

HOUSE OF ASSEMBLY

Monday 18 November 2002

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

CROCKER, Sir W., DEATH

The **Hon. K.O. FOLEY (Deputy Premier)**: I move:

That this House of Assembly expresses its deep regret at the death of Sir Walter Crocker KBE, CBE, a former Lieutenant-Governor of South Australia, and places on record its appreciation of his distinguished service; and that as a mark of respect to his memory the sitting of the house be suspended until the ringing of the bells.

Sir Walter Crocker was a distinguished South Australian, who served both his state and his country with merit and honour. Sadly, he passed away on 14 November at the age of 100. Born in 1902 near Terowie, he was educated at the Universities of Adelaide, Oxford and Stanford. He worked in the International Labour Organisation with the League of Nations in Geneva from 1934 to 1940. From 1940 to 1946 Sir Walter served in the British Army and became a Lieutenant Colonel. He was honoured with the French Cross of War and the Belgian Order of the Lion. In 1946 he was invited to be the first chief of the Africa Section of the United Nations secretariat in New York, where he worked for three years. In 1949 he became the founding Professor of International Relations at the Australian National University in Canberra. Sir Walter joined the Diplomatic Service in 1952 as High Commissioner to India and also spent time in Indonesia, Canada, Nepal, Belgium, the Netherlands, Kenya, Ethiopia, Uganda and Italy until his retirement in 1970.

Sir Walter returned home to Adelaide, where he served as a member of the Council of the Adelaide University from 1971 until 1978. In 1973 he was appointed Lieutenant-Governor of South Australia, a position he held until 1982. Having been awarded a CBE in 1955, he was made a Knight Commander of the Order of the British Empire in 1978. In his retirement he became an author, with one of the chapters of his book, *The Australian Ambassador*, titled 'Three Thousand Cocktail Parties for my Country and Other Aspects of the Diplomat's Life'. He had actually begun keeping a journal many years before, in 1952, when he was the High Commissioner to India. His papers are held by the University of Adelaide, with many from his later years sealed until his death. In his notes to the collection he wrote:

These journals throw light on certain persons such as Nehru, Sukarno, Menzies and Casey, important at the time, and on certain situations such as the West New Guinea affair, Colombo Plan and Vietnam, and certain factors such as American and Australian politics, espionage, diplomatic practice and national traits.

He was a player on the world stage in a very fascinating time in our world's history. Sir Walter also warned researchers that, if they were hoping to find state secrets in his papers, they would be wasting their time. He wrote:

First, more and more since World War II, diplomats of small and medium-sized powers, such as Australia, normally do not have access to the really 'hot' information. . . such as, for example, whether India has, or is trying to have, thermonuclear or other weapons of mass destruction, or precisely, or even roughly, what policy is behind the US fleet in the Pacific. . . or what is the CIA or the White House or the Pentagon up to in this or that move, or what is the Kremlin or the Beijing policy on potentialities on this or that point.

Second, Australian ambassadors in 'sensitive' areas could not escape some fears that their reports would be circulated in Canberra, or [and much worse] leaked. . .

Third, in my case, I communicated 'hot' information by word of mouth to ministers. I was close enough to (as I was to Lord Casey, Sir Paul Hasluck, Sir Garfield Barwick, and Sir Robert Menzies), as also to heads of very senior officials in the Department of Foreign Affairs.

Sir Walter Crocker is survived by two sons, Robert and Christopher, four grandchildren, his nephew John and his two children. On behalf of the government I would like to pass on our government's sincere condolences to them all.

The **Hon. R.G. KERIN (Leader of the Opposition)**: I rise to second the motion of the Acting Premier. Unfortunately, I did not know Sir Walter Crocker personally, but those who did speak of his deep insight, his warm charm and his vast knowledge. Although he was born in Broken Hill, South Australia was definitely his home. Sir Walter will be remembered as a distinguished South Australian, and he will also certainly be remembered as a very distinguished Australian. His family was on the land Parnaroo, which was the family home for half a century. Sir Walter was a former Australian diplomat, World War II veteran and a prolific author. On 25 March this year, Sir Walter, who was our Lieutenant-Governor from September 1973 to June 1982, celebrated his 100th birthday.

At the age of 14 he was sent to school in Adelaide. He graduated from the University of Adelaide in 1925 and then studied at Oxford and Stanford Universities. Sir Walter gained his early experience during the 1930s in the Nigerian Colonial Service. He worked for the League of Nations in the International Labour Organisation in Geneva from 1934 to 1940, and he was a lieutenant colonel in the British army, serving mainly in West Africa during the Second World War.

In 1946, he was invited to be the first chief of the Africa Section in the United Nations Secretariat in New York, where he served until 1949, when he became founding Professor of International Relations at the Australian National University, which is in Canberra. From 1952 to 1970, Sir Walter served Australia with distinction for 18 consecutive years at ambassadorial level in a variety of countries. These included India, Indonesia, Canada, Nepal, Belgium and the Netherlands, Kenya, Ethiopia, Uganda and Italy.

Following his retirement from the diplomatic service in 1970, Sir Walter returned home to Adelaide where he served as a member of the Council of the Adelaide University from 1971 to 1978. In 1973, he was appointed Lieutenant-Governor of South Australia, and he held that position until 1982. Sir Walter was appointed a Knight of the British Empire in 1978. When Sir Walter was appointed Lieutenant-Governor he commented that his life had taken him to many countries and that he had become a specialist on Africa, India and Italy. He said:

Those interests have increased my sense of pride in South Australia.

Sir Walter was a very proud South Australian. He was a prolific writer, publishing numerous magazine articles, lectures and books during his illustrious career. Many people nowadays have travelled and worked internationally. However, Sir Walter must have had incredible memories and experiences of having worked and travelled these countries in a time before fast air travel, global business and, in many of those countries, very little tourism.

Sir Walter Crocker will be sadly missed. On behalf of the Liberal Party, I offer our deepest condolences to his family

and his wide circle of friends. It is with much sympathy that we farewell a great South Australian.

The Hon. M.J. WRIGHT (Minister for Transport): I also support the motion moved by the Acting Premier and supported by the Leader of the Opposition. I did not know Sir Walter very well and, for that matter, I did not know him very long—probably for about three to four years. I count myself very lucky that I knew him, if only for that short period of time. As a quirk of nature, I came into his company as a result of the last redistribution, and I had the pleasure of meeting with Sir Walter on a number of occasions. He wrote to me and I responded, and there were telephone calls, etc.

I will not go into any detail, as the Acting Premier and the Leader of the Opposition have done, because we all know that Sir Walter had a distinguished career. He led a very full life, he was a free spirit, a unique character and a great South Australian.

Subsequent to the last election and becoming his local member, I would like to share with the house that Sir Walter was very charming to meet with. He was very fulsome in terms of putting forward his ideas. I remember the first occasion that I met with him. I sat in his house and we had a fairly broad discussion that lasted for about an hour.

I was keen to listen to Sir Walter's points of view, but he was also keen to listen to mine, and I very much appreciated that. I returned to meet with him on a number of occasions, including his 100th birthday celebration not that long ago. It is with sadness that we lose one of our great South Australians. He was a pleasure to spend time with. I count myself lucky that, just in the last three or four years, I got to know him. We have had ongoing and regular communication, whether it was in writing, through telephone calls or, on occasions, when he so kindly invited me into his house, and I feel all the richer for that. Obviously, I would also like to extend my personal sympathies to his family members.

The Hon. DEAN BROWN (Deputy Leader of the Opposition): I also support the motion moved by the Acting Premier and supported by the Leader of the Opposition and other members. Sir Walter himself would want any such discussion today to be extremely brief, if it was to occur at all. At the church service this morning it was highlighted that there would be no eulogy. It was at Sir Walter Crocker's specific request, I might add, that a number of people spoke about him, but it was not a eulogy.

I highlight the fact that Sir Walter Crocker was an outstanding South Australian. Like the Minister for Transport, I was privileged to have met and talked with him. I respected Sir Walter enormously. He had a huge intellect and was a recognised academic internationally. He was a recognised international thinker; and one can imagine that because between the two wars he played a part in establishing an international organisation and represented an international organisation rather than a particular country.

Sir Walter was an outstanding diplomat, and I think that is highlighted by the representation and the confidence that the governments in Canberra had in him. He was very much a charitable person. He was very generous indeed, in that he gave of his time and his thoughts, and he was a very humane person. He had a vision for the world, and he saw many of the problems that the world experiences today: environmental problems; a shortage of food; and the uneven distribution of food around the world. Sir Walter wanted to rectify those issues as quickly as possible. For a number of years I had the

privilege of sitting on Executive Council with him when he was Lieutenant-Governor. He was also an outstanding person with whom to sit down and have a discussion, as the Minister for Transport has said. We have lost today a great South Australian, a great Australian, one of the original pioneers of international thinking from Australia and one of the outstanding diplomats and servants of this country who served this country so well and so capably overseas.

My thoughts go to his family, that is, his sons, grandchildren, and close friends and relatives. In fact, only about 10 days ago I was sitting down with one of his friends discussing in some detail Sir Walter Crocker and wondering how he was. He was very meticulous and he lived his life to the full. He lived 100 years, and I am sure that he then said, 'Now is the time to close the book.' We as a parliament pass our thoughts on to his family.

Mrs HALL (Morialta): I wish to support the motion moved by the government and supported by the opposition. I was privileged enough to count Sir Walter Crocker as a friend. The lesson of Sir Walter Crocker's life is that in Australia it is possible to rise from relatively impoverished circumstances and, by education, hard work and dedication, an individual can hold positions and serve in some of the most important roles inside and outside the borders of this country.

Sir Walter Crocker, by any definition, had a most remarkable and most distinguished life. He came from a pioneering family based at Parnaroo near Peterborough about which he talks in one of his eight books. I would like to share a particular quote with the house because it was one of his favourite quotes when he was describing his early times in South Australia. The quote is from *Travelling Back: The Memoirs of Sir Walter Crocker* and, when recalling his early days in Parnaroo, he says:

We four elder children walked three miles each way, that is to say, six miles a day, to and from school in Peterborough. We started off with horses, but because of stabling and other difficulties we took to walking. I ascribe much of my good health to this. Perhaps I owe to it, too, my fondness for walking, which has remained a need and not just a pleasure throughout my life. We noticed every feature on the ground, every tree and bush, every anthill, every bird's nest. We walked to school like this for about five years.

Indeed, walking was one of the absolute loves of his life, and I understand that until just about a week ago he was still walking on the beach at Grange.

As has been outlined by the Acting Premier, the Leader of the Opposition, the Minister for Transport and our deputy leader, Sir Walter Crocker really was quite a remarkable man, and I will not go through his many achievements. As the deputy leader has said, this morning at the service at St Peter's Cathedral, tribute was paid to the life and times of Sir Walter Crocker. It was, I thought, so accurate when, on behalf of the family, his son Dr Robert Crocker said that he was able to say only a few words about his father because Sir Walter had said that under no circumstances was there to be a eulogy.

I am sure that many of his family and friends who were at the service this morning each had their own story and their treasured memory of this very special and unique man. His service has been outlined, but there were parts of the life of Sir Walter Crocker that many of us will cherish forever. I did not read all his eight books, but I did read four of them and it was an interesting time for me, as a friend, to visit him and look at his vast library. Occasionally he would lend you a book, but woe betide you if you did not return it to him. He

would say that you would never be lent one again. As I said, I was privileged to call Sir Walter a friend, and my friendship with him extends back more than 20 years.

I first met him as a journalist, and I covered many stories when he was Lieutenant-Governor. I knew of his absolute disdain for members of the media, but an interesting friendship developed from those days. For someone who did not like the media generally, he certainly knew how to use it to get his message across, and it was not unusual for journalists in those days to answer a telephone call and hear at the other end the words, 'It is Crocker here,' telling you what he thought you should be covering in your news service or in your feature articles.

One thing to which Sir Walter applied himself was his capacity to get a message across about his love of the Adelaide parklands and, in particular, its gum trees and how irritated he would be on regular occasions when he made his decision to go bush, having had enough of, to use one of his quotes, 'those noisy damn cars [that] come to town', interrupting his reading, his walking and his quiet time listening to music.

I visited Sir Walter's home regularly and had some amazing conversations with him on international affairs. Each time I visited him I used to make a point of taking home-cooked soup and a selection of cheeses and chocolates from the Central Market, because it was nothing unusual to be involved in discussions with Sir Walter when he would actually forget to eat and, indeed, have anything to drink. When he visited our home he always took a great interest in our children and used to lecture both our children about the need for them to become well versed in international affairs and literature.

One of his particular interests in latter life was his concern on crimes of violence, and there is a quote which he gave to Stuart Cockburn for an article in the *Advertiser* and which I think many of us who knew him would have heard him expound in some detail at other times. He said:

But vandalism, violence, rape, and the like, have reached a level in this community which is completely unacceptable in any society with a potential of being civilised. Governments and the courts established by them cannot ignore the fact that their very first duty is to protect the ordinary decent citizen going about his lawful occasion.

I thought it was quite appropriate this morning during the service that one of the speakers said that he had decided, for those people who did not wish to send flowers, that they should make a small donation to the organisation he so strongly supported, namely, Victims of Crime.

I guess we all could go on talking about this extraordinary human being, but friends of Sir Walter Crocker have had richer lives because of that friendship. He was a complex, gentle and modest man. Many words have been written about him, but I guess my favourite description of him comes, again, from Stuart Cockburn, who knew him well and who said, on the eve of his retirement as Lieutenant-Governor:

My own preferred designation for this very civilised person is a radical with a sense of form. Above all, he is his own man, usually beguilingly charming, especially to women; cutting whenever he chooses to be, though never coarse; ironic; enigmatic; driven by a powerful sense of duty; and always in perfect self-control.

That really says very much about the man. I say thank you to his family and friends for sharing him throughout his very celebrated life of achievement with us all. We will miss him and we will remember him with much affection.

The SPEAKER: I add my remarks to those of the rest of the house by saying that Sir Walter was a man, a person, who had an outstanding life and, as members have testified, a life of very great fame, decency and humility. I, too, have been, and will remain, inspired by his life and his example in leadership and commitment to civility and the community. I, too, grieve his passing.

I think the first of the quotations given by the member for Morialta, if any one can, summarises the ambience that a life of that kind brings to the society blessed with its presence. I thank the honourable member, and I invite all members to join with me in standing in silence in acknowledgment and in passing the motion before the house.

Motion carried by members standing in their places in silence.

[Sitting suspended from 2.25 to 2.35 p.m.]

CHILD SEXUAL ABUSE

A petition signed by 393 residents of South Australia, requesting that the house pass legislation providing for the prosecution of child sexual abuse offences committed before 1982, was presented by the Hon. M.J. Atkinson.

Petition received.

WIND POWER

A petition signed by 24 residents of South Australia, requesting that the house support the proposed Myponga wind farm, was presented by the Hon. J.D. Hill.

Petition received.

SAME SEX RELATIONSHIPS

A petition signed by 63 residents of South Australia, requesting that the house support the passage of legislation to remove discriminatory provisions from all state legislation which discriminates against people in same sex relationships, was presented by Ms Bedford.

Petition received.

HOUSE OF ASSEMBLY TAPESTRIES

A petition signed by 10 residents of South Australia, requesting the house to reconfirm its resolution of 17 February 1993 to dedicate space in the House of Assembly chamber for two tapestries commemorating the centenary of women's suffrage, was presented by Mrs Geraghty.

Petition received.

HOSPITALS, MODBURY

A petition signed by 745 residents of South Australia, requesting the house to call on the government to categorically declare that Modbury Public Hospital will not be closed, amalgamated or any current services withdrawn, was presented by the Hon. D.C. Kotz.

Petition received.

SHOP TRADING HOURS

A petition signed by 118 residents of South Australia, requesting the house refrain from passing legislation to extend shop trading hours, was presented by the Hon. D.C. Kotz.

Petition received.

EDUCATION FUNDING

A petition signed by 42 residents of South Australia, requesting that the house review cuts made to the Adult and Community Education Funding Scheme with a view to urging the government to reinstate these important social inclusion programs, was presented by the Hon. D.C. Kotz.

Petition received.

VOLUNTARY EUTHANASIA

A petition signed by 24 residents of South Australia, requesting the house to reject voluntary euthanasia legislation, uphold the present law of homicide, maintain the right of patients to refuse treatment and support palliative care procedures, was presented by the Hon. D.C. Kotz.

Petition received.

PAPERS TABLED

The following papers were laid on the table:

By the Attorney-General (Hon. M.J. Atkinson)—

- Attorney-General's Department Incorporating the Department of Justice—Report 2001-02
- Legal Practitioners Conduct Board—Report 2001-02
- Legal Practitioners Guarantee Fund, Claims Against—Report 2001-02
- Listening Devices Act 1972—Vide Section 6b(1)(c), Warrants—Report 2001-02
- Public Trustee—Report 2002
- South Australian Equal Opportunity Commission—Report 2001-02
- State Electoral Office—Statistical Returns, South Australian General Election—9 February 2002
- Suppression Orders, Pursuant to Section 71 of the Evidence Act 1929—Report 2001-02
- Telecommunications (Interception) Act 1988—Vide Section 6(c), Warrants—Report 2001-02.

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

Commissioner for Consumer Affairs—Report 2001-02.

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

Passenger Transport Board—Report 2001-02
TransAdelaide—Report 2001-02.

By the Minister for Social Justice (Hon. S.W. Key)—

Julia Farr Redevelopment—Correspondence—from Department of Human Services to Chief Executive Officer, Julia Farr Service—dated 19 July 2002.

MURRAY RIVER

In reply to **Hon. R.G. KERIN** (29 August).

The Hon. J.D. HILL: The commonwealth, New South Wales and Victorian governments have signed an agreement (named the Snowy Water Inquiry Outcomes Implementation Deed (SWIOD)) to acquire additional flows for the Snowy River and the River Murray. This agreement sets out four stages of implementation. The first two stages are relevant to the question:

Stage 1: during the first year after corporatisation

Flows in the Snowy are increased by 38 gl per year from Mowamba River and/or Cobbon Creek

Stage 2: between years 2 and 7 following corporatisation

Additional 142 gl per year for the Snowy and an additional 70 gl per year for the River Murray, acquired from savings obtained in the Murray-Darling Basin. Any savings will be progressively shared on a 2 for 1 basis between the Snowy and the Murray. That is, if a savings of 9 gl is acquired from a particular project, then 6 gl will go to the Snowy and 3 gl will go to the Murray.

The implementation of the first stage of this agreement commenced in August 2002, when the weir and aqueduct on Mowamba

River were decommissioned to enable an estimated 38 gl of water, previously diverted back into Jindabyne reservoir, to flow down into the Snowy River.

The 38 gl in stage 1 of the three governments' agreement was always going to provide the first restoration of flow in the Snowy and is quite separate to the arrangement of acquiring additional flows of 70 gl for the River Murray. The pursuit of water savings from the Murray-Darling Basin for both the Snowy and the Murray, on a 2 to 1 basis, has begun as part of stage 2 of the three governments' agreement.

SHACKS

In reply to **Mrs PENFOLD** (15 October).

The Hon. J.D. HILL: Considerable effort has been channelled into accelerating the freehold project to completion. I have approved the addition of two extra staff to expedite documentation, and assure you I am firmly committed to this project. The current status as of 18 October 2002, for the shack areas in question are as follows:

Arno Bay shack area

- The freehold process for four sites have not commenced as the department is awaiting requirements from the Lessees (note no money has been paid).
- One site has outstanding documentary requirements by the lessee
- One site has the land grant (title) currently with the governor for signing
- Seven sites are completed but must have the final check prior to lodging in the Lands Titles Office.
- 10 sites have been completed with titles issued.

Tulka and Tulka West shack area

- Both have been completed.

CITY OF BURNSIDE, ANNUAL REPORT

The SPEAKER: Pursuant to section 131 of the Local Government Act 1999, I lay on the table the annual report for the City of Burnside.

ELECTRICITY SUPPLY

The Hon. P.F. CONLON (Minister for Energy): I seek leave to make a ministerial statement.

Leave granted.

The Hon. P.F. CONLON: I wish to advise the house that the electricity supply outlook for the combined Victorian and South Australian regions for the forthcoming summer of 2002-03 has deteriorated from a forecast surplus of 300 megawatts to a shortfall of approximately 250 megawatts in generation reserves.

Members interjecting:

The SPEAKER: Leave has been granted. Members will respect the wishes of the rest of the house. When leave is granted, statements by ministers will be heard in silence.

The Hon. P.F. CONLON: The turnaround in the generation reserve forecast is due primarily to reduced hydro capacity caused by the drought, the planned maintenance of the Victorian Loy Yang generators in February 2003 and revised hot weather capacity ratings for gas turbines. In normal circumstances there should be enough reserve capacity, but this marginal situation leaves us in the position that not much would need to go wrong for blackouts to occur; for example, if Victoria and South Australia were to experience very hot weather combined with generation failure.

Members interjecting:

The Hon. P.F. CONLON: As powerful as I am, I cannot control what happens in Victoria or the weather. With previous forecasts of a very high bushfire risk, we are facing an extreme summer. We have been told that there should be enough power reserves in South Australia and Victoria to withstand the electricity demand pressures of a one in 10 year

hot day. What concerns the government is that all the forecasts for this summer are indicating that we could face sustained predictions of extreme hot weather. If these predictions are correct, the heat wave conditions will cause increased demand and put added pressure on generators. The National Electricity Market Management Company (NEMMCO) publicly advises the market of estimated generation reserves for each region of the national electricity market every year in a publication called the Statement of Opportunities. The 2002 Statement of Opportunities was released on 31 July 2002 and forecast a surplus of 300 megawatts.

In accordance with the reserve trader provisions of the National Electricity Code, NEMMCO issued an invitation to tender on 10 October 2002 for demand side contracts or additional sources of supply necessary to meet the minimum reserve standards. The tender period closes on 28 November 2002, with a final decision on reserve trading expected to be made on 12 December 2002. If an inadequate response is received to the reserve trader tendering process, NEMMCO has advised that it will seek to use its powers of direction to defer the planned maintenance at Loy Yang A power station, which is 500 megawatts.

It should be noted that if Loy Yang believes that there is a danger of a plant breakdown or a danger to personnel they may have a statutory obligation to make themselves unavailable regardless of any direction from NEMMCO. If Loy Yang were not available, NEMMCO is still forecasting a physical surplus of 550 megawatts in generating capacity, shared between Victoria and South Australia, even in the event of a one in 10 year hot day, meaning that load shedding should not be necessary unless there is a major plant breakdown.

I have sought reassurances from NEMMCO that they will undertake all actions available to it to ensure sufficient capacity is available over summer. I am concerned that the amended forecast has been issued so soon after the July release of NEMMCO's 2002 Statement of Opportunities. We have had extensive discussions with NEMMCO on this issue and the difficulties faced by South Australia as a result of the limitations that currently exist in the national electricity market. This incident clearly demonstrates that forward planning on the supply side of the NEM is extremely vulnerable to late reductions of projected supply capacity, leaving insufficient time for proponents of new generation to respond.

In my discussions with NEMMCO and other NEM ministers, I have stated that a major generator should not be permitted to schedule maintenance during periods of peak demand and limited supply. I have also raised the issue of whether the NEM is providing appropriate market signals to generators in relation to their maintenance planning or for the entry of new supply capacity. I will continue to pursue these matters in the NEM ministers' forum. I will continue to closely monitor the generation reserve outlook for the coming summer.

POLICE UNDERCOVER OPERATIONS

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

Leave granted.

The Hon. M.J. ATKINSON: In April 1995, after the High Court decided an appeal called Ridgeway in favour of the accused, parliament passed the Criminal Law (Under-

cover Operations) Act 1995 with the support of both sides of politics. The object of the legislation was to place the law of police undercover operations on a legislative footing and to ensure certainty in the law. The High Court ruling on entrapment by police of drug dealers and other criminals had created uncertainty for the police.

As honourable members may be aware, one of the safeguards that was built into the legislation, which significantly extended police powers, was that there should be notification of authorised undercover operations to the Attorney-General and an annual report to parliament. I am pleased to assure the house that the system is meticulously adhered to, both by the police and by my office. The details of these notifications form the basis of the report that the statute requires me to give to parliament, and I now table that report.

The legislation is working well. There have not been any South Australian court decisions in the past 12 months on the legislation, or on this specific aspect of Ridgeway, of which I am aware. Last year, this report noted the decision in *Bijkerk*. In that case, the New South Wales Court of Criminal Appeal upheld a conviction for conspiracy to import a large quantity of cocaine, distinguishing Ridgeway. In this instance, the ground of distinction was that the conspiracy was complete and, therefore, the crime was complete before any importation took place and, in addition, the appellant was no entrapped innocent but, rather, had instigated the scheme. This year, the conviction of an accomplice was upheld on appeal on precisely the same grounds—and I refer to the case of *Richards* at 123 Australian Criminal Reports.

I am in a position to assure honourable members that the legislation is working as it was intended to do and that no difficulties have appeared in its effective operation. The law in this area appears to be well settled now. Honourable members should be made aware that, owing to an agreement of the Council of Australian Governments' decisions on terrorism and transborder crime in April this year, work has begun on a national model for controlled operations legislation. The aim of this work is to make a nationally uniform law that would allow controlled operations across jurisdictional boundaries. Serious criminals do not respect state and territory borders; nor should the law. State laws should be capable of dealing with transborder crime. This topic will come to the parliament when we have a drafted law.

DOCUMENTS, TABLING

The SPEAKER: Does the Minister for Environment and Conservation recall the last day of sitting, Thursday 24 October, upon which it was incumbent upon him to table a document from which he was quoting?

The Hon. J.D. HILL (Minister for Environment and Conservation): Yes, sir. I believe that I have sent that to your officers. I do not have it on me at the moment, but I will find it before the end of today and make sure that it is tabled officially. However, it has been forwarded to your officers, on their request.

The SPEAKER: My office is not in receipt of it. May I suggest to the minister that, at the conclusion of question time, he have that document from which he was quoting?

The Hon. J.D. HILL: Yes, sir.

RAILWAYS, SALSIBURY LEVEL CROSSING

The Hon. M.J. WRIGHT (Minister for Transport):

I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.J. WRIGHT: I rise today to provide the house with information about the tragic rail crash at Park Terrace, Salisbury. Members will be aware that the Alice Springs bound Ghan passenger train hit a car and bus on the Park Terrace level crossing in the afternoon of Thursday 24 October 2002. Four lives were lost. The causes of the crash are being investigated by the police and two independent investigators. The police are conducting extensive inquiries, and will report their findings to the Coroner.

The South Australian Rail Safety Regulator, with my endorsement, appointed an independent investigator under the Rail Safety Act 1996. Mr Kit Filor from the Australian Transport Safety Bureau started that investigation on Monday 28 October. The Australian Transport Safety Bureau is the pre-eminent transport safety investigation body in Australia, covering major sea and rail incidents. I understand Mr Filor's investigation is well under way, and I look forward to receiving his report. Both the police and rail investigations have a particular purpose and focus and will take some time to complete. To complement these formal investigations, the government also established an investigation focusing on the transport systems and traffic management at Park Terrace. Mr Vincent Graham, with 30 years' experience in the transport sector, is leading that investigation. Mr Graham provided me with an interim report on Friday 8 November 2002 in which he gave six recommended courses of action to reduce the risk of a similar accident occurring at Salisbury or other level crossing locations. I table that report for members.

In general, the recommendations and the government's responses are as follows. The first recommendation is re-routing of buses. This was actioned from Friday 8 November. With the exception of special arrangements for the Salisbury Christmas Pageant on Saturday 16 November, buses now depart the interchange via Gawler Road. The second recommendation is for a 50 km/h maximum rail speed until the end of November. TransAdelaide has already implemented the lower speed. The Australian Rail Track Corporation implemented a 50 km/h limit immediately following the crash.

I have written to the Chairman of the corporation asking for his support for an extension until the end of November. The third recommendation is to reinstate the South Australian Road Level Crossing Safety Committee. That committee has been reconvened and will be chaired by the Executive Director of Transport SA. Membership includes representatives of Transport SA, TransAdelaide, the RAA, the Local Government Association, Australian Rail Track Corporation, SA Police and the Australian Rail, Tram and Bus Industry Union. As recommended by Mr Graham, the committee will begin a comprehensive exercise of assessing risks at similar level crossings and developing risk management and compliance strategies.

The fourth recommendation is for an inspection tour of interstate, US and Canadian organisations by government road and rail signal specialists. I support this recommendation, and an appropriately constituted delegation will be formed. The fifth recommendation is for a training module on level crossing safety for bus and heavy vehicle operators. I support this recommendation in principle and have instructed Transport SA and the Passenger Transport Board to work with industry and unions on its implementation. The sixth

recommendation is a continued appropriate level of enforcement by SA Police and measures to improve rail sighting distances on the approach to the Salisbury level crossing. I have consulted with the Minister for Police on the continued presence of police at the Salisbury crossing and have asked TransAdelaide and ARTC to undertake the latter.

These recommendations build on the actions taken by the government prior to receiving Mr Graham's interim report. These included painting yellow boxes at the road rail intersection to help delineate the rail track from the road and help drivers better judge the space that needs to be kept clear; erecting additional warning signs at the intersection; and implementing a stronger police presence at the intersection to ensure that the Australian road rules are observed. Throughout this time there has been full cooperation between the government and the City of Salisbury. I would particularly pay tribute to Mayor Tony Zappia for his willingness to work with the government and for his community leadership at a difficult time. I will keep the house informed of further developments on this matter.

INDUSTRIAL RELATIONS REVIEW

The Hon. M.J. WRIGHT (Minister for Industrial Relations): I seek leave to make a further ministerial statement.

Leave granted.

The Hon. M.J. WRIGHT: I rise to advise the house of the release of the Stevens' report from the review of the South Australian industrial relations system. The report was provided to me on time on 15 October. As many members would be aware, last Wednesday, 13 November, I released the report at a meeting of the Industrial Relations Advisory Committee and then immediately to the broader community. I would like to take this opportunity to thank Mr Stevens for the very thorough work he has done in conducting the review. It is a very comprehensive report. I would also like to thank the stakeholder community for its efforts in contributing to the process.

Many stakeholders took the opportunity to make written submissions and meet with Mr Stevens to discuss the issues. This demonstrates the community support for this process to develop options for change by including the stakeholders as a key part of the process rather than simply seeking to impose a policy outcome.

There is a great deal to consider in the Stevens' report. The government will continue to talk to the stakeholders, assess the Stevens' report, and come forward with a package of reforms and draft legislation in the new year. Further consultation will be ongoing. The report is available on the internet at www.eric.sa.gov.au. Once again, I would like to thank Mr Stevens for his contribution. I would also like to thank the stakeholders for their useful contributions. I look forward to continuing discussions with the stakeholders.

Mr BRINDAL: I rise on a point of order, Mr Speaker. Sir, I seek your guidance as to whether publication of a report on a web site actually constitutes a tabling of those papers in this house.

The SPEAKER: I do not understand under what context the member for Unley raises this matter. Let me tell the member for Unley that the World Wide Web is not in the possession of the parliament. Therefore, it is not a means by which it would be possible to satisfy the precedents, procedures and standing orders of the parliament for any document to be put in the public domain. The integrity of the informa-

tion on the web is very often questionable. Just because it is there does not make it fact. However, I do not understand what other information I can provide to the member for Unley for his edification on the point.

Mr BRINDAL: I will come and see you after question time, Mr Speaker.

The SPEAKER: Thank you.

QUESTION TIME

ELECTRICITY PRICES

The Hon. R.G. KERIN (Leader of the Opposition): Will the Minister for Energy take immediate action to ensure that no South Australian electricity consumer is billed at the new electricity price increase of more than 30 per cent from 1 January 2003 until an electricity meter has been read? Electricity retailer AGL has confirmed that it is unable to physically read all electricity meters on 31 December 2002 and that it will be necessary for it to average out the electricity usage through the billing quarter to approximate the likely amount consumed at the new 30 per cent plus higher price. AGL concedes that this process could result in consumers paying the increased price for electricity consumed at the time the lower price applied. The Essential Services Commissioner, Lew Owens, advises that a meter can be read outside the normal reading cycle but at a cost of \$19 to the electricity consumer.

The Hon. P.F. CONLON (Minister for Energy): That question is not entirely a surprise, because what we have come to see from the opposition is the following: Leon Byner asks a question in the morning, and they then ask the question in the afternoon. The difference is that Leon Byner is a little closer to the facts than the opposition. On the general issue, first, it is difficult to transfer customers at 1 December—much more difficult than it would have been at 1 July.

Mr Brokenshire: Why?

The Hon. P.F. CONLON: The member for Mawson asks, 'Why?' That is because it is New Year's Day. I do not know whether the honourable member understands the pattern of holidays in Australia. I do not know that the member for Mawson understands that. What happens is that people tend to stop work around Christmas time; they tend to take their leave around that time and it therefore becomes a very difficult time to make a decision about transferring commercial businesses. I agree: I think that it is extremely hard to fathom why anyone would have picked 1 January as opposed to 1 July for the implementation of full retail contestability. I have never been able to fathom it. Unfortunately, sir, as you well know, it was a decision of the former government, made into law, put into its lease agreements, put into its electricity pricing orders and put into its vesting contracts one after another. I admit that it is difficult, but in dealing with that difficulty the suggestion has been this—

An honourable member: Read your note.

The Hon. P.F. CONLON: You will love this note. I will read it out to the honourable member in a moment. You will love this note. The proposal to deal with this very real difficulty—of course, created by an unfathomable decision of the previous government—has been to average the cost for those people whose meters will not be read for two months. AGL advises that the ordinary pattern of consumption year after year in South Australia is that people use more electricity in January and February than they do in December.

An honourable member interjecting:

The Hon. P.F. CONLON: Not if they go on holidays, and I will address that point in a moment. As I said, while members opposite ask Leon Byner's questions, at least Leon does his research and gets it right: members opposite almost invariably get it wrong. In most cases, unless people go on holidays—as the Leader of the Opposition points out (finally he gets something right)—they will actually get a benefit of the reading being averaged that way. The point was raised this morning by Leon Byner. I have a press release from the Leader of the Opposition, which states:

The Rann government prohibits South Australians from taking a reading from their own meters. Unless families could check meters. . .

Blah, blah, blah. Basically, the press release is saying that we are going to prevent people reading their own meters. My advice is this: I spoke to AGL this morning (because, of course, I would be concerned about that) and I was told that anyone who might be disadvantaged by the averaging process (which will be the rare example) can, within 10 days of 1 January, provide their own reading on which AGL will base its bill. The opposition has got it wrong. Members opposite just love their own bad news, don't they? They created the pricing problem and they set in place the difficult date. They love this bad news but they get even that wrong.

Can I say that, on this issue, the opposition is like a bloke who contacts the local council to complain about his own dog barking. They are wrong again. I spoke to AGL this morning. AGL will allow people to take that reading for 10 days. I spoke to the Essential Services Commission and that is fine. All I can say is that members opposite have got it completely wrong again.

JULIA FARR SERVICES

Ms RANKINE (Wright): Will the Minister for Social Justice advise the house of any plans Julie Farr Services has for the future and whether she intends closing Julia Farr?

The Hon. S.W. KEY (Minister for Social Justice): I would like to thank the member for Wright for her question and I also take the opportunity to acknowledge her advocacy in her electorate for frail and aged people. The first point I need to make is that this government has absolutely no intention of closing Julie Farr Services. I am keen to ensure that Julia Farr continues to develop its strategic plan for the future and develop its services in ways that include additional community accommodation and support for current and future clients. Julia Farr Services currently provides supported accommodation services to people with acquired brain injury and physical and neurological conditions. These services include: extended care services for 55 clients under the age of 65 years; care for 60 clients requiring high support or specialised services; 25 community-based accommodation placements in two cluster arrangements, one in Felixstow and one in Mitchell Park; short-term respite accommodation and support at Morphetville; aged care placements at Hillcrest, part-funded through the use of 70 commonwealth-funded nursing bed licences.

The board of Julia Farr has been actively engaged in developing new strategic directions and has been doing this since March 2001. In particular, the board has endorsed the concept plan for future services involving the redevelopment of the Highgate campus, the expansion of the community services and the development of community and village-style domestic accommodation.

In July this year, the Department of Human Services responded to the request for feedback on the concept plan for the development of Julia Farr Services and, with your leave, Mr Speaker, I would like to table the response of the Department of Human Services.

The SPEAKER: The minister does not need my leave to do that. The minister is at liberty to do so.

The Hon. S.W. KEY: In that case, I would like to table this correspondence. In its response, the department referred to three main principles for the development of Julia Farr upon which the DHS and Julia Farr Services would need to agree. The department said that these principles mean that a redeveloped Julia Farr Services will be a community accommodation provider in many locations targeting young people with severe physical disabilities or brain injury. Julia Farr Services will, over time, cease to be an aged care provider.

In September the board agreed to move away from specialised aged care nursing home services while still continuing those services to current clients. The board also decided to explore partnerships with aged care service providers to foster the development of disability expertise in the aged sector.

The board further resolved to discuss with the Disability Services Office of the Department of Human Services ways of ensuring that the 70 nursing home bed licences were used to benefit both people with a disability and in the state. These were not easy decisions for the board to make and there is clearly a great deal of detail which needs to be worked through in relation to the redevelopment of Julia Farr.

Last week, I met with residents, staff, unions, the department and Julia Farr management to discuss issues and concerns related to both the provision of aged care services and budget savings. I think some of the concerns that have been raised can only be allayed when more detailed analyses of the implications of the decisions are available. I met with the Julia Farr Services Board on Friday afternoon. We have agreed that Julia Farr will work with the Department of Human Services to develop a proposal for identifying and dealing with issues that need to be resolved. The proposal will be discussed at the Julia Farr board meeting in a fortnight's time. We have agreed that Julia Farr will continue to fill aged care vacancies whilst we work through the issues that need to be resolved.

I have also sought further information in relation to proposed administrative savings at Julia Farr. I have advised the board that there will be further discussions over savings targets and the time frame for savings prior to the board meeting in a fortnight's time.

ENERGY CONSUMER COUNCIL

The Hon. W.A. MATTHEW (Bright): My question is directed to the Minister for Energy. Has the Energy Consumer Council, headed by Professor Richard Blandy, to protect the interests of South Australian electricity consumers now met? If so, when did it meet? Has the council considered the need to read electricity meters before South Australians are hit with a 30 per cent price increase? The Energy Consumer Council was announced by the Labor Party at the last state election as one of its key undertakings to protect the interests of South Australian electricity consumers. On 22 October I advised this house of the non-appointment of council members to undertake that role. I ask: has it been formed and is it now working?

The SPEAKER: The last two sentences of the so-called explanation were not. The member for Bright knows that, and I trust he will not expect to be permitted to explain a future question.

The Hon. P.F. CONLON (Minister for Energy): Well, I am not going to thank the honourable member for the question, frankly. He has asked it before—and they are never any good. I do note that the opposition dropped off its big attack of the day. Once members opposite realised that they had got it wrong again, they dropped off their big attack of the day. I just wonder whether the poor old Leader of the Opposition has not been set up a bit today. We read the paper on the weekend, and we read about the leadership contention. And what happens? He gets set up with an electricity question that is completely wrong. Perhaps it is a little more than coincidence.

INSURANCE, PUBLIC LIABILITY

Mr KOUTSANTONIS (West Torrens): Will the Deputy Premier update the house on the approach being taken towards public liability insurance in the light of the ministerial council meeting on Friday 15 November 2002?

The SPEAKER: Order! The member for West Torrens has been here long enough to know that he does not ask if a minister will do something or not. His prerogative is to ask the minister 'what'. The use of requests and terminology of that kind is begging, which is not appropriate for an honourable member when putting questions to ministers. The Deputy Premier.

The Hon. K.O. FOLEY (Deputy Premier): I hope the member for Unley does not cut short this answer. You are not having a good day over there, are you?

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: Thank you, sir. Commonwealth, state and territory ministers and the Senior Vice President of the Australian Local Government Association met on Friday in Brisbane to continue to address a range of issues surrounding the availability and affordability of public liability and related insurance. This meeting has followed three highly successful meetings on this issue held in March, May and October this year. Ministers agreed that the key Ipp report recommendations that go to establishing liability should be implemented on a nationally consistent basis, and each jurisdiction has agreed to introduce the necessary legislation as a matter of priority. Ministers reaffirmed the importance of insurers quickly and fully passing on the benefits of reforms to consumers. Pricewaterhouse Coopers made a presentation.

The Hon. D.C. Kotz interjecting:

The Hon. K.O. FOLEY: It was only Friday—

The Hon. D.C. Kotz interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: Maybe if the member wants us to have parliament sitting over Christmas—

The SPEAKER: Order! The minister will not respond to interjections.

The Hon. K.O. FOLEY: Thank you, sir. Pricewaterhouse Coopers made a presentation of their actuarial assessments of the Ipp report recommendations to the meeting. The assessments showed that the implementation of elements of the Ipp report could be expected to deliver an initial reduction in public liability insurance premiums to the order of 13.5 per cent. Significantly larger savings over time can also

be expected. Significant reductions in medical indemnity insurance premiums between 15 and 18 per cent were also estimated for many jurisdictions.

At the meeting, representatives of the insurance industry assured ministers that adoption of the Ipp recommendations will increase the availability of public liability insurance cover, particularly in the community sector, and will bring certainty and stability to pricing. Industry agreed with the findings of the Pricewaterhouse Coopers report on the likely reduction in public liability claim costs, which will flow through to premiums to the extent of an estimated 13.5 per cent, following the adoption of the recommendations.

The meeting also discussed professional indemnity insurance and will continue to consider the best ways forward, including consideration of proportionate liability and professional standards legislation.

I advise the house that Treasurers from all jurisdictions will urgently prepare a draft report for the COAG meeting that can be finalised by ministers by the end of November. We will be examining options for amending the Trade Practices Act at commonwealth level to ensure that state and territory reforms will not be compromised when national consistency cannot be achieved. We will consider the economic impacts of proportionate liability and capping of professionals' liability through the national adoption of professional standards legislation on the professional indemnity insurance market and to contribute to the SCAG/MINCO deliberations.

In relation to the issue of long-term care costs, we will undertake a comprehensive review of current arrangements and possible alternatives, commencing with an expeditious collection of relevant data and analysis of the nature of the problem for discussion at the next ministerial meeting. Ministers agreed that it was necessary to keep up the momentum of the liability law reform processes and have agreed to meet in Perth in early April to continue to drive those reforms.

An honourable member interjecting:

The Hon. K.O. FOLEY: The member opposite laughs. The chair of the working group of the committee is the Assistant Treasurer, Helen Coonan, and she is doing a very good job. It was her view that April would be an appropriate time for us to meet again. If the member is suggesting some criticism towards ministers, he is, in my view, criticising his own colleague in Canberra. This is not easy, but it will be done as quickly as we possibly can. All governments—nationally and federally—are working as quickly as we can to bring about price reductions and stability. I think that all state and federal governments—Labor and Liberal—can be commended for their efforts.

TRAINING CONTRACTS

Mr BRINDAL (Unley): Can the Minister for Employment and Training assure this house that her government's bureaucratic processes are not impeding South Australian small businesses? Recipes that Talk is a small business enterprise in my electorate. It is in business partnership with Business SA and has developed a very innovative method of placement of students of years 11 and 12 school age in school to work transition. There are currently more than 100 students in placement. Central to its innovation is the use of an Australian workplace agreement (AWA). This has been developed with the full knowledge and approval of Business SA and with the full knowledge and consent—

The SPEAKER: This sounds more like a second reading speech than an explanation. I invite the minister to answer the question. The minister.

Mr BRINDAL: Sir, are you withdrawing leave?

The SPEAKER: Yes, I am. The minister.

Ms THOMPSON: I rise on a point of order, Mr Speaker. I understand that this question relates to a bill which is before the house at the moment.

Mr BRINDAL: Sir, it is not. It is a question that I asked—

The SPEAKER: Order! My assessment of the position is that if, as I believe, the information sought does not go to the debate on the subject on the *Notice Paper*, it is not out of order. I did not consider that it did when I first heard it. The explanation was drawing me in the direction of which the honourable member for Reynell has alerted the chamber. I leave it to the minister not to go to the debate of the matter before the chamber in responding to the question. The minister.

The Hon. J.D. LOMAX-SMITH (Minister for Employment and Training): The member for Unley knows that I am the State Training Authority, and one of the powers vested in me is to approve contracts of training. That is done through the good offices of various bodies, but in particular, where there are questions through the department, they are investigated through the Accreditation and Registration Council (ARC), and the matter he now asks about is under investigation by that body. It is my understanding that many members of parliament have had requests from the proponent in writing and by telephone conversation.

I have been in communication with the applicant for these contracts of training on several occasions and discussed the matter with Business SA. However, I do not think it is appropriate that I discuss the investigation that is before ARC at this moment. The proponent does have an interview with ARC later this week, and I am very happy to give the honourable member a briefing on that matter if he wishes, but I expect the matter to be resolved within the next week.

WATER SUPPLIES

Mr CAICA (Colton): Will the Minister for the River Murray inform the house of the impact on South Australia's water supplies of the current drought?

The Hon. J.D. HILL (Minister for the River Murray): I thank the member for Colton for the question. As members would know, we are experiencing severe problems this year with drought right across Australia, and that has an impact in South Australia. A number of people, including the member for Unley, who is returning to his seat, have raised the possibility of our having water restrictions imposed in South Australia. I will put some details before the house to put that concept into context.

We know there are severe problems in the Lower Murray area in our state. The water level of the lower lakes this year has fallen, as you, sir, would probably know, to 35 centimetres—a level not seen since 1983, when it fell to 33 centimetres. The previous low in terms of the lake's depth was in 1967, when it fell to 11 centimetres, which is historically the worst event. There is certainly no doubt that the drought, especially in eastern Australia, combined with the massive water extraction across the basin, is having a severe impact on South Australia and making it harder for the River Murray and making it harder for us to keep open the mouth.

Should we or should we not have water restrictions? It is my view that water restrictions at this time would not be the answer. Even with the drought affected year, Adelaide takes only 9 per cent of South Australia's annual River Murray allocation. South Australia, through the Murray Darling Basin Commission, gets 1850 gegalitres of water each year, and that is spent in the following ways. Adelaide gets, depending on the year, between 90 and 165 gegalitres. In this current year we will take 165 gegalitres for Adelaide's consumption, 220 gegalitres for irrigation purposes and 40 gegalitres to supply regional towns; sadly, about 800 gegalitres is lost through evaporation.

SA Water on my request has estimated that a ban on sprinklers and car washing would reduce water demand by approximately 10 per cent. If we were to go further and reduce it by 20 per cent in Adelaide, the water level in the lower lakes would rise less than half a centimetre and improve salinity by less than 1 per cent of the predicted salinity level of 1 100 ECs, as measured at Milang. If we imposed stringent water restrictions of 20 per cent in Adelaide, the positive impact on the environment would be negligible—less than a one centimetre increase in depth in the lower lakes. More importantly, it would have negative impacts on our population because we as a government would be accused of crying wolf.

The reality is that there is a strong chance that South Australia, unless the conditions are better than average next year, will be facing water restrictions because under the agreement with the Murray Darling Basin Commission we will have less water being delivered to South Australia. We will have no choice. We will be doing it not to help the environment but because we will have no choice.

To put that into context, as well as having a reduction of 20 per cent, which I think is the figure the member for Unley may have been using in his suggestion, in irrigation diversions in South Australia (the other 220 gegalitres we use), that would cause a \$30 million loss of production in South Australia this year. I know the member for Unley was not suggesting we should reduce irrigation, but if we were to follow his suggestion we would be setting up the country versus the city. If city people had to have a voluntary restriction, they would ask why the people in the bush were not having a voluntary restriction as well, as they are the ones using a lot of the water. If we were to go down that track, we would create hostility.

If the drought persists and our state is affected next year, the advice I have is that we may have up to 30 per cent less water available to our state next year through the agreement. We have a very good agreement, through the Murray Darling Basin commission, which operates in our favour 99 years out of 100. Unless we get better than average rainfalls across the basin next year, we may well be facing that one in 100 years when we will have water restrictions.

If we are to have water restrictions, I want to make sure that they are based on that kind of set of conditions, not just on an arbitrary 'it will make us feel good to have water restrictions' policy. I think that, if we were to go down that track, it would be counterproductive. We would be accused of being the boy who cried wolf: it would create cynicism in the community about the value of those water restrictions. That is not to say, of course, that we should not encourage all water users to be sensible in their water use, including the city council of Adelaide and the city council of Port Adelaide—and I recognise that the member for Unley made

a valid point in relation to the allocation of water that those two councils receive.

ACCC

The Hon. R.G. KERIN (Leader of the Opposition): Did the Acting Premier, as Treasurer, receive any recommendation from union leaders prior to his decision to vote against the appointment of Graeme Samuel to the ACCC, and did he put forward any alternative nomination for the position—and, if so, who?

The Hon. K.O. FOLEY (Deputy Premier): I thank the Leader of the Opposition for his question, and can I say from the outset, as the Acting Premier and able to speak on behalf of our government, that we support you as opposition leader: you have our support—

The SPEAKER: Order!

The Hon. K.O. FOLEY: —and I would say to all members opposite—

The SPEAKER: Order!

The Hon. K.O. FOLEY: —that we would like you to continue in that role for as long as you can—

Members interjecting:

The SPEAKER: The Deputy—

The Hon. K.O. FOLEY: —thank you, sir—and your colleagues should allow you to do so. In respect of this question, Peter Costello wrote to the former government (of which you were at the time the deputy leader) on 31 May 2000 (that is what Peter Costello has advised me), and I understand that at that stage Peter was looking for nominations from your government. You did not reply, I am advised, sir—

The SPEAKER: Order! I received no letter from—

The Hon. K.O. FOLEY: The Leader of the Opposition, sir, did not reply. Then I am told, sir, that Peter Costello wrote to you, as Premier—

The SPEAKER: Order! I have never been Premier. The honourable Treasurer will remember that he is addressing the chair, not any particular member.

The Hon. K.O. FOLEY: Thank you, sir. The federal Treasurer wrote to the former premier on 24 January—admittedly during the caretaker period—also looking for nominations. The former premier did not contact the then opposition and seek support from us in terms of providing some response. The former government received two pieces of correspondence, we are advised, from the federal government seeking nominations, and there were no responses. At 6.49 p.m. on Wednesday 9 October, the Premier's office received a faxed letter from Peter Costello nominating Graeme Samuel as the deputy chair of the ACCC. I am advised that the following day, 10 October, Peter Costello announced publicly that he was recommending Graeme Samuel as the chair of the ACCC. That is not consultation with this government, and we were caught unaware that this was to be the intention of the federal Treasurer.

An honourable member interjecting:

The Hon. K.O. FOLEY: Asleep at the wheel, he says. But I can confirm that I was lobbied both for and against the appointment of Graeme Samuel. It was a bit odd; Peter Costello lobbied me—

An honourable member interjecting:

The Hon. K.O. FOLEY: No, after the announcement. Peter Costello contacted me on 11 November, only two days before the commonwealth deadline. The strongest lobby I received was from some people who are good friends of the

member for Davenport, and who have worked with the opposition in respect of shop trading hours. The Retail Traders Association and the Fair Trading Alliance wrote to the Premier, with copies for me, strongly arguing against the appointment of Graeme Samuel. The Fair Trading Alliance includes Foodland Supermarkets, Motor Trade Association, Top Shops Cooperative, Pharmacy Guild, IGA Everyday Supermarkets and IGA Friendly Grocer Supermarkets, Meat and Allied Traders Association, the Newsagents Association, Consolidated Buying Group, Shop Friendly Group, State Retailers Association and the One Stop Shop Group. The Fair Trading Alliance said to me in their lobby:

Small business, retailing to be specific, has certainly suffered under Mr Samuel as President of the National Competition Council and it is our contention that the ACCC cannot be fairly presided over by a person who is seen as an economic rationalist.

That was from the employer groups in this state. As we know, the member for Davenport is a big supporter of the Fair Trading Alliance, so at one time he supports them, one time he backs them in, and then the member for Davenport is taking another position. I received a call from Alan Fels lobbying for Mr Samuel. I also chose to discuss the matter with Nick Greiner, a former Liberal premier, who was supportive of Graeme Samuel.

I consulted widely. Information was even provided to me from a number of senior national business leaders, who made it known that they oppose the appointment of Graeme Samuel. I can say from discussions with my colleagues nationally that even a few very high profile former state Liberal members of parliament were lobbying against Mr Graeme Samuel. The reality is that there are people for and against Mr Samuel. This government made a value judgment and was careful in its considerations. On the balance of advice for and against from all sorts of business groups, including some unions in this state, we decided not to support Mr Samuel.

NURSES

Ms BREUER (Giles): Will the Minister for Health provide the house with information on plans to increase the number of undergraduate places at the Whyalla Nursing School as part of the government's strategy for the recruitment of nurses to the public health system?

The Hon. L. STEVENS (Minister for Health): I thank the honourable member for this question, her strong support for the improvement of regional health services in South Australia and, in particular, her role in strongly advocating for this very measure. This is an important initiative, because not only will increasing the number of undergraduate nursing places at Whyalla help address the nursing shortage but also it will mean that more young people in Whyalla and Eyre Peninsula who are interested in nursing will be able to pursue their chosen careers without leaving their communities. The government is providing a grant of \$37 500 to help the Whyalla campus of the University of South Australia to restructure its courses to accommodate an extra 15 nursing places, as one of many initiatives being taken to increase the recruitment and retention of nurses in our public health system. The total number of undergraduate nursing places in 2003 will increase from 60 to 75, and the South Australian government has a job for every successful graduate in our public hospitals. This is a course with a 100 per cent job guarantee. I commend the Whyalla campus of the University

of South Australia for providing extra opportunities for young people in the country to pursue a career in nursing.

JULIA FARR SERVICES

The Hon. DEAN BROWN (Deputy Leader of the Opposition): Why did the Minister for Social Justice ask Julia Farr Services to cut its 2002-03 budget by \$1.83 million without knowing what the consequences were for the care of their parents; and did the Department of Human Services discuss the future of aged care services at Julia Farr with the minister before the letter was sent on 19 July? After the July state budget, Julia Farr's budget for the 2002-03 year was cut by \$1.83 million, as confirmed in a staff newsletter. On 19 July 2002, the Department of Human Services sent an instruction in a letter to the Chief Executive Officer of Julia Farr Services—and this is the letter the minister tabled today—stating:

[Julia Farr Services] will, over time, cease to be an aged care provider.

The Hon. S.W. KEY (Minister for Social Justice): I thank the deputy leader for the question. I think I should make two points about this matter. First, if people read the letter that I tabled on 19 July 2002, they will see that the letter starts off by stating:

I am responding to your request for feedback from the department on the concept plan for the redevelopment of Julia Farr Services.

I think probably the interpretation that the deputy leader has put—

The Hon. Dean Brown interjecting:

The Hon. S.W. KEY: I will read the next sentence in a moment. When the deputy leader says that this is an instruction, he is probably overemphasising what is being said in this letter. If he follows—

The Hon. Dean Brown interjecting:

The Hon. S.W. KEY: I will in a moment; the deputy leader will please contain himself. As he would know, having had responsibility as the minister for the discussions and the development of not only the concept plan but also the strategic plan, which I understand was initiated in March 2001, a number of documents went backwards and forwards with Julia Farr, and I understand that a number of meetings talked about the future of aged care services and about the appropriateness of different sorts of accommodation. I will read the second sentence, just to satisfy the deputy leader, but some other points also need to be made. The letter states:

There are three main principles for any redevelopment which the department and Julia Farr Services would need to agree:

It goes on—

Members interjecting:

The Hon. S.W. KEY: Maybe members could read the letter themselves and I could get on with my answer to the question. It is quite interesting that the deputy leader has taken such an aggressive stand on the issue of Julia Farr. If you look back through the history you find that, when a member of the other place, the Hon. Rob Lawson, was the minister and then when the deputy leader was the Minister for Human Services, they took back some responsibilities for both the disability and aged services portfolio. So, two ministers in the previous government took up this responsibility. The reason I am interested in the way in which the deputy leader has sought to follow up on the future of Julia Farr is that Julia Farr has provided me with information about

what had happened there in the years when we were in opposition and members opposite were in government. For example, in 1993 there were 359 beds at Julia Farr, and by the start of 2002 there were 209; 150 beds were gone under the previous government. In 1993 there were 963 staff at Julia Farr but by 2002 more than 400 of those jobs had gone. In 1997 there were 148 aged care places; by 2002 the previous government had removed half of them. Julia Farr's net budget declined from \$30.8 million to \$23.5 million between 1993 and 2002.

I need to reassure members of this house, because we all believe that Julia Farr is an important organisation. I believe it has been around since about 1879—maybe under different names—but it is certainly an important service to our community. As I said earlier, in conjunction with the Julia Farr board I am currently reviewing the timing and extent of budget savings that might be achievable while still maintaining quality services and pursuing redevelopment of accommodation and support options. Having met with the Julia Farr board on Friday and having met with all the stakeholders at Julia Farr Services, I think it is important that over the next few weeks we look positively towards the future and at Julia Farr providing as many options as possible for people with severe brain injury, neurological problems or high levels of disability or need, to make sure those options exist.

We should stop scaremongering and making people feel intimidated by facts that just cannot be supported about the future of the Julia Farr Services. As I said before, the whole concept plan and strategic direction was set up under the previous government to look at the future for both aged care and at people with severe disabilities or disabilities that are covered under Julia Farr's care. I would prefer the deputy leader to take a more positive approach and, perhaps, to join with us to make sure that not only do we have choice for people with severe disabilities but also that they are not intimidated in the meantime thinking that they will lose that service, because it is just not true.

The Hon. DEAN BROWN: Will the Minister for Social Justice tell the parliament which of her following statements we should believe as best reflecting her current position in respect of the Julia Farr Centre? On Friday 8 November, the minister said:

I do not intend to pursue savings which would result in any further disadvantages to those who are cared for at Julia Farr.

The minister also said (and this is after the \$1.83 million cut):

I want straight answers about what is going on, and I'll decide on what to do next once I have all the information.

On the morning of Monday the 11th—three days later—when asked whether she would eventually close all the wards and not just the aged care wards at Julia Farr, the minister responded:

That's precisely what we are going to look at this week.

Further, when asked in that same interview whether one of the options is the eventual closure of all the wards, she responded:

It may be.

Later the same day, the minister said:

We're looking into the future of Julia Farr in a very positive way. We are not looking at closing beds or closing wards. That's just not true.

Which of the statements of that day do we believe?

The Hon. S.W. KEY: I suppose I should thank the deputy leader for his question. In relation to the first point, the

answer is yes. With regard to my second comment, we are still getting information, and that is part of what we are doing in the next few weeks with Julia Farr Services and the Department of Human Services, with assistance from Treasury and Finance. In relation to closing all the wards, this matter was raised by the federal minister, and I am not entirely sure where this came from. I believe the deputy leader also on the television—it might have been Channels 9 or 7—talked about all the wards closing. He may be attributing some of my statements to himself. I think he probably needs to quote himself on that one, because I certainly have not said it in the way that he has implied.

The federal minister is also the other player in this. The federal Minister for Ageing has put out a number of alarming press releases in relation to a question on 11 November regarding 70 commonwealth funded nursing bed licences at Julia Farr Services. He claimed:

It is unacceptable that the South Australian government is effectively taking up 70 aged care places out of the system in South Australia. It is unacceptable that an amount of up to \$4 million will be lost to the aged care sector on an annual recurrent basis in South Australia.

He went on to call on the Premier and the state minister to 'reverse what is a cold, uncaring and senseless decision'. Interestingly, the federal minister told the House of Representatives that there were some 7 000 commonwealth nursing care licences in South Australia. As members would probably know, there is nothing exceptional about the transfer of those licences, with commonwealth approval between accredited care providers.

I am really interested that the federal minister has decided to get into the debate and raise his concern about the transfer of licences in Julia Farr. In 1997, the commonwealth and state governments agreed to transfer 104 of the 148 licences that Julia Farr had at the time; two Liberal governments did this. This was done against the wishes of the Julia Farr board, which took legal action to stop transfers proceeding. In an out-of-court settlement, 78 of the licences were transferred, with 70 remaining at Julia Farr. I do not recall either—and maybe I just did not read it—the state or federal Liberal ministers describing these transfers as cold, uncaring or senseless. When the minister made the statement to the House of Representatives, he was unaware that officers of his department had discussions with state government officials about the transfer of some licences to other state aged care providers.

Just to finish answering the deputy leader's question, I must say that a lot of information seems to be flying around which cannot be substantiated. First, the honourable member should not attribute to me his words or those of the federal minister. That is the first point. I would like to answer his last comment that he thought I made—

An honourable member interjecting:

The Hon. S.W. KEY:—no, I don't really want you to—about closing all the beds. This is something that came from a media release from the federal minister, and I believe from a joint media release—which I thought was pretty interesting—from the leader and the deputy leader about Julia Farr Services. Perhaps the honourable member should check his own information instead of accusing me of making these statements.

POLICE, FUNDING

Mr BROKENSHIRE (Mawson): Given the evaluation of the pilot Police in Schools program at Port Pirie and Elizabeth showing enormous benefit towards reducing crime, will the Minister for Police now implement a Police in Schools program across the state and, if so, will he say how he will provide the extra police numbers? Police documentation shows that an extra 203 police in South Australia allowed two pilot Police in Schools programs to be conducted which, after evaluation, showed an outstanding benefit to the community.

The Hon. P.F. CONLON (Minister for Police): The shadow police minister can rest assured that we, now being the government, will examine such programs and will fund them according to our priorities. I know he has some regrets that he is no longer minister. However, we are the government, and we will set priorities and fund them. We will go through budget processes, because that is what we do.

POLICE ACADEMY

Mr BROKENSHIRE (Mawson): Will the Minister for Police explain why the police department has been forced to close the swimming pool at the police academy due to financial constraints in the budget, thus preventing police cadets from swimming and developing their fitness? Police officers are required to meet stringent fitness levels for public safety, and occupational health and safety reasons. I have been advised that the swimming pool at the police academy has been closed due to budget constraints on the department by this government.

The Hon. P.F. CONLON (Minister for Police): I can honestly tell the member for Mawson that at no stage—and we do not like to let out secrets about the budget process—has it been brought to my attention that there was a serious cost pressure about the swimming pool at Fort Largs. I am happy to follow that up, but to this date it has not been raised with me. Let me say this about cost pressures: one of the things we have done—and I have said this before—is be the first government in eight years to give a guarantee in the budget to recruit police against attrition. It is the first time in nearly a decade that the police in this state have been treated properly and protected. We think that is a pretty good priority, and we stand by it.

An honourable member: It isn't a good priority.

The Hon. P.F. CONLON: No, it is more important that we have the swimming pool and not the police. Can I say one other thing—

An honourable member interjecting:

The Hon. P.F. CONLON: I will follow it up for you. I just recently raised with the police commissioner whether or not we should not have the bronze medallion from the Royal Life Saving Society as an entry requirement for people joining the police as an initiative—an initiative not taken by the former government. That happens in other states and we are considering that, which should go some way towards addressing the concerns. I will ask the police commissioner about the pool at the earliest opportunity.

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

Mr BRINDAL: Previous speakers in previous parliaments have ruled on members of the minister's staff being ensconced in the press gallery. I ask whether that ruling

applies in this parliament, because members of the minister's staff are in the press gallery.

The SPEAKER: There is no change. The chair, regrettably, or perhaps fortunately, does not have eyes in the top of its head—goodness knows what it might see looking up. I trust that the press galleries are not being inundated with personnel of a particular persuasion. The member for Waite.

ART WORKS

Mr HAMILTON-SMITH (Waite): My question is directed to the minister assisting the Minister for the Arts, who does not seem to be here—

The Hon. K.O. Foley: I am the acting arts minister—it's me.

Mr HAMILTON-SMITH: —in the absence of the Minister for the Arts.

The Hon. K.O. Foley: I am the Minister for the Arts. I am acting.

The SPEAKER: Order!

Mr HAMILTON-SMITH: I am happy—

The SPEAKER: Order!

Mr HAMILTON-SMITH: —for anyone to answer the question, sir.

The SPEAKER: Yes, I am sure you are. Get on with it.

Mr HAMILTON-SMITH: Was the government aware of plans by the National Trust to sell by auction 49 works of art estimated to be worth up to \$750 000 bequeathed by Dr Mildred Mocatta, and did the minister consider intervening to keep the art works in public hands and to protect the integrity of philanthropic bequests for future generations? The *Advertiser* has today reported that Dr Mocatta's bequest is to be auctioned in Adelaide and Melbourne in the next few weeks. The consignment includes works by artist Lloyd Frederick Rees and South Australian artists John Dowie and Jacquie Hick, as well as Arthur Merric Boyd's *Nebuchadnezzar watching two figures in gold*. The Art Gallery of South Australia and other arts institutions depend heavily on philanthropy. The opposition—

The SPEAKER: Order!

Mr HAMILTON-SMITH: —has been contacted by the Mocatta family, who are deeply distressed by the impending sale of art works, which form part of an approximately \$2 million bequest of property, shares and art works. There has been debate today about whether this sends the right message to prospective philanthropists—

The SPEAKER: Order!

Mr HAMILTON-SMITH: —and there have been public calls for—

The SPEAKER: Order!

Mr HAMILTON-SMITH: —the government to broker an outcome for the public good.

The SPEAKER: Order! Leave is withdrawn. That is exactly the kind of thing that the member for Waite knows is out of order. It is debate, not explanation. The Minister Assisting the Premier in the Arts.

The Hon. J.D. HILL (Minister Assisting the Premier in the Arts): The first I became aware of this issue was when I opened the pages of the *Advertiser* this morning and saw reproductions of the—

Mr Hamilton-Smith interjecting:

The Hon. J.D. HILL: The honourable member is saying, 'The government'; I am saying that that was the first I became aware of it. I am not sure; I will check on those details. I am not aware whether or not the government knew.

However, I am, in fact, the minister responsible for heritage matters, and heritage does support the National Trust. So, in some ways, I have a relationship with the National Trust. The first I became aware of the situation was in the press this morning. I have sought advice about the role of the state government in relation to the National Trust. The honourable member would probably know—but if he does not I will let him and the rest of the house know—that the National Trust has little if any formal connection with Arts SA.

The trust is a membership-based organisation, which does good work in heritage protection and lobbying. It receives a grant of about \$70 000 from the state and a similar amount from the commonwealth. One of the financial pressures faced by the trust is that it has over 100 properties—more properties than any other state branch in Australia. I think that it is probably true that the National Trust is looking at ways it can raise funds to look after the estate that it manages. If it is not able to manage from within its own allocation and its own resources it will come to government wanting more funds.

I am wondering whether the member for Waite is saying that the state government ought to fund more money into the National Trust. Should we, in fact, buy the paintings from the National Trust? Are these the kinds of solutions the member for Waite is suggesting? If that is the case this would not be part of the priorities of the government because this would be part of an unplanned, unstructured approach to these issues. The reality is that the National Trust is an autonomous body, which is able to do what it likes with the things it controls. It is not subject to the control of the state government.

However, I must say that I was concerned to see that these art works, which had been given by gift by a benefactor to the National Trust, were to be sold off, and I have asked for advice from the department in relation to it. In general terms, the National Trust is not subject to control by Arts SA: it is an autonomous body and it makes up its own mind in relation to these things. As regrettable as this decision may be, it is not something over which the state government has any control.

DOG AND CAT MANAGEMENT BOARD

Dr McFETRIDGE (Morphett): Will the Minister for Environment and Conservation advise the house whether he is planning to scrap the Dog and Cat Management Board and, if so, why? In the recent *Local Government Association News* (November 2002) the minister was reported as saying that he does not support the continuation of the current arrangements of the Dog and Cat Management Board. I have been approached by several members of dog clubs who have voiced strong concern about the report and are fearful of the loss of autonomy of the Dog and Cat Management Board if its responsibilities are handed to local councils.

The Hon. J.D. HILL (Minister for Environment and Conservation): I am so delighted to have this question put to me by the honourable member. I am not intending to abolish the Dog and Cat Management Board. As I said to the house previously, I am in the process of looking at the arrangements that currently exist. I will just explain them to the honourable member, and I know that the former minister understands these arrangements only too well. The current arrangement under the act is that a board is established by statute with, I think, seven members, one of whom is appointed by the Minister for Environment. The other six members, technically, are appointed by the minister or the

Executive Council, I am not sure which, but on recommendations from local government.

This board comprises six local government people and only one government person. It really is a local government body and it does a good job, I think, in administering the act as it applies to local government. But it is not capable, in my view, of properly giving to government considered advice in relation to policy because it is not structured to do that: it is really established to reflect a local government view. In order to get proper advice, I need to have—

Members interjecting:

The Hon. J.D. HILL: And I notice that a couple of former ministers for the environment understand this very well. In relation to dog and cat management issues, of course, I need to consult not only with local government but also with the dog and cat associations, with veterinarians and with officers within my own department. In other words, I need a wide range of advice to get a proper view in relation to dog and cat management issues. I am talking to local government and we are having quite a pleasant exchange in relation to this issue.

My preferred outcome would be to have a Dog and Cat Management Board that is the responsibility of the Local Government Association and run by it to manage the dog and cat management issues, and to have some ad hoc advisory committee which can advise government in relation to policy and to which, of course, local government could contribute. We are not going to abolish it: we intend to structure it in such a way that it works. I am sure that the honourable member is really pleased that he asked that question.

DOCUMENTS, TABLING

The SPEAKER: Order! Does the Minister for Environment and Conservation seek the call?

The Hon. J.D. HILL (Minister for Environment and Conservation): I do, sir. I table two documents: first, a letter dated 22 October by me to the Hon. David Kemp MP, Minister for the Environment and Heritage; and the second document, which is attached to the first, is a summary of SA Government agency technical comments on the draft EIS for the proposed low level radioactive waste repository near Woomera.

The Hon. I.F. EVANS: On a point of clarification, Mr Speaker, in future, when you direct ministers to table documents from which they are quoting, is it your intention that they be tabled that day?

The SPEAKER: Yes.

GRIEVANCE DEBATE

ELECTRICITY PRICES

The Hon. W.A. MATTHEW (Bright): Yet again, in this house today, this government has demonstrated that it has totally dropped the ball on the electricity issue. The failure of this government to attend to the detail of this issue is becoming of increasing daily concern to South Australians. As the government continues to drop the ball time and again,

South Australians will continue to be concerned over its failure to grasp the electricity issue.

It has been revealed today that the government has failed to put in place a fair and equitable transition process to the national electricity market. South Australians now risk paying a higher price for electricity than they should, even after Labor's unacceptable 30 per cent plus price increase, as if that were not enough in itself! We now find that there will be no reading of electricity meters before that 30 per cent price increase is put into effect.

That poses the very real threat that South Australians will be paying the higher price of a 30 per cent plus increase for the electricity that they have consumed at an earlier period of time, perhaps in December of this year or even in November of this year, at what should have been the lower price. This is an outrage! It does not matter how this issue is looked at: it is outrageous to put people in this position. It is bad enough that South Australians are being expected to pay the 30 per cent plus price impost. As I have said in this house before, they should not have to! There is no justification for a price increase beyond CPI. South Australians have been hit with this 30 per cent increase, and they will now be hit with it at potentially an even earlier time.

However, there is a way around it, and that is to have the meter read before the price increase hits. That can be done in a number of ways, one being to have AGL do the reading. But the problem is that if that is done outside the normal electricity reading schedule South Australian householders will be slugged an extra \$19 just to have their meter read so that they can have the right electricity price charged. Again, that is clearly not acceptable.

Another possibility is that they undertake the reading themselves. That seems perfectly reasonable as, after all, the National Electricity Code facilitates electricity owner self-reading. Indeed, the Victorian Electricity Code has that very provision in it. Householders can read their meters and provide that reading to electricity companies. In South Australia, however, that is not the case, because the Labor government's electricity code does not enable that to happen. Even if a South Australian householder is to take a photograph of their electricity meter on 31 December (a photograph with a date and time stamp on it), AGL, as the existing sole retailer is not obliged to accept that.

The minister's glib answer to the question he was asked by the Leader of the Opposition today is that AGL will assess any complaints. Well, Mr Speaker, they will, but that is due to the goodwill of that company—AGL, as a goodwill gesture, has indicated that it is prepared to assess complaints. But the point the minister misses, or attempts to move away from, is that the electricity code in South Australia does not require AGL to accept that. This minister and this government are abdicating their responsibilities, deserting South Australians, deserting battlers and deserting families by not putting that requirement into the code.

There is one other way to get around the problem, and it is the one that the opposition recommends: no price increase until the normal meter reading has occurred. If this means that some South Australians are not hit with a price increase for two months well, so be it. Because with a 30 per cent plus extra surcharge going to AGL, they can well afford to wear that lead time.

I challenge this government to come up with a better solution than that to allow South Australians no increase until their meter has been read. That is fair; it is just; and it is equitable. After all, it was this Labor government that came

into office promising cheaper power prices; and it has failed! It has failed to deliver its promise.

WATER POLICY

Mr CAICA (Colton): I wish to speak today about an article which appeared today in the *Advertiser* under the heading of 'One million dollars of free river water' and which referred to the Adelaide City Council and the Corporation of Port Adelaide. Last Thursday 14 November, I had cause to speak with the member for Unley. I also spoke to the member the day before, prior to the conclusion of our Public Works Committee meeting, in relation to this water that is supplied free of charge to the Adelaide City Council and the Corporation of Port Adelaide. I wanted to seek his views on certain aspects of that legislation. The member was very helpful to me, as he has been since I have been in parliament, and helpful to the Public Works Committee.

The member for Unley wanted to know why I was interested in this. I told him and let him know that on occasions when I have travelled into the city, particularly opposite the Adelaide High School, I had seen water that I would suggest was being wasted: the grounds not being watered at proper times and broken hoses, there never seeming to be an emphasis on fixing them.

It was with some interest today that I opened the paper and saw within that article, because contained therein, almost verbatim, was the discussion that I had had with the member for Unley. As I said, he has been very helpful to me, and I do not mind being helpful to him on any occasion if it is going to assist in getting issues raised. In fact, he is such a decent bloke that I am very surprised he has not been mentioned in the other article that detailed over the weekend leadership aspirants for the Liberal Party.

So, it was a little bit of a surprise, but not really a surprise when I reflect on it. As I said, interestingly it is almost a verbatim report of what we were talking about last week. Also interestingly, I note that the member for Unley has written to the minister on this matter, and I would wager (if I was a betting person) that that letter is most likely dated after my discussions with the member for Unley the previous day.

Interestingly also, I wrote to the minister on this same issue as it is part of my research to get an understanding of the arrangements which are in place and which allow the two corporations to receive free water. I probably asked a few questions that the member for Unley might not have and, once I receive a response from the minister, I will be more than happy to pass not only my correspondence but also the responses to further help the member.

Mr Brindal interjecting:

Mr CAICA: I do not mind that the member has raised these issues, because they are important and they ought to be raised. However, there are a couple of points that I want to make. The member for Unley, I think, was once the minister for water resources—and I say 'I think' not because it was a forgettable period but it would seem to me that, if it was such an important issue to be raised this weekend with the *Advertiser* with respect not only to the free water but perhaps also to the manner in which that water is being used, perhaps it was such an important issue that it should have been raised during the eight years of the previous government—

Mr Brindal interjecting:

Mr CAICA: —and, just as importantly, by him as the minister for water resources. I note the interjection of

'drought' and that circumstances are now different, but I am sure that the member for Unley would agree with me and everyone else in this house that proper water practices and best practices with respect to the effective use of water should not be determined by drought: they should be adopted and embraced at all times by all people and all organisations.

I wondered why it was raised at this time. It was perhaps that the member for Unley needs to be prompted with respect to good ideas. I know that is not the case because, as I said, from the discussions we have had previously, I know that he is a man of original thought. Perhaps it was because I raised it with him on this occasion and that he had not thought of it before and believed that it was something that needed to be aired in a much broader forum, and I congratulate him for doing so. On the other hand, it might well be that the member simply raised it for political ends.

As I said, if it is not an original idea, why was it not raised previously? I am not opposed necessarily to the supply of free water to councils, because the city of Adelaide is renowned for its gardens. Indeed, there is not much of a problem with that. The problem is that there is no incentive for people or organisations that receive free water supply to change their practices, which may, on occasions, be bad practices. I would like to see something imposed on all councils that receive free water, so that they adopt proper practices with respect to water use and best practice. In conclusion, the former government had time to do this. I find it surprising that the matter is being raised now. Riparian rights, which I will raise in the future, might help the member for Unley down the track, too.

WEEROONA ISLAND

The Hon. G.M. GUNN (Stuart): We have had an interesting dialogue between the member for Unley and the member for Colton in relation to the difficulties and importance of water policy. I want to talk about a water issue in my constituency. It concerns the desires of the Port Flinders Development Association and sections of the people who live at Weeroona Island, and their desire to have SA Water take over the current private water scheme, which is owned by a private developer and which supplies water to people in the development, so that all people who live on Weeroona Island—and those who will build residences there in the future (and there is only a limited number)—can have access to a reliable water supply.

I understand that representations on this matter have been made to SA Water and that negotiations are ongoing. There have been discussions with the District Council of Mount Remarkable, based at Melrose, about whether the council should be involved. I personally am of the view that it is a matter for SA Water. It should purchase at fair and reasonable valuation from the current owners, who I understand are willing to sell, so that all residents on Weeroona Island can be connected to the scheme, if they so desire. Of course, there will be a need to have ongoing maintenance to ensure that the scheme operates reliably and efficiently, and people should be charged only a reasonable cost for the water. People living there are very aware of the difficulties in running a scheme such as this.

I commend to the minister the need to progress this matter as soon as possible. His senior officers in SA Water are fully aware of all the options. I hope they do not go down the normal path, which seems to occur in certain sections, where they do not want to extend operations to anyone else. Some

of these people seem to be somewhat intransigent, to put it mildly, and that is a pity, because SA Water is there to provide a service not only to areas which have a high return to the organisation but also to the sparsely populated and developing areas, which have an entitlement and a right in a democracy. In a democracy, government services are not for the few: they should be spread wisely to as many people as possible.

We know there is a cost in providing water to country South Australia and a profit is made from operations in Adelaide. Of course, to offset that, there is a substantial loss in running the metropolitan transport system. Everyone knows that every capital city in the world must have a transport system, so it is a cost which the community has to bear. But, in a decent society, people in these small communities are entitled, in my view, to one of the basic necessities of life, that is, a connected, reticulated water scheme. I am looking forward to this matter being progressed, and I am looking forward to having discussions with the minister and his officers.

I had a meeting with the residents at Weeroona Island a few weeks ago, and I say to the minister at the table that it is a pleasant part of South Australia. I suggest that when the minister is going past he should call in and drive around. I understand why people want to live there. There is a great view of Port Pirie and the Flinders Ranges, and I suggest it would be an excellent fishing spot as well. Of course, it will be right alongside the SAMAG project.

Mr Caica interjecting:

The Hon. G.M. GUNN: He is a fisherman, is he? I recommend that he go there, because it is a great spot. Of course, the road is the boundary between the electorates of Stuart and Frome. The SAMAG project will be in the electorate of Frome, and Weeroona Island is in the well represented electorate of Stuart—and I am a modest fellow! I am pleased to raise this matter on behalf of people who reside in that part of the state. I wish to raise one other matter in relation to water, but I will deal with that tomorrow.

Time expired.

INVESTIGATOR SCIENCE AND TECHNOLOGY CENTRE

Ms BEDFORD (Florey): I bring members' attention to a recent function which I attended at the Investigator Science and Technology Centre at Wayville, which is a very important place. I believe the member for Waite was present—and I hope I have not stolen any of his thunder today. The occasion was a speech by Dr Tim Flannery, where he talked about the importance of science education for the future of South Australia. Dr Flannery, who is well known to us all, was on his way to China—and I believe he caught a plane not long after the speech. He had us all totally enthralled with the importance of the work of the Investigator Science and Technology Centre and how important it will be to ensure that it is appropriately housed and funded in the future.

On that occasion, I had time to speak to the Chairman, Mr Hugh Orr. He had spoken to me about an article in the *Bulletin* (and I will speak about that in a minute), but in his Chairman's message in the Investigator Science and Technology Centre's October newsletter, *In Touch*, he talked about the fact that the education committee had recently recommended to the board some outcomes with regard to education. The article states:

[It has] now been accepted by the board. . . there will be less emphasis on touring exhibitions and more emphasis on permanent, hands-on, educational exhibits that are linked to the school curriculum. These exhibits will be themed and rotate on a term by term basis so teachers can plan their year's activities with this in mind. We hope in this way we will be able to contribute more directly to the effectiveness of South Australia's education system as a whole.

It is well known that sponsors assist the Investigator Science and Technology Centre and they were acknowledged that day, as well. Their role continues to be vital in keeping the institution open and functioning for our children.

As the member for Florey, I have had, and continue to have, a great interest in science in my local area. My son is doing science at the University of Adelaide, so I think about the importance of science in our lives and how it will be vital for us to encourage children not just to be involved in sport in schools. The brain drain in this state, which is well documented, will have an enormous impact on us unless we encourage our children to become involved with science, to take this state back to the upper level of research where it was—and continues to try to be, I am sure. We will have to make this investment in the intellectual property of the future and to continue on from inventions such as the photocopier. As members are aware, that was lost to America. The importance of research and development cannot be over-emphasised.

When speaking with Mr Orr after the function, he brought my attention to an article in the *Bulletin*, which spoke about the demise of mathematics in curricula throughout the country. The edition carried a story about the not-so-clever country and about the problem in education that is getting little attention, they perceive, and I hope this is not true. The article states:

There was a time when mathematics was a standard part of the curriculum. All students were required to study it until they left school.

Unfortunately, this appears not to have been the case for some time, and the results, which are quite pronounced, are now being felt. The article continues:

Fewer people studying maths has meant there is a shortage of specialist teachers, leading to a fall in teaching standards and achievement in the subject. As a consequence, fewer young people are opting to study mathematics at advanced levels.

So the vicious circle is starting to have an effect on not only science but also, I imagine, engineering and other courses at university that require maths as a foundation. The number of university students going on to post-graduate studies has plunged, and the number studying for their PhD at that level has dropped significantly. He spoke to us about the fact that in one particular centre (Monash, I believe) the staff has halved. That is remarkable when you consider that it was 'the centre' and we are now seeing it decimated to such a degree. There was another story in the *Bulletin* talking about the future of higher education in Australia where there is a debate going on about whether universities ought to have the ability to raise additional income through student fees, and this has been put in the submission to the federal education minister.

I think it is very important for the future of research and development that we maintain a strong commitment to the courses that will help our students—our bright young people—continue not only to have jobs in our state but also to maintain the sorts of levels of creativity needed in the future.

ART WORKS

Mr HAMILTON-SMITH (Waite): I rise to draw to the attention of the house the tragic matter of Dr Mildred Mocatta's bequest to the National Trust and to the disposal of those assets, in particular art works, by the trust without any assistance, guidance, direction or involvement of the state government. Earlier today, in answer to a question, the Minister Assisting the Premier in the Arts virtually washed his hands of the whole affair by implying that, because the National Trust was not a department of government, the government really did not want to have any knowledge of or any involvement in solving this problem.

The very kind and generous philanthropist Dr Mildred Mocatta has donated an estate worth in the vicinity of \$2 million to the people of South Australia, which includes a property at 69 Hackney Road, Hackney, a share and investment portfolio, and works of art estimated to be worth around \$750 000 that included paintings by artists Lloyd Frederick Rees and South Australians John Dowie and Jacquie Hick. Also within the package of art to be sold by the National Trust are works by Arthur Merric Boyd, including his 'Nebuchadnezzar watching two figures in gold', due to be auctioned at Christies next week.

The intention to sell the items has been described by Dr Frances Mocatta (Dr Mocatta's niece) as a final insult. Her niece certainly believes that these are the words that Dr Mildred Mocatta would have used were she alive today. Selling the art works, in the view of the family who have contacted the opposition, is against their aunt's last wish that it remain in the trust's possession or for the enjoyment of the public. It has been put to me that her wish and intention was that, as South Australia had been good to her, she wanted to give back something to the people of South Australia, hence this bequest.

The opposition, and I in particular, understands the National Trust's predicament. The National Trust is not an art gallery; its purpose is to preserve our national heritage in another way. I can understand why they would want to dispose of these assets and turn them into cash so that it can achieve the trust's objectives. I commend Rainer Jozeps, the head of that organisation in this state, for his achievements in recent years along those lines.

This is really something crying out for leadership from the state government. It is something that is vitally important to South Australians. We depend to a large degree on philanthropy. The Art Gallery, the Museum, the Festival Centre and a lot of our arts institutions depend on the goodwill of wealthy donors and sponsors who, through bequests, leave cash or kind to the people of South Australia.

What sort of a message does it send when a whole page of the *Advertiser* is dedicated to explaining that the state government does not really care about this sort of philanthropy and is happy to see this art work sold off, possibly against the wishes of the family and against the wishes of the philanthropic donor? It sends a signal to others: 'Don't donate your treasures to the state, because the state will flog them off.' I call on the Premier as Minister for the Arts to pick up the cudgels here and speak to the National Trust. The government should be involved. It should be talking to the National Trust and to the family, and it should be looking for a way out.

The Minister Assisting the Premier in the Arts does not want to have anything to do with it. I suggest that he has a serious think about the future, because he is going to finish

up with no philanthropic donations to any of our great arts institutions. One option would have been to buy the art works and put them on display either in the Art Gallery or in another public institution. Another option would have been to seek a sponsor to buy the art works and to donate them back to the people of South Australia so that the National Trust could have its money. There are a number of possible options.

The state government could have talked to the National Trust and helped them through the issue. The spirit of philanthropy needs to be protected so that it continues in the years ahead to the benefit of the people of South Australia so that we continue with philanthropic donations—

Time expired.

SOUTHERN SUBURBS

Ms THOMPSON (Reynell): I am pleased today to welcome the appointment of Ms Fij Miller as the Director of the Office of the Southern Suburbs. The Minister for the Southern Suburbs announced this appointment last week, and I for one was extremely pleased with the choice. I was extremely pleased that Ms Miller had put herself forward for this job, because she will bring excellent skills, energy and initiative to the Office of the Southern Suburbs. Ms Miller comes to the position of Director of the Office of the Southern Suburbs from the role of Small Business Advocate, a position to which she was appointed under the regime of the previous government. This followed her establishment of two very successful small businesses and the fact that she was being recognised quite widely as an informal advocate for small business and a leader in the small business community. I think it was last year that she completed a Churchill Fellowship where she looked at government support for small business and the elimination of regulations for small business in a number of countries overseas.

The member for Mawson has asked some strange questions, as one would normally expect, about where the money is coming from for the Office of the Southern Suburbs.

Mr Brokenshire interjecting:

Ms THOMPSON: The member for Mawson does not seem to understand the role of the Office of the Southern Suburbs. Some of it is to address the failure of the previous government to build any major initiative in the southern suburbs. I have had small business people and employees in small business being extremely concerned about the way that the Edinburgh Park development is taking businesses away from the south and how small businesses are being encouraged to go to Edinburgh Park, with there being no counterweight of business development in the south. There was a very late initiative from a few partners to look at the possibility of developing a grain export terminal at Port Stanvac. Many of us were disappointed that, when exploring that possibility, it was seen as really not possible because of the way the government had handled the sale of the Ports Corporation and the obligations arising out of that sale. The major thing that the previous government did was to build a road that goes one way that—

Mr Brokenshire: So you are knocking the expressway now, are you?

Ms THOMPSON: The member for Mawson seems to believe that any time one mentions any qualification about anything it is 'knocking'. The member for Mawson seems to have no understanding of examining anything on the facts. The facts of the matter are that many businesses complain

that the expressway goes only one way. Many businesses complain about the fact that it seems to have been developed mainly for people to get down to their holiday homes at Victor Harbor. People in the south welcome the small development of the expressway to the extent that it benefits them. The people of the south do not like the fact that, if it had been done better and a decent amount of money committed to it, they could have a far better facility to support business development in the area. They are not convinced that the expressway was the most important thing to be done to support the southern suburbs. We need initiatives that build on the skills and strengths of businesses and people in the area.

I have observed in the past that the member for Mawson has difficulty reading statistics, and he denied for ages that there had been a problem with the fall in the rate of work force participation of people in the south. A major problem and a real barrier to the future development of the southern suburbs is the unequal participation of its people in education and training to equip them for the new jobs of the future. There needs to be more initiatives in this way, and I am confident that Ms Fij Miller will coordinate the development of these initiatives.

Time expired.

SELECT COMMITTEE ON GENETICALLY MODIFIED ORGANISMS

The Hon. L. STEVENS (Minister for Health): I move:

That the time for the bringing up of the report of the select committee be extended to Monday 17 February 2003.

Motion carried.

SELECT COMMITTEE ON THE CROWN LANDS (MISCELLANEOUS) AMENDMENT BILL

The Hon. J.W. WEATHERILL (Minister for Urban Development and Planning): I move:

That the time for the bringing up of the report of the select committee be extended to Tuesday 26 November 2002.

Motion carried.

SOUTH AUSTRALIAN METROPOLITAN FIRE SERVICE (FIRE PREVENTION) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 24 October. Page 1774.)

Mr BROKENSHIRE (Mawson): I rise on behalf of the opposition to support the bill. I was pleased to assist the minister and the government last week when his office rang to see whether we could debate this matter today. When it comes to a matter such as this, bipartisanship is the order of the day. I understand this follows on from some previous amendments in 1999 that the South Australian Metropolitan Fire Service put up to us when the Liberal government was in office. This bill gives further strength to the Metropolitan Fire Service and to designated officers with respect to fire prevention. I will not spend much time on this because it has bipartisan support. It is an important amendment, and

anything that will prevent fire the South Australian community should embrace.

I will spend a couple of minutes before closing my remarks to say that, whilst we support all the clauses in the bill in their entirety, councils have sometimes not gone in as hard as they could have when it has come to ensuring that people clean up their blocks. We all know that, whilst the major bushfires start out in the periurban and rural areas, serious damage can occur to property and life when it comes to vacant land and when people who do not clean up their backyards throughout the metropolitan area.

With the practice the councils have had of not looking at early spraying in spring with a glyphosphate spray, when they could knock out the whole infestation of weed and reduce fuel loads dramatically, their argument has been that if something else germinated they might need to come back in again. So be it, if that is the case.

My experience at home over many years is that, if you get in with a good dose of glyphosphate once the spring germination is up, you get little regrowth again. If you do not knock down the material early, particularly in a year such as this when you have the season cutting off so early, potentially you have a fire risk in the suburbs that can occur as early as September.

I know there is a need for some expediency in relation to this bill. I ask that councils around the metropolitan area support the Metropolitan Fire Service, and in the rural areas the Country Fire Service, to ensure that the quantity of flammable as well as inflammable product is reduced right down in the interests of the South Australian community.

In summary, the opposition supports the amendments. I would like to think that they will be gazetted this side of Christmas, and I hope that they enjoy a speedy passage through the Legislative Council. I have much pleasure in supporting the bill.

Mrs REDMOND (Heysen): I was not expecting to speak on this bill until I read its terms, and I simply rise to place on record that, whilst I will do everything in my power to support appropriate powers being given to the Metropolitan Fire Service and do anything that helps them, I note that the bill substitutes the word 'flammable' for 'inflammable', which derives from the word 'inflamm'. There is no such word as 'flammable' in the English language—it is an Americanism. So, I place on record my annoyance at this kowtowing to the American system of usage. There is no such word as 'flammable'; it should remain 'inflammable' because it is liable to become inflamed.

The Hon. P.F. CONLON (Minister for Government Enterprises): I thank the member for Mawson for his bipartisan support. I am happy to take on board other members' comments. Personally, I have always regretted that we now talk about wildfires instead of bushfires—it annoys me. I think we will let it go through to the keepers. I know that the Minister for Local Government is present in the chamber, so we may prevail upon him to make the implications requested by the member for Mawson. I thank the member for Mawson for showing bipartisanship on the serious issue of bushfires. I hope the bill is returned to this place quickly.

Bill read a second time.

The SPEAKER: Before the house goes into committee may I, from my position, as is my wont, make a comment on the legislation and heartily endorse the remarks that have

been made by the member for Heysen. She must have been second guessing my own mind on that point. I am distressed to see the change in language and the implication that it now has. From where I sit in the meaning of language, what the bill now contains is a proposition that I think is a nonsense. I leave it to the committee to determine its opinion of the matter.

The Hon. P.F. CONLON: I am in the hands of the house. I have no personal interest in whether it is 'flammable' or 'inflammable' and, if the other place decides that the grammar is better one way or the other and names it, it will not fuss me. The substance that I am concerned about here is the power to make people tidy up their inflammable/flammable material.

Bill read a third time and passed.

TRAINING AND SKILLS DEVELOPMENT BILL

Adjourned debate on second reading.

(Continued from 23 October. Page 1721.)

Mr BROKENSHIRE: Sir, I draw your attention to the state of the house.

A quorum having been formed:

The Hon. R.B. SUCH (Fisher): As members would appreciate, I have a longstanding interest in the matter of training and skills development. I do not have any problem with the bill per se, and I acknowledge the work of the former minister in helping to prepare the bill that preceded this one. I also acknowledge the work of the new minister.

I would like to make a few general points about training and skills development. Sadly, in our community, we do not value tradespeople and technical people anywhere near the level that we should—certainly not like in Germany or Japan, where people who have a trade or technical training are regarded as being highly skilled and highly relevant and worthy of respect. Sadly, in our community, we do not emulate what happens in those two countries, and we should. We still have a long way to go in reaching that level. We have many people who suffer from, I guess, a degree of snobbishness and a failure to recognise that having a technical or trade skill is important and vital for the wellbeing of our community.

Sadly, our school system, despite some improvement in certain areas, still tends to work on the assumption that virtually everyone should go to university and become either medicos or lawyers. I am not denigrating either of those two great professions, but we do not need everyone to go down that path and, indeed, we do not need everyone to go to university. I do not say that lightly or in any disparaging way, because we have three very good universities, and we certainly need people to go to university. But we are not at this point in time catering for those who would be better pursuing a technical or trade orientation.

Sadly, the government of the day got rid of technical high schools, and I do not believe that they have adequately been replaced with anything approximating what should be a technology high school. I do not believe that comprehensive high schools, which try to be all things to everyone, will ever adequately address this issue. I encourage the Minister for Education and Children's Services to consider what has happened in New South Wales, and elsewhere, where technology high schools have been created—indeed, in New South Wales there is a waiting list to get into those types of

high schools. If we established such schools, I think we would have fewer problems in the high school area. I am not suggesting that technical training is the means for dealing with resistant learners but, certainly, we have a lot of young people in our high school system who would be better served in a system that was more directly focused on technical training.

The university sector has not helped in this regard because, for reasons best known to themselves, they scrapped the training of technical teachers in this state a few years ago, just as they got rid of what were called home economics teachers, both of which are in great demand in our school system today. What we have is a chronic shortage of people coming through the system who are trained as technical teachers, who will not only teach the traditional areas which we think of, such as metal work, woodwork and so on but who are also likely to pick up the other areas of technology as it relates to IT, computing, and so on. These areas will be neglected, because the universities have bailed out of providing the comprehensive, in-depth training of teachers that is required to impart those skills in our schools, and likewise with home economics. It is a sad commentary that that situation has not yet been addressed. I know that some of the universities are offering what are called 'end-on' courses, but they are not in any way providing the depth of what used to be offered in a specialist technical studies teacher preparation program.

On the matter of apprenticeships and traineeships, I have been suspicious for a while that, in the move from the more traditional apprenticeship which was an in-depth program, to embrace traineeships, which in themselves are quite valid, a mickey mouse element has been creeping in and that some of the traineeships do not offer any substantial, effective or comprehensive training. That is an issue which needs to be addressed. There is nothing against taking someone on in a business to serve ice cream but, if you pretend you are offering an in-depth traineeship, you are kidding people or trying to kid them.

Likewise, some companies have exploited traineeship provisions by determining that all their staff are trainees in order to get some subsidy. That has been cleaned up to some extent, but there are still too many examples of young people in particular being exploited under the heading of traineeship or training. That is an issue that needs to be addressed. Young people are often taken on under the heading of a traineeship when it is really glorified cheap labour, and I do not believe we should tolerate a situation that is based on exploitation. There is nothing wrong with paying someone less as a trade-off for getting training, but there must be proper training as part of that trade-off. I hear too many examples in the hospitality and personal beauty industries where quite a few abuses are still taking place. It has been going on for too long, and we should not tolerate it any longer.

In the training area, unfortunately we have too many freeloaders, that is, people who want to pick those who have been trained by other companies or by government agencies. Years ago government departments such as the old Highways Department, Railways Department, EWS and Electricity Trust used to train thousands of apprentices. That no longer happens, and we now have group training schemes and other schemes. However, we have not really replaced what used to be a very comprehensive government training scheme for apprentices. We have not come up with something that matches the quality of the training that was provided by those

government departments, and this is an issue that we need to address.

We have some companies which I would call freeloaders and which would sooner pay someone a little bit more rather than train the person. In other words, they go out to the market and offer a few dollars more and avoid the need to train anyone themselves. We had some years ago a training levy that was scrapped. We need some tougher measures throughout the nation that require people to actually train. You should not need government legislation to do it, but the sad reality is that some people will take the easy option. If you look at companies world wide that are very successful, you see that they are the companies that put a lot of emphasis on training and skills development. However, we still have in our midst a few that want to take the easy way out and not train for the future.

With regard to controls over the system as a whole, many mechanisms in this bill and other acts relate to what TAFE and the private providers offer or can offer in skills development. While I have always been sensitive to the issue of universities being subject to controls, because they are supposed to be places of free inquiry and searching for the truth, and all that sort of thing, the sad reality is that under the pressure of dollars some universities in this country are compromising their academic standards and their qualifications and are going down the pretty dangerous path of running what is in effect an academic sheep dip, where people are brought in en masse and provided with a program that does not necessarily offer the academic rigour or standards that it should. I have raised this issue with the federal minister, and I believe that in the not too distant future we may need to implement a pretty strenuous audit process for some of our universities.

While federal governments have created the problem by squeezing the universities, just as they have squeezed TAFEs, we now have the situation where the universities are desperate for money, and there is always the temptation for them to compromise their academic standards. We are seeing that today, when nearly everyone is called a professor and degrees are handed out willy-nilly. We see it in relation to honorary degrees, which has probably been the most abused area of all. We also have fast tracked PhDs and masters degrees. I do not want to see a situation where you can get a degree while the aircraft gets refuelled at West Beach.

We in Australia are very naive about qualifications. In America, they look to see where you got the qualification. Here, people just accept it willy-nilly if someone trots out a qualification. There is a character in the eastern suburbs who, as far as I know, is still using a title to which he is not entitled. He has certificates on the wall which purport to show all these endorsements from associations and academic achievements, but it is all bogus, yet we tolerate that situation. This bill is looking at skills development and does not tackle the issue of university standards. We are fast approaching a time when, sadly, we will have to go down that path.

I have referred to the need to elevate the status of tradespeople. The Germans have the concept of the *meister* craftsman or the *meister* tradesperson—someone who has reached a particularly high level in a trade. We talk about the master plumber. Some people might not like what they see as sexist language, but it is not meant in that sense. We should be looking at how we can acknowledge people who are experienced and who have that added skill level in their trade or technical achievement. I think to a large extent that is reflected in the relatively low wage levels that are accorded

to our tradespeople and technical people. We have people who are highly qualified in academic terms, who have difficulty changing a light bulb but who suggest that the person who fixes the jet engine in an aircraft is not terribly capable or does not have much in the way of an intellect.

This bill is important in terms of focusing on what I would call the skills that result from the head and the hand. Too many people think of skills development purely in terms of using one's hands. No-one in the technical or trades area does anything with their hands unless it is driven by something in their head, so we need to move smartly away from that silly notion that people who use their hands are somehow second-class citizens and not as smart as those who go to university.

I look at the skills development and training area as equal to, but different from, what happens in the universities. I do not want to have a shot at the universities, having spent 16 years of my life as a student—eight years part-time and eight years full-time—but if you look at them you see that many university courses themselves embrace skills. One would hope that if you train to be a surgeon or a dentist a lot of it is not about what one might call traditional university-type study. It is not involved in some of the more traditional aspects of university, such as the search for truth, and all that sort of thing. Much of it is very much focused on skills development; but traditionally it is part of the university and therefore we say that it is a university program. In essence, much of what makes up dentistry and surgery is a skill that is the result of a training. So, we have all these anomalies in the current system which are driven by professional associations and by traditional status and which have little relationship to the reality of what people do in day-to-day life.

I commend this bill. I do not see any great difficulties with it. It provides a basis for quality assurance. I think that choosing commission members based on expertise is always a better proposition than nominating people simply because they wear a particular hat, because under most of our legal provisions relating to boards you are supposed to make a decision based on the best interests of the organisation, not whether or not you represent a particular organisation. I think that is a welcome step forward. The bill contains various grievance dispute provisions and tackles the thorny issue of the recognition of skills gained by people who are trained overseas.

I am sure that the current minister, like every other minister, has had a few headaches caused by people who highlight what they see as injustices caused by a lack of recognition of skills obtained overseas. I commend the bill to the house and I trust that it will gain a speedy passage.

Ms BREUER (Giles): I am very happy to speak about and recommend this bill because, before I came into parliament, my background was with TAFE and prior to that with the Commonwealth Employment Service. I believe, therefore, that I can speak with some confidence on this issue. The training industry is, of course, an exciting industry. It is certainly a vibrant and very lucrative industry and, as a result, it can be very much open to abuse. I can see a lot of this happening in the future and I have seen a lot of it happen in recent years.

I am very pleased about the establishment of this commission to advise, assist and make recommendations to the minister on funding, quality and performance of the vocational education and adult community education program, and also to regulate this industry. This is absolutely essential

where you have a lot of money available for training. All sorts of operators will come into the industry. As a result of my previous role with TAFE I am, of course, somewhat biased towards TAFE. However, as I said, prior to my involvement with TAFE, I was involved with the CES and, over the years, I saw many providers come into the industry—some certainly better than others.

I particularly want to mention TAFE because I think that in the past it has been outstanding in the delivery of vocational education, adult community education, apprenticeship training, etc. It has performed an outstanding role. I particularly want to mention the Spencer Institute because, against all odds and distance, it has managed to do an excellent job. It is an excellent provider in country regions. It provides quality education and, certainly, value education. I have grave concerns about the problems it has experienced in recent times in relation to the overspending of its budget.

However, above all else, I say that it is an excellent provider. It is expensive to provide education in country areas, particularly when you have an area that covers 85 per cent of the state—probably getting close to 800 000 or 900 000 square kilometres. Unfortunately, as a result of the size and distance far more overheads are involved. Distances travelled incur wear and tear on TAFE lecturers. Also, every telephone call is an STD call, which adds considerably to their expenses. Spencer Institute has achieved against all odds. It has overspent its budget, but I can understand very much how this has happened. I am pleased that our present minister is very much supportive of it, although she is addressing that issue.

When I was at TAFE I was very much involved in vocational education. When this industry was opened up we saw many providers, particularly providers from metropolitan areas, come into country areas. They stayed for a while but they disappeared very quickly because they realised that, perhaps, some issues were involved in country education that they may not have had to address in the metropolitan areas. One great aspect of the TAFE system in the past, I believe, was its approach to social justice. There has always been inclusiveness in the TAFE system and involvement with people from all walks of life.

Certainly, the social justice aspect has really governed most activities and operations in TAFE. There has always been excellent back-up for students in the TAFE system, whether they be graduate diploma people or people involved in the very basic entry programs. Libraries have been provided and there have always been on-site canteen facilities. Many TAFE facilities have a child-care centre or creche for their students. Certainly TAFE's student services have been outstanding. It has provided counsellors for students and also real career counselling, not the 'go to a computer and work it out for yourself' approach that is recommended by a lot of providers.

Certainly, TAFE is still an excellent provider of vocational education and adult education. I talk about that because I have seen other providers come into the system. One aspect about which I am really pleased is clause 23 of the bill, which provides that the commission can determine whether it registers a training organisation or varies the provisions of a training organisation. The commission can also assess the performance of a training organisation. It can inquire into a training organisation, and particularly the courses that are offered.

I believe that this is very important because, over the years, I have seen many courses bob up. I have seen many

young people doing courses and you look at them and think, 'What are they doing?' One of the problems with training providers is that very often it is just about bums on seats. You get people there—that is what you really do—but you do not look at the quality of the students you are pulling in. This can very often set people up to fail. TAFE is very careful about this but I am not too sure about many of the other providers.

Recently I attended a session with some students studying a society environment subject. When I walked in I was really amazed that pretty well all the students knew me because they remembered me from TAFE days when I worked in vocational education. At the time, many of those students were literacy students and, as a result, many had learning or intellectual disabilities. They were doing this society environment course, which is a reasonably advanced sort of course. I was a little shocked about the whole issue because I was really concerned about the suitability of that course for those students and their capability to manage that course. While I was there many questions were asked. When I think about it, one or two students asked me questions and the rest were asked by the lecturers.

I know that the organisation would have been provided with good money to run this course but, again, I think it was a case of bums on seats, and I question whether these people would be capable of handling the course, and therefore possibly failing (which is setting them up to fail) or, if they are passing, whether it is a legitimate pass or it is a case of, 'We have to get results, so we'll push these students through.' I use that as an example because it happened quite recently and it is fresh in my mind. I have seen so many of these types of courses in the past: people do set them up to make some money and the students play just a minor part.

It is like the hospital that worked very well without any patients. I think that this is often the case with some of these training courses and training providers. I noted another course recently. I saw a photo in a newspaper of a group of students who were being taken to the Gold Coast for a week for a course in confidence and self-esteem building. I thought that was pretty good. I have never been to the Gold Coast and I am sure that, if I went to the Gold Coast, it would build up my confidence and self-esteem! I question the value of taking a group of students from country South Australia to the Gold Coast to build up their confidence and self-esteem.

I think that a week in Adelaide, or even a week in Port Lincoln, would have done a lot to build up the confidence and self-esteem of those particular students. When I look at the cost of taking eight students and about three lecturers to the Gold Coast, in addition to the air fares, accommodation etc., I question the value of that course and where the money came from to provide it.

Building confidence and self-esteem is extremely important for students, but I think there are far cheaper ways of doing it. I wish that those opportunities had arisen for me when I was a lecturer. I think I got a couple of trips to Iron Knob and one to Port Augusta, but not too many other places. So, again, I am talking about examples of courses where you really wonder where that money disappears to.

Some of the students who get involved in vocational education are very long-term unemployed students who have special problems and special difficulties because of the nature of their long-term unemployment. I have concerns about some of these providers looking after students of this type because I do not think that they have the understanding and background to look after these students properly. I think they have gone in there with limited training, and I shudder for the

welfare of these students when they are being cared for by people who have often been employed without any real qualifications, who are certainly not skilled counsellors and who miss the point with these students and the type of input that they require. Again, a lot of the equity issues are missed out in these courses and these providers because they are just not aware of the issues that are involved. I have seen courses set up with very poor equipment. Often a provider will set up an office in a cheap location where they get cheap rent, and very limited equipment, furniture, etc. is provided. Therefore they make some money out of that sort of rent money that is provided.

Some time ago one of my trainees came in with a number of certificates from a private provider that had supposedly trained them in all sorts of subjects. When we sat down and looked at it, they had not done the work; they had just been pushed through and passed without any work applied in this situation. I questioned that at the time as well. I am horrified at the qualifications that some people have when they are involved in teaching these courses. I am pleased that the commission will be able to inquire into this and, if they see an issue, make a point of it and do something about it, because I think there are a lot of providers out there that need a good shake up.

Another area that I am pleased to see this bill covering is apprenticeships and traineeships, and that an employer cannot train a person except under a contract of training, as well as having to be an approved employer. I certainly hope that a lot of work goes into questioning whether they are an approved employer and whether they fit the criteria to be an approved employer. Over some 20 years I have seen many apprentices being trained. I question the quality of their training and how they are being looked after, because there are employers who need an extra hand but they are not prepared to put money into the training and development of these people. Many organisations will put on a trainee because they need an extra staff member. I have to say that I am as guilty of that as anyone, because the trainee system in our electorate offices has been wonderful, to assist us with that extra person in the office.

When I employed my first trainee my staffer was not fully comprehending of what traineeships were about, and I realised that my trainee was being left on their own for quite considerable periods reasonably early in their traineeship. I put a stop to that because, as I pointed out, a traineeship is about training and, in training, a person needs to be supervised. So, we do not leave our trainee on their own; we make sure someone is there with them all the time and, if the trainee has to be left alone, if no-one is available, then we close the office. I have always made a point of that, and I have had five trainees. It depends on the trainee, and later on in their traineeship sometimes they can be left alone for short periods. But an employer has an obligation to train these people and not just use them as an extra staff member and saddle them with all sorts of things.

I see that the commission can withdraw approval if there is a contravention of or a failure to comply with a condition of the commission's approval, or the circumstances are such that it is no longer appropriate that the employer be approved. Many of these trainees and apprentices are employed under very poor conditions, often incorrectly paid, and are sometimes paid under the counter. It needs to be well regulated. I have had many come to me over the years and say, 'I do not think I am getting paid enough,' and, when you inquire into it, they are certainly not being paid enough. They often get

a lot of pressure put on them for working hours. They are paid the minimal wages that apprentices and trainees get but are expected to work super-long hours and not question it or ask for overtime.

I know of a long-term employer who has put considerable pressure on trainees and apprentices in the past; made them work silly, long, irregular hours and, if the trainees or apprentices complain about this, the employer threatens them that they will never get another job again, etc., and makes very unreasonable demands on these trainees. We need to be very careful of that sort of system. Once upon a time there was the old Apprenticeship Commission that kept strict controls on this and looked after the apprentices very well. That system seems to have faded considerably and that power does not seem to be there or to be working as well as it did in the past; but it was an excellent system. So, I hope that this bill will give some power back into someone's hands to be able to regulate these sorts of things and make sure that young people in particular get an opportunity to have good training and become very good tradespeople eventually or very good workers in other fields. I recommend this bill. I think it is a great move forward and I hope that a lot of people benefit from it in the long term.

Mr BRINDAL (Unley): I should inform the acting speaker that I am leading the opposition in this matter. Therefore, I have unlimited time and I am tempted—

Ms Thompson interjecting:

Mr BRINