. That has something to do with understanding risk and understanding factors, such as, for example, that there is no longer a place where people who are seriously physically disabled will be looked after at public expense. The premiums have to be struck properly. The second aspect of the insurance industry, which is significant, is the prudential management of the funds that they have collected.

The truth of the matter is that the insurance industry in this country has either fallen down on striking proper commercial premiums for a period of over 20 years in order to keep itself abreast of what is going on, in an environment where public support for people who are severely disabled has been progressively withdrawn, or alternatively it has struck those premiums correctly but instead of investing the money properly it has played on the big casino and lost it all. Either way, to go around blaming people who have movement only in their mouth and writing them up as if they were winners

of X-Lotto is disgusting, and it is time this debate got back to some truth.

## ADDRESS IN REPLY

Adjourned debate on motion for adoption.

(Continued from 13 May. Page 149.)

**The Hon. P.F. CONLON (Minister for Government Enterprises):** I want to speak briefly about the responsibilities that I have been given in the new government and the approach that we will be taking, part of which was outlined in the Governor's speech, but later I want to speak about some of the other addresses in reply that we have heard in the last few days, in particular, two of the least gracious maiden speeches that I have ever heard in this place, which I think were a poor illustration of where it seems the new opposition is heading. If they take that approach, I guarantee it will be a long and painful time on the opposition benches for them.

Firstly, I am greatly pleased to be re-elected to this chamber. I went into the election with a very narrow margin and a lot of people were very confident that I would not be here any more. A lot of people worked very hard, and I congratulate the opponent who ran against me, Heidi Harris. She worked very hard and, if they turn her up in another seat, one hopes that one day she will be a member of this place, because she ran hard and fair. I did have my complaints about stuff put out by the central office of the Liberal Party, but I do not put that at the feet of the candidate, who worked very hard, and I encourage her to continue to pursue a political career.

I wish to thank the people who worked very hard for me, in particular, over the last few years, Melissa Bailey, who worked in my electorate office. I will say in this place that it is an extraordinarily difficult job. I think that we have made an error in the past in what we expect of electorate officers, particularly those of ministers and shadow ministers. I know that this member of my staff spends far too much time on her own in an office. Anyone who has been the minister or shadow minister for police knows the sort of visitors that one gets, and it is a responsibility that we need to face up to. There are far too few staff in electorate offices and I believe it is a great risk to have young women alone in an electorate office for lengthy periods.

I also thank members of the Labor Party in Elder and others who supported me and worked so hard, in particular Gail Gago, who has been elected to this parliament in the other place, and all the other people who helped me. I recognise that I have the responsibility of being a minister because I got here on the shoulders of all those volunteers from the Labor Party, and I genuinely appreciate that.

I have been charged with the responsibility in the new government for energy and electricity, for emergency services and police, and for government enterprises and I will speak briefly about those matters. One of the first commitments of this government in terms of police, which I repeat today, is that we will recruit against attrition over the period of this government. That did not happen over the last eight years and I know that the former minister has all sorts of reasons why that occurred. I am not going to traverse those now except to say that that is a commitment of this government because we recognise the job that police do and the difficult circumstances in which they do it. I place on record my appreciation of our emergency services personnel because I think we have

the finest emergency services in Australia, and I see my role as minister in preserving and enhancing that.

In regard to government enterprises, I will say that, upon becoming a minister, I was astonished by the approach of the previous government and the previous minister. I know that some ministers are different from others but I must say that I was astonished by what I could only call the hands-off approach to government enterprises and the way they were left to their own devices on a regular basis. I indicate that, while I trust the CEOs of those various government agencies to run themselves, there is a new approach, there is a minister, the government is the shareholder, and we will be making sure that those enterprises deliver in the interests of the people of South Australia, which, as I said, is something that did not appear to be happening in the previous minister's office, which I have referred to already as Sleepy Hollow.

On the difficult matter of energy and electricity, there has been a remarkable lack of good policy and foresight in this regard from the previous government. As a result of that, on 1 January 2003, when full retail contestability under the national electricity market takes place, we run the risk of very large increases for ordinary consumers of electricity, and that is something that distresses us. I lay the blame firmly, fairly and squarely at the feet of the previous government. When it should have been putting in place the policy measures that would have addressed the underlying factors that will cause price increases, it was not. It was obsessed with selling our electricity assets. It focused entirely on that. Anyone who suggested there might be a different approach was howled down.

I note in particular in the early days of the privatisation debate that the Hon. Nick Xenophon raised issues about what was then Riverlink, now the SNI interconnector, only to be howled down and derided by the government. As I recall, he was obliged not once, but twice, to sue for defamation members of the government, successfully I point out, and I put that forward as an illustration of the abject failure of the previous government to address anything but their obsession with selling the assets as quickly as possible for the maximum price.

Mr Deputy Speaker, I know that you are one of the people in this place who know the sort of issues South Australia faces. We have problems with the cost of fuel, we have difficulties with the supply of gas but, in particular, and exacerbated by the operations of the national electricity market, we have a very peaky summer demand, which happens to coincide very often with the same sort of peaky demand in the only place to which we are interconnected, and that is Victoria.

It is essential that a number of things occur. First, we need to improve the operations of the national electricity market. There is no doubt that, if you look at the history of electrification in Australia, the notion of a national electricity market has merit. It has the intention of preventing a duplication of a massive investment in infrastructure and, if one looks at the map of generation and transmission grids around Australia, one can see that there has been a lack of strategy, a lack of planning, massive duplication and a waste of money, quite often, on the cost of electricity infrastructure.

So, the national electricity market is a good idea in principle. I think one of the difficulties is—and I call it the field of dreams reasoning—that because people want a national electricity market they treat it as if we have a mature one and they regulate it on that basis. The problem is that it is not a mature national electricity market. There are still

enormous physical constraints on the movement of electricity, and it would be wise if our regulators began to recognise that.

I compare it to the operation of the rail system in Australia. In about 1920, I think it was, policy leaders in this country recognised that it would probably be a good idea to have a single rail gauge. After recognising that that was a good idea, I think it was concluded somewhere in about the mid 1970s. It is an illustration of how long it takes to get a good idea in a federation which involves massive amounts of infrastructure and investment to a position where it is actually in place. I think the regulators need to recognise the immaturity of the national electricity market.

I am working very closely with my interstate colleagues on this. While I have my criticisms of the previous government, it is an issue on which we rely for bipartisan support, because no-one in South Australia benefits from the sort of price shocks that we have seen and the sort of price shock that we hope not to see but may well see on 1 January.

We will, of course, be proceeding with essential services commission legislation. We operate on a very simple premise and a premise that should have been operated on from the time of privatisation. We did not want to privatise but we now rely on the private sector for our electricity. The premise on which we will operate is straightforward: those private sector companies in the electricity markets supply our electricity and, in order for us to have a reliable supply of electricity, they must make a reasonable return on their investment. We recognise that, and we have said it over and over. What we will prevent is people exploiting flaws in the market or exploiting their market position. We certainly do not believe that you should have a reasonable return on your investment if you make bad investment decisions. It is not the role of the government or a regulatory system to protect industry from its own bad decisions.

Working on that premise, we will review the price of electricity. There is, of course, only one substantial retailer in South Australia. We will review the contracts that were written at the last tranche of contestability and, if they do want an increase in electricity prices beyond that which we think is reasonable, we will certainly be reviewing their contracts again. If it is not reasonable, we will put a cap on them. I do not apologise for that.

Other sectors of the electricity industry, of course—distribution and transmission—are heavily regulated; the price of their investment is known; all their costs are known; and they are allowed a reasonable return on their investment by either the ACCC or our own regulator in South Australia. The mere fact that retailers own only financial instruments and paper contracts does not change it: they should only be making a reasonable return on their investment and the risks they take, and that is what we will be working hard to achieve.

I do not think I should finish without commenting on a couple of maiden speeches that were particularly graceless. I see the new member for Morphett is present in the chamber. I have never before, in a maiden speech, heard someone refer to people on the other side as 'two day old cross bred mongrels'. I have to say that I do not mind, but I have to warn the member for Morphett (Duncan McFetridge—or some of us might say Duncan McWho) that it is not sufficient to come in here and declare yourself to be a genius, or tough—and we will come to the other self-declared genius in a moment. It is not sufficient to come in here and declare yourself a genius or declare yourself—

*An honourable member interjecting:*

**The Hon. P.F. CONLON:** No, he can interject from anywhere. He has declared himself the new mauler in the place. He has declared himself to be completely unafraid of us mongrels, and I look forward, therefore, to finding out if he has anything underneath the declaration of genius and toughness. I suspect it might be a rather long four years for Duncan McWho as well. But I want to help him with some of the things he did not get quite right. I must say that during the member's maiden speech he nearly dislocated his shoulder patting himself on the back, and perhaps if he could get other people to pat him on the back he would not need to do so himself. But I suspect that, rather, it is a habit born of long necessity: the only pat on the back is the one he gets himself.

I will correct a couple of things that the member raised. He referred to the recently dumped Labor Party President, Don Farrell. Will someone assist me because, to the best of my knowledge, Don Farrell has not been President of the Labor Party for about 15 years? But, of course, we do not expect too much accuracy in a maiden speech, even if it is from a self-declared genius. He regaled us, in his maiden speech, with a charming story about being dragged about by a cow, which I think goes to show that wit and charm in the Labor Party operate under different categories than wit and charm in the Liberal Party. However, I am sure that there are those more bucolic and rustic members who find stories of being dragged around by cows somehow entertaining.

But I particularly enjoyed the member's declaration of the great achievements of the Liberal Party, including the wine centre. I have to advise the new member for Morphett that if he thinks the great achievement of the Liberal Party is the National Wine Centre (which cost \$30 million and to which no-one goes and which we are baling out to the tune of about \$2 million a year to keep running), I wonder what he thinks a Liberal failure is.

I have one more story about the new member for Morphett. He told us in his maiden speech that he did a lot of doorknocking. I know he did, because he happened to doorknock a friend of mine who engaged him in conversation for a considerable period of time. I am not sure that the new member for Morphett was aware that he was a friend and a loyal supporter of the Labor Party, but this person engaged him in conversation for a long period of time.

One of the gems offered by the new member for Morphett is that not only would he win his seat, of course, but also the Liberals would be returned to government, and one of the people who would lose would be the bloke just over the road, Pat Conlon, because Terry Cameron was going to take care of him. So, all I can say for the new member of Morphett is that it is one thing to be a self-declared a genius but it is necessary to get something right occasionally if you want to fit into that category.

I want to return quickly to the other self-declared genius who delivered a graceless maiden speech, and that is, of course, the new member for Bragg. We are used to entertainment from people who are the member for Bragg. I must say that I kind of miss the other fellow: I reckon he would have voted with us today on throwing Wayne Matthew out if he had been here, but that is another matter. But at least Duncan McFetridge picked on live people.

**The SPEAKER:** Order!

**The Hon. P.F. CONLON:** I am sorry: at least the member for Morphett picked on live people. The new self-declared and very ambitious member for Bragg decided to pick on dead ones, which I think takes the cake in graceless-

ness. Of course, what the member for Bragg was really saying is that this place has not had a good premier for a while and it needs one. Of course, her comments were calculated to achieve what they did achieve, that is, to see her photograph yet again in the newspaper.

We have seen a bit of ambition exhibited in the first couple of weeks here. We have seen the new trimmed down Iain Evans leading the charge (of course, he did fall on his face in his first attempt at a privileges matter), and we have seen the new member for Bragg resorting to attacking dead people to get her face in the newspaper. I want to give her a little advice, as she is a new member, and it is something that I think Gore Vidal once said. It is all right to be successful and get your name and face in the newspaper but do remember what Gore Vidal said because it is what your friends feel. Gore Vidal said, 'Every time a friend of mine succeeds, a little bit of me dies.' So, just remember that that is the view that runs around with your other aspirants on the other side.

However, I must say that I have sat on the Constitutional Advisory Committee for some time with the new member for Bragg, and I do at least recognise that she has the wherewithal to by-pass a lot of those who are aspiring to the leadership over there.

**Mr Snelling:** What about Hartley?

**The Hon. P.F. CONLON:** The member for Hartley, the littlest dinosaur? I do think that, having seen the display so far from the opposition in question time, it seems that the new Leader of the Opposition appears reluctant even to ask questions and, when he does, he manages to get them wrong. Having seen the talent around him, I think it is probably in the interests of the opposition, despite what I have said about the new member for Bragg, that she does make her way very quickly to that seat which she so much covets and then at least we may have some sort of opposition in this place.

I know that she has a pedigree for the place, and I do at least recognise that she has some talent. However, I do need to correct one or two points she raised. As to the allegation that members are owned by unions, I say that I do have friends in most of the unions she has mentioned. The suggestion that I am owned by the Shop Distributive and Allied Employees Union gave rise to a little risibility on this side. A better knowledge of the internal workings of the ALP would indicate that that is plainly not the case. I do recognise that there is a lot of me to go around, but there appear to be shareholdings in me from a wide range of unions about which I was very surprised.

One of the things illustrated in the new member for Bragg's speech was that, at an early age, she had an unpleasant experience with a union and has not liked them since. I do have friends in the trade unions: some of the finest people I have met in this country are trade union members and officials. They work hard for the people they represent; they operate out of compassion and a sense that collectively is the only way that the interests of those less fortunate might be advanced. I do not have a problem with that. I do not apologise for my friends in the trade union movement, but it is improper to suggest that they own this government or run its policies.

I note that the new member for Bragg referred to the old Wooley v. Dunford case, which she said she had read and had some personal knowledge of. One of her criticisms of Don Dunstan was that he paid Dunford's costs so that he would not be incarcerated. I assume from that that the new member for Bragg would have preferred that Dunford had been incarcerated. Of course, that is an attitude to industrial

relations that has made a come back in recent years. If the member for Bragg has read *Wooley v. Dunford* as she claims, I refer her to the dissent of Howard Zelling in that case which was intelligent, well argued and compassionate, but that is not the sort of thing that would usually touch a Liberal's heart precisely for those reasons.

I promised that I would be brief, but I find that my enthusiasm for answering some of the other maiden speeches has led me to go too far. The only other speech I wanted to deal with is that of the member for Bright, whose speech I found to be offensive, but it has already been dealt with by the house. Therefore, I will merely congratulate all the people who have been elected to this house, and I include members on both sides of the chamber. I think that there has not been enough of that charitability going on. I must say that I also congratulate the member for Hartley. Who would have thought it! Here he is back with us again! I do not mean to be rude, but he is a bit like cold sores: once you have him, you cannot get rid of him.

I congratulate all the new members. Despite what I have said, I think that all of us are in this place for a reason. We believe in different things, but most of us believe that we have a contribution to make. I welcome new members to this place, and I look forward to the member for Morphett proving his genius and toughness over the next four years.

**The Hon. D.C. KOTZ (Newland):** I rise to support the Address in Reply motion in this second session of the 50th Parliament. I extend my congratulations to Her Excellency the Governor of South Australia on the delivery of the government's speech to open this session. I also join with Her Excellency in expressing my condolences on the death of the Queen Mother and acknowledge and support the condolences offered in this house to families of several state and federal members of parliament who passed away recently. I also acknowledge and welcome all new members in both houses of this parliament, and I look forward to their contributions in this place in the future.

When I entered this parliament in 1989, with an electorate majority of 47 votes, I was humbled by the immensity of the task that I had taken on and in awe of this great institution of parliament, the seat of democratic governance. I entered this place knowing that, if one was to effect and implement change, this was the place to be and knowing that those decisions could impact on the lives of all South Australians.

I know that the experiences of one's life assist in developing the passions that become the catalyst to believing that you can do better than others have done before you. If you lose that passion or the driving force to continue to seek to implement change that has the most positive benefits for the majority of your fellow citizens, I also believe that you have lost the moral right to represent your constituency and should not be in this place. I also know that the term I spent in opposition initially gave me greater insight not only into the processes of this parliament but also into the role of the opposition.

As a member of parliament, I was able to effect change. Motions moved in this place at that time, as well as amendments to government bills, still remain in place with beneficial effect today. However, I also learnt that government can be disreputable; can mismanage the finances of the state; and can become arrogant and believe more in self-seeking power and status than in delivering a solid base of economic stability and growth from which employment and economic independence enables South Australians to make their own choices,

such as home ownership, educational choices for their children, lifestyle choices, and planning for their own future.

It took a royal commission to verify the truth about the last Labor government's immense financial indiscretions, all of which were at the expense of the taxpaying public of this state. Day in and day out, month after month, Labor ministers stood in this place and denied the truth until the Labor Premier and Treasurer, John Bannon, was proven not to be as honest as contested and took a backbench seat to the new Premier, Lynn Arnold.

History now reveals the disastrous outcome of previous Labor governments, so I put only this very short synopsis of past history on the record. As one of the members of parliament who in December 1993 sat on the government benches of this place, I have quite a vivid memory of the absolute ineptitude of those who spent a decade in government only to get it so wrong. In the end, there was not a modicum of intellectual capacity in the Labor government of the day to provide the expertise necessary to change direction from financial ruin to economic stability. That was left to us, the new Liberal government.

Is it any wonder that my colleagues on this side of the house and I have great concerns for the future of this state with a Labor government once again opening the doors of the Treasury, with the Premier and the Deputy Premier being a minister and ministerial adviser respectively during those disastrous years? It is even more concerning to know that the current members of government—like their pre-1993 counterparts—share the same idiosyncrasy, that is, the inability to tell the truth.

Let me give you a local electorate example if, in fact, that descriptor sounded just a bit harsh or inaccurate. Modbury Hospital, which is situated in the north-eastern suburbs, has been publicly pilloried by the Labor Party as a privatised facility. Prior to and during the 1997 election, a local Labor Party action group was set up to hype up as much publicity as possible to convince the local constituencies that Modbury Hospital had been sold to private interests by the Liberal government. Members in this house know that Modbury Hospital was not sold to anyone, but that matter of truth did not deter the Labor Party from their long-term campaign: letters to the editor; pamphlets handed out to commuters awaiting transport at the O-Bahn terminal; and protests outside the hospital.

The Labor Party showed complete disregard for the safety of the community. People in our communities were beginning to believe that Modbury Hospital was indeed a private hospital and could well have bypassed Modbury Hospital to get to a public hospital and put themselves or their relatives at risk. The Labor Party showed complete disregard for the staff at the hospital, whose morale was severely damaged each time these public displays brought their workplace into disrepute.

In the lead-up to this recent election, and during the election campaign, Labor candidates and the now Premier all unashamedly indulged in Modbury Hospital bashing. Unashamedly, they continued to promote the ultimate lie that Modbury Hospital had been sold and, therefore, was a private hospital. A coloured brochure authorised by Ian Hunter, which stated 'The Liberal government privatised Modbury six years ago' was circulated throughout the region during the recent election period.

This extraordinary, malicious and untruthful campaign reached its zenith in a truly remarkable win for the Labor Party just weeks before the election. The *Advertiser* in its

inimitable characterisation of its unbiased approach to news reporting published a photograph of Modbury Hospital with a 'sold' sign slashed across the centre of the photograph. The Labor Party had even conned the *Advertiser* that, I assume, was unwittingly perpetuating Labor's malicious deception. What hope for the people of the north-eastern suburbs to attempt to discern the truth about Modbury when even the *Advertiser* journalist and the Editor were totally confused.

However, I am pleased to advise this house that as from 5 March, when the Labor opposition became the Labor government, Modbury Hospital was no longer in doubt about its public status. I can say this quite categorically. The newly appointed Minister for Health opened the new maternity wing at Modbury Hospital recently, and during the minister's five minute speech she used the term 'Modbury Public Hospital' not once, but at least four, if not five, times. All the invitees to this formal launch knew full well that the name of the hospital was Modbury—not Modbury public. None of us had to be convinced about the hospital's public status so I can only suggest that the minister was using the Labor Party strategy once again, that is, if you say something often enough, long enough and loud enough, in the end someone will believe it. Only this time it was, in fact, the truth.

The irony of this whole deception would appear to be the Labor Party's realisation that when the Labor government of the state owns a hospital it can no longer deny its ownership to the people of the state. But when the Labor Party is in opposition it can deceive the people of the state without recrimination, without conscience and certainly without regard for the truth. Therein lies the dilemmas that both I and my colleagues face. How do we put any trust in the future determinations and directions of this new government that we all know to be untrustworthy? What are the future directions that this government will employ to build on the economic successes of the previous government? If the government had presented policies of substance during the election campaign we may have had some clue at this point—two months into the Labor government's term—of its intentions.

As the opposition shadow minister for recreation, sport and racing, I find it somewhat reprehensible that the Labor Party did not believe that those portfolios actually deserved recognition in terms of a position paper or policy during the election campaign. It must be even more disturbing for those in the sporting industry, and the myriad of organisations representing sport and recreation in this state, to recognise that the Labor Party treated those community interests with such disdain. Likewise, each of the racing codes has not had the courtesy of a mention in any Labor plan or policy.

In the year 2000 Labor did launch a sport and recreation platform, but no commitment or public position was presented for the racing industry. Labor's year 2000 policy did not detail strategies in which, under a Labor government, the issues would be addressed, supported or financed. Neither does it give a surety to the industry and community that current programs and commitments would in fact be honoured or continued.

In 1993 under a Labor government there was just a single recreation and sport funding program with a total budget of \$900 000. The 2000 policy does not detail any further support to funding sport and recreation. The Liberal government's budget to the end of this financial year shows its investment in community sport and recreation delivered through some four programs, with an annual investment of more than \$17 million into community facilities, programs and services.

Members would recall that legislation was introduced in 1996 which provided a revenue source from poker machines to support community sport and recreation. This was a very significant initiative for the ongoing growth for sport and recreation at a community level, ensuring a strong and prosperous future. Never before had the community enjoyed this level of financial support from a government in South Australia. Some of the particular concerns that the Liberal government sought to address through this policy were the increasing health risks such as high blood pressure, elevated cholesterol, the alarming increase in our population that is now overweight and obese, cardiovascular disease, diabetes and some forms of cancer directly attributed to physical inactivity.

It is the Liberal opposition's view that the poor physical health of our community must not be ignored. The question to this government is: will the Premier and the minister assure this house and the people in our community that these important and significant programs will continue? Will the Premier and the minister announce publicly their intention on whether the Active Club program will still exist to provide grants to assist community sport and recreation organisations; develop and expand the services they provide; and to increase the community's access to quality sport and recreation activities and facilities? This was a program that had two funding rounds in a year with an annual budget of \$1.88 million. Will the community sport and recreation facilities program still exist—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.C. KOTZ:** —which assists local community based and regional organisations in developing and improving the standard of recreation sport facilities at a local community level? This program has one funding per year, with a budget of \$1.9 million. I am glad to hear the active sports grant appears to be still on track.

Will the community sport and recreation infrastructure program, which is funded with a further \$17 million over the next three years for the provision of community sport and recreation facilities, still exist? Will the management development program still exist? This program has an annual allocation of some \$6 million and supports the services and programs provided by approximately 130 state sport and recreation organisations. It is therefore most urgent and imperative that these questions are answered immediately. A delay in any reassurance about the continuance of these programs could certainly place clubs and organisations throughout South Australia at financial risk and would see planning and development programs in complete disarray.

I would like to make a few comments about the Aboriginal affairs portfolio, having held that portfolio as minister for a period of some four years and five months. I am pleased to have been the second longest serving minister in that portfolio since 1963 when the Aboriginal affairs portfolio was first initiated. It is, however, with a sense of regret that I will not be continuing to shadow that portfolio in opposition. However, it is important that the portfolio maintains a high profile and, as the Minister for Aboriginal Affairs is a member in another place, it is appropriate that a shadow minister can deal face to face with the minister.

Of the many portfolios I have held as minister, no-one in this chamber would be surprised to hear me acknowledge that Aboriginal affairs was one of the most challenging. I certainly learned about the vast range of Aboriginal culture and its rich, intriguing and sensitive heritage, and I am most appreciative

of the support and friendships that developed over time with many people in so many communities in South Australia—from the chairmen and members of boards and councils to the officers of DOSAA who worked so diligently and professionally to provide essential services throughout the communities.

As we move through this new session of parliament I will have much more to say on different issues relating to Aboriginal affairs. For the moment I wish to address a matter of great concern which has developed within the Anangu Pitjantjatjara lands. The Minister for Aboriginal Affairs, the Hon. Terry Roberts, may have actually set a new record in being called to resign from his portfolio, having held the position for a matter of only a few weeks. On 11 April the minister was interviewed by Robbie Brechin on 5CK Radio. The minister managed to get one statement correct over 20 minutes on the air, and I quote:

It's very difficult for me at the moment bearing in mind we've only been in government a short time.

However, the minister had no problem in stating his opinions and very clearly picking sides on issues that have plagued the Anangu executive for over 2½ years. These matters were being dealt with by the AP Council with strong community support, backing the AP Council, and obviously a resolution was finally imminent with support from ATSIC. Then in walked the new Aboriginal affairs minister.

This whole affair has been previously documented by me in this house. It is not complex. It is about very base human follies: greed, power, manipulation, harassment, standoff tactics, deceit and alleged fraud. It is about non-indigenous people perpetrating most of all of the above. And what did the minister do? He chose to ignore that the Anangu Pitjantjatjara Council are the duly elected traditional owners and managers of the lands under statute, elected by other traditional owners on the lands to represent them as the owners and managers. The minister, instead, picked a side to support, namely, in simple terms, the employees of the Anangu Pitjantjatjara Council contracted to provide legal and anthropological advice.

The providers of this service are the Pitjantjatjara Council Inc., who are the main antagonists in the current situation. It is an incorporated body which accepts fee for services provided. There are traditional people on the council of the corporation, and there are also non-indigenous lawyers and anthropologists who receive fees for their services. They do not have any status in statute to dictate how the management council, AP, manages. Their reason for being lies within the contract of service provision with AP. The bottom line on this matter arises from the fact that the managers of the land have questioned financial accountability relating to service provision. They have received neither cooperation nor answers on the matter, which they have a legal right to pursue.

The Minister for Aboriginal Affairs and Reconciliation has created maximum mayhem on the Anangu Pitjantjatjara lands. He has ignored the legally constituted and highly respected AP council and its Chairman, Mr Owen Burton, who has publicly made statements in recent press releases and letters to the minister. One of the headlines in the first press release on about 13 April stated:

South Australian Minister for Aboriginal Affairs insults traditional owners.

The Chairman called for the Premier to pull the minister back into line. He said that AP was losing confidence in the minister's ability to conduct his portfolio responsibilities

properly and appropriately. The minister interfered in arranging financial support to enable the Pitjantjatjara Council Inc. to reopen after it had closed its doors. In fact, the Pitjantjatjara Council Inc. closed its doors. The major antagonist (who was a non-indigenous person) has been banned from the lands, and I believe that he is now in Western Australia. The AP Council is in the process of contracting its own legal and anthropological services.

So, where does the minister go from here? The AP Council wants to know, and I put the questions that were asked by the AP Council Chairman in a letter to the minister. He would like to know (as I am sure all the members in this house would like to know) where the minister will find funding of some half a million dollars for an alleged inquiry, the terms of reference of which are as yet unknown, no consultation having been undertaken with Anangu Pitjantjatjara. Where will the minister find the funding for a half a million dollars?

The funding that kept the Pitjantjatjara Council afloat appears to already have been received by the Pitjantjatjara Council. Where did that come from? How much has been provided? What is the funding for, and under what part of the ministerial powers has this occurred? They are all questions being asked by the Anangu Pitjantjatjara executive and council, the traditional owners and the managers and owners of the lands.

I know that members on this side of the house would certainly be interested in hearing the answers, particularly since the state government does not fund the incorporated body of Pitjantjatjara Council. In fact, federal funds, distributed through ATSIC, enable these services to be provided. If the state minister is funding outside of existing budget allocations that at present do not provide for these services, he needs to advise Aboriginal communities which services he will be cutting to pay for what would appear to be extraneous expenditure that is not the responsibility of the state.

When the minister has replied to Owen Burton's questions, he may also consider apologising to the elders and the traditional owners of AP Council, who have been seriously maligned by this minister. The minister, in also demanding that the AP Council make a payment of some \$50 000 to Pitjantjatjara Council Inc., may well be in breach of any legal authority that the minister may believe he has.

I look forward to addressing these matters in greater detail in another debate in this chamber. But, before leaving that area, I must say that I was extremely disappointed in hearing the Premier's answer to a question the other day. It was certainly quite disgraceful to hear the Premier state last week in this house that, in supporting his minister, he also supported the minister's proposed method of operation, that is 'to knock a few heads together'.

Violence on the lands relating to substance abuse has been the subject of a recent Petrol Sniffing Task Force report, which report still has to be released. Advocating violence in any sense, particularly by the Premier of the state, needs to be condemned, and the Premier should be called upon to explain and apologise for this outrageous and, certainly, insensitive comment.

A great deal more needs to be said regarding the issue of Aboriginal affairs and the lands. I have a motion to move in parliament, and I hope that at that point I will be able to put forward a great deal more evidence with respect to the substance of some of the allegations that I have touched on today. It has been quite horrendous to see some of the matters



that have evolved throughout the lands. It also should be recognised that the lands are freehold lands which, under statute, the Anangu Pitjantjatjara people have the right to manage once they have been duly elected under the statute of our parliament, and they have done that.

The minister has caused much disagreement between entities on the lands who, in fact, were coming to their own solutions—and it should always be remembered that this problem that has appeared is a dispute that started between ATSIC and Anangu Pitjantjatjara. However, as I said, I will give more detail about these matters at a later time.

I would like to take this opportunity to thank the many hundreds of people in Newland who supported the Newland campaign during the recent election, in addition to the campaign committee of very committed Liberals, who volunteered an amazing number of hours of their time. They were exceptionally good volunteers. Obviously, many tasks need to be undertaken to run a good campaign and, without the people who handled the long hours and took on those many tasks and supported me, the campaign obviously would not have been as good as it turned out to be.

I also would like to thank the voters of Newland who supported me once again. I certainly offer them a very sincere and humble ‘Thank you’ for accepting my candidacy to represent them throughout this parliamentary term.

*Mr Brindal interjecting:*

**The Hon. D.C. KOTZ:** The member for Unley has been most supportive in this debate. One of our major problems as politicians is the lack of time we manage to spend with our families, despite the amount of time and effort they put in supporting us. They all make certain sacrifices. Elections are probably one of the worst times for families. I thank the many members of my family—all of whom have grown in that period as well—for all the support they have given me over the years.

I look forward to the debates that will arise in this house. I am also interested in ensuring that the contributions made are ones of principle and integrity. It is so easy in this place to react with great emotion to many things that are said and done. However, in the end the institution of this parliament is far bigger than any one of us. We all know that we are only caretakers for the roles we play for a short time. If, by the amount of effort we each put into this place, we can obtain benefits for our peers, our families and the people of South Australia, that is my one and only goal—to move forward in this place.

*An honourable member interjecting:*

**The Hon. D.C. KOTZ:** I would like to think that I came into this place holding my own form of integrity, and I would like to think that that integrity is still in place. I uphold many principles, the institution of this parliament being one of them. I do not like to see some of the untoward circumstances that have developed in recent times. However, knowing that I have had a great deal of experience in this place over time, I do not expect that things will change very readily. I can only but hope that the debates might move towards more substantive ones, where integrity and principle are always the basis of what we decide. I conclude my contribution and support the motion for the adoption of Address in Reply.

**The Hon. R.B. SUCH (Fisher):** I start my Address in Reply speech by acknowledging the wonderful state in which we are privileged to live and the wonderful people we have here. I am sure other members would agree with me that, the more you get the opportunity to travel, the more you appreci-

ate what a wonderful state we have. We are not perfect; we can improve. However, we are some of the most fortunate people on earth. I reject the term ‘lucky’, because what we have is as a result of hard work—the contribution of pioneers, people who gave or risked their lives to defend this country, as well as the Aboriginal heritage we all enjoy.

I would like to acknowledge the appointment of Her Excellency the Governor. I commend John Olsen on making such a wonderful choice. It is the Premier’s privilege to choose the Governor, and he made a good choice. It is rather ironic. Members may recall the debate regarding the possibility of Australia becoming a republic. The view was expressed that the public should not have direct involvement because they may select a sportsman. That is ironic, as the Governor has demonstrated what a brilliant person she is in her role as Governor. If we get to the point of having a president, I am sure many suitable sportsmen could take on that role. I acknowledge the passing of the Queen Mother. Like the Queen, I believe she carried out her duties with great dignity and distinction. Everyone accepts and recognises that, irrespective of whether they are personally committed to a constitutional monarchy.

Mr Speaker, I congratulate you on your elevation to your position, and I congratulate all members of parliament on their election to this place, particularly the new members. It is important for us to reflect on the privilege it is for us to represent our electorates in this house. I do not intend to say a lot about my campaign; the techniques will be published in my memoirs which will be available for a small charge after my retirement. However, I would sincerely like to thank my wife Lynette, my family and all those who helped me get re-elected. In the end, we had more helpers than we could meaningfully employ. As is my practice, the campaign was run on a frugal basis, and I am very grateful that it was well supported by a lot of helpers. In particular, I thank the people of Fisher for their great support; I am deeply indebted to them for that continuing support. I acknowledge the other candidates and point out that generally the campaign was fought without any ill feeling or unnecessary rancour.

I would like to express my condolences to the families of Ralph Jacobi, Kay Brownbill and Les Hart. I had met each of those former members of parliament and found them to be honourable and decent people. I express my sadness to their family at their passing but acknowledge their respective contributions.

I would like to say a few general words about our nation as a whole. I realise that we are a state parliament but, nevertheless, we are in a federal system. I am concerned that Australia is moving to become too closely allied with the United States. That might seem a strange thing to say, given our appreciation of what the United States did during World War II, but as friends we should be able to express our views frankly and boldly, otherwise it does not constitute a true friendship. In many respects, I distinguish between the people of the United States, for whom I have great affection, and the system, as I call it, that runs the United States. In my view it is simply a giant bureaucracy, largely cold and uncaring. At present, it disregards issues such as human rights. Australia should be expressing its concern about the violation of basic human rights.

In particular, we should be dealing with our own people who offend against our own laws or values and not allowing another nation to deal with these people. That is a retrograde step which should be rectified as soon as possible. I would like to see Australia become more independent in its foreign

policy, defence and expression of its philosophy. Of course, the cost of being independent is that it will cost us more to defend ourselves but that is a price worth paying.

I feel that we should be addressing the root causes of terrorism rather than spending more and more on defence. On my recent trip to the United States I had a briefing from Battelle, one of the largest organisations in the United States which provides advice not only on counter-terrorism but on a whole range of matters. The view was put that we have to protect reservoirs, and so on. I asked the cheeky question, 'Wouldn't it be better to address the root causes of terrorism so that everything you own and all your people are not constantly under threat?' My view is that, if people are prepared to give their life in an attack on you, it does not matter how much you spend militarily: you will never be able to stop them. You need to address the root causes.

Regarding the current immigration debate in South Australia, I believe that we can increase our immigration numbers. It is not a question of race or colour, but it is important that we maintain our long developed and cherished values, and I do not think we should make any apology for that.

It is time that we questioned some of the economic mantras that exist in our community that have, in effect, taken on the status of almost golden rules—and I do not make any joke about the fact that he or she who has the gold makes the rules. It is often asserted that the balancing of the budget is something we must do. There is no necessity to have a balanced budget on every occasion—over time, yes, but not every time.

Another mantra that is often expressed is that governments are the same as households. Anyone who has done first year economics would know that that is a nonsense. Governments control the rules—they are not the same as a household that operates as a small part under those rules. Another mantra is that we are overtaxed. Some people may be, but not all. Many people are not paying much tax at all, so we need to address that issue and stop sprouting the line that we are all overtaxed. We also need to accept that we have not fully reformed the taxation scheme. The GST did not reform the whole taxation system but modified some aspects of it, and we have some serious issues in relation to bracket creep, anomalies in tax deductibility and a whole range of other issues that need to be addressed.

There is a catchcry about the market economy. The only market that exists in anything like a market is down between Gouger and Grote Streets, and even that is not a perfect market. The market is a concept of academics in text books and in reality does not exist in anything like a pure form.

Another popular catchcry is being world competitive, and many of the female members of this house would note that clothing made in China still has an Australian-made price on it. What we have in effect, not only in relation to clothing, is anything but a level playing field.

In respect of the major parties, it is time for the Liberal Party to reassess itself. I acknowledge that the overwhelming majority of Liberal members and lay party members are fine, decent people, but this is an appropriate time for the Liberal Party to look at where it is and to rediscover what is meant by 'liberalism', to ensure that it is just that and not in danger of becoming a party of crusty old conservatives who have forgotten about social justice, compassion, the environment and issues such as that. Economic issues, and particularly what has been to some extent an obsession with privatisation

and market driven theory, need to be revisited by the Liberal Party.

In South Australia in particular the Liberal Party really needs to go through a period of rebirth and refocussing and clearly enunciate its policies and vision for South Australia in order to win back the support of the people. It would not hurt to be looking at some of the famous figures in Liberal Party history who coined phrases such as 'the forgotten people'.

The Labor Party, too, to some extent has moved away from some of its core values and it is important that it does not overlook aspects of social justice, the need to protect and look after the disadvantaged, the battler and the people who come within that category. I would like to see the Public Service reinvigorated. It needs to be to be more innovative, have more passion and engage in some lateral thinking and risk taking. I am not attacking any particular individual, but over time if we are not careful all bureaucracies become self-serving and forget what is their core business. The CEOs, all members of the Public Service and we as members of parliament need to ask what we are here for.

A disease is widespread at all levels of the Public Service—federal, state and local—namely, developing strategies, producing glossy publications, reports and annual reports, using consultants, having team leaders and all the other jargon, but when you want core business undertaken or basic services provided they are unable to do it. It is an appropriate time, given that the government is looking at the structure of the state Public Service, also to look at the processes within that Public Service and, in particular, how they treat their own staff. I have been appalled at some of the reports made to me—one not that long ago—of a principal who was retiring after a long service with the department, and he got a letter telling him that he had had the privilege of having worked in one of the best education systems in the world—not much about his own contribution. That is a reflection of the lack of concern and care for the people in the department.

On education, I support the raising of the school age to 16, provided it is backed up with appropriate resourcing and meaningful curricula. A lot of changes are required at the moment, especially at the secondary level, and many young people are dropping out and going nowhere fast as a result of that. I take the point made by other members that we need to incorporate into the school curriculum more physical activity to complement academic and other aspects of the school curriculum. We need to look at the efficiency of the school day; I have some concerns about how time is spent or misspent in some aspects of our school system. It has become quite expensive for many people to access TAFE, and I would like to see a lot of emphasis on making TAFE more affordable for the poorer section of the community. Indeed, I favour a system which enables anyone who has the ability to attend TAFE or university to do so without impediment. The sooner we move to a system that does that the better off we will all be, and the country and the state will benefit.

In regard to school arson, over the past ten years about \$80 million worth of buildings have been destroyed. I have been raising this issue since the time the Hon. Susan Lenehan was the minister for education. It saddens me that we still have people in our community who want to destroy their own property—because they own it. I urge the government to look at some innovative approaches, including the tried and tested one of having unpaid caretakers in vulnerable schools, as is done in the Northern Territory. They are totally unpaid, but they get low cost accommodation and a mobile phone in

return for keeping a bit of an eye on the school. They do not engage any person who is illegally on the property: they call the police. It is a system that has worked brilliantly in the Northern Territory, and I cannot understand why the states have not adopted it.

In respect of South Australia as a whole, I would like to see our whole community committed to excellence in all areas. We often tell ourselves that we are great and so on, and I think it is true to a large extent, but it is not totally true. We need to be committed to excellence in education and training, protecting the environment and promoting economic activity. We also need to be committed to social justice and equity and have a real passion for South Australia. I believe that sloganising about ourselves and saying we are great is unnecessary if we are; if you are great and are operating at a high level you do not need to tell other people.

I would like to see a greater embracing of Aboriginal culture. It is a tragedy that our Aboriginal young people know more about US culture than they do about their own, because their own traditional culture is incredibly rich. To see young Aboriginal people wearing American baseball caps and knowing little about their own culture saddens me and suggests that we need to put a lot of effort into helping develop pride and also knowledge of their own culture. With regard to the environment, we have made some progress in South Australia, but we are starting from a very low base, because our regard for the environment over the past 150 years or so has been very poor. If we do not acknowledge that I do not think we are being very honest. We face threats to many of our species, both flora and fauna, and we need to do something about that.

In regard to specific issues, in Happy Valley I was most concerned and annoyed that SA Water was unable to provide any of its land for a youth park in that area. This is a government agency that makes over \$200 million a year. It compulsorily acquired land from people in Happy Valley on the pretext that it had to have a buffer zone for the reservoir, and subsequently it sold that land to the highest bidder and said it could not make any land available to the community.

I find that bordering on the unethical. I am not blaming the current minister but I think it is outrageous that an organisation which makes that profit, does not pay any rates and takes up a lot of area in the community, which no-one begrudges them, could not provide a couple of acres of land prior to the big sell-off. What the community is likely to get now is a tiny piece of land on the corner of Manning Road and Happy Valley Drive, when that organisation could have been a bit more community minded, given as I said earlier that it compulsorily acquired land that it then sold at commercial rates.

The issue of roads in my electorate is always a popular one. We are still waiting for Black Road to be detailed in regard to its upgrade. It is a bit like an elephant's pregnancy: it has been going on for a long time. I am sure that the new minister will try to hasten that. It is an issue of definition over arterial roads. Councils and the department of road transport often argue about who should pay what, and that is an issue that needs to be resolved between the LGA, and Transport SA. Chandlers Hill Road is another ongoing issue and I urge the minister to proceed quickly with consultation in regard to the upgrade, particularly involving Bishops Hill Road, which is a council-owned road.

I turn now to public transport. I tried to get the previous minister to lash out a bit and paint the railway stations, possibly in football colours. It looks like paint was fairly

scarce because not many got painted. I do not care what the colours are, but I think that our railway stations could be a lot brighter. I notice that the railway station yards in Adelaide still have the mullock that came out of the River Torrens when it was dredged five or six years ago. It is still sitting there by the thousands of tonnes. Generally if we look at our railway corridors, they look pretty tired, they are never weeded, and disused railway stations do not make a very good impression on people coming in on interstate trains.

The bus depot in Franklin Street is worse than we would see in many countries. I wrote to the previous minister, and I have written again to the new minister, suggesting that the ideal location is the Adelaide Railway Station. It has easy bus access, it has all the facilities, it has shops, it has police, it has showers and it has toilets. I do not know whether it is possible to resurrect that option, given that some sections of the arts department have moved in there, but I believe it is the best location. It gives immediate connection to Keswick and the interstate trains, it gives instant connection to suburban trains and it links to the Bee Line. It has everything in its favour, and I do not see why it cannot happen.

In respect of hospitals, the Flinders Medical Centre is a wonderful hospital that is struggling to come to terms with the issue of mental health patients. I trust that the new government will continue the work that was put in train by the previous minister and the previous government to deal adequately with the distressing situation of mental health patients having to sit in casualty, often being restrained, either chemically or in other ways, while they wait for assessment by a psychiatrist. It is great to have integration in the community, but it must be backed up by resources, and the police will point out that a lot of their time is taken up trying to deal with people who have a psychological or psychiatric problem, and that is an issue that I want the government to address.

In respect of public housing, the answer there is simple: we need a lot more of it. One of Playford's great contributions was to create the Housing Trust. I think that we need to go back and look at some of his great ideas, and one of them was using low-cost housing as a basis for developing this state.

I do not see that the North Terrace upgrade is a top priority and I do not believe that it needs \$16 million. It might need a couple of million dollars, but to spend that sort of money when our schools need a lot spent on them, when our young people need facilities and services, I do not believe is justified. Speaking of young people, I think they continue to be duded in our system. There is a lot of lip-service, a lot of caring and sharing talk, but little action, and I find sadly in my own area that, in the last few years, there are fewer facilities and services for young people than there were five or 10 years ago. I have written to the Minister for Police—and I am not saying this is the total answer—asking him possibly to consider the introduction of police youth clubs for young men and women such as exist in New South Wales. I am not advocating that as the total solution, but I think it is part of a range of services and facilities that could be offered to young people.

With respect to the Auditor-General, for whom I have great respect, I would like the Auditor-General to focus on efficiency even more so than on post-mortems. We spend a lot of time and money working out where something went wrong and I believe that has little value. What would be more useful is to focus on current issues so that we can get a

prompt resolution of an issue and therefore avoid the need for a long drawn out post-mortem.

Many of our arterial roads need beautification. I make no apology for advocating that, wherever possible, we use native trees; not simply for some nationalistic reason but because they support bird life, they do less damage to the waterways and they make a statement to people visiting that they are visiting an Australian city not some fake European copy. The SA Great campaign has been good in its time but I question whether we really need it now. I think it needs to be revamped. We are excellent in some things, good in others and not so good in a few areas. I find putting up posters saying that we are great a little embarrassing now and a continuation of what I would call the Texas syndrome. If you are good, you do not have to tell people: if you are not so good, you try to make yourself better.

In respect of the ABC, I believe that South Australia warrants a weeknight current affairs program. I believe we deserve it; I believe we need it; and I would like to see that implemented. I would like to see more in-depth investigative reporting in the *Advertiser*. It employs people who can do that, but I do not see enough of that happening. I would encourage the *Advertiser* and the Murdoch organisation to encourage and facilitate more reporting on an in-depth basis by investigative journalists.

With regard to crime, we have too much of what I would not call major crime but still, serious enough, that is, things like the bashings and stabbings that occur too frequently in our society. My community is sick and tired of it. I want to see tough action taken against people who do this sort of thing. They are not just carrying knives, some are carrying machetes and, I am told by young people, tomahawks and baseball bats. These two-legged cockroaches are frequenting our streets at night and picking on people at random. It should not be tolerated. If we do not get a handle on it quick smart, then we will find that people will not venture out of their homes at night because they will be too scared. I would argue that if those who offend are young they should be put into a work camp. Do not put them into a boot camp—that is a pointless exercise—but put them into some environmental camp and give them some guidance and raise their self-esteem. The whole program should involve focusing them on more constructive and productive activities.

I do not support cutting off peoples' hands; I do not support hanging people, but I think a society must ensure that it has security and safety for all its community. It grieves me to see the vandalism that goes on: whether it be graffiti, scratching windows or whatever, it is a sad reflection on our society and should not be tolerated. We see a lot of alcohol abuse in my electorate. On any Friday or Saturday night there are 13 or 14 year old girls too drunk to stand up, and not just one or two, but young people gather in their hundreds at places such as Happy Valley sports oval. That is a serious problem and one which I am trying to address, but in our community it reflects an abuse of alcohol.

I believe that we need to rethink this idea that suddenly at 18 you can drink yourself silly, but prior to that presumably you do not drink at all. That all or nothing approach is stupid and we need to look at that to see whether we can come up with something that is a little more rational or sensible than that approach.

In relation to the recently banned film, *Baise Moi*, I have concerns about censorship because I believe in the freedom of an adult to choose. I think we should look at a system similar to New Zealand, where that sort of film (which, from the reviews I have read, is a pretty poor quality film, anyway) could be available in what you call the art cinema, not the mainstream cinema, and people who particularly wanted to go and watch it could do so. I do not think it should be mainstream and in the everyday cinema, but I am very concerned about any sort of censorship when it is directed at adults.

In regard to refugees, I think the policy needs to be reviewed. It needs to be dealt with at an international level. Detain the criminals and kick them out, but those who, on preliminary assessment, offer no threat I would be inclined to give day release and treat in a more humane fashion.

I will now conclude my remarks, given that time has beaten me, but I look forward to working during this session with my colleagues.

**The Hon. S.W. KEY** secured the adjournment of the debate.

#### ADJOURNMENT

At 6 p.m. the house adjourned until Wednesday 15 May at 2 p.m.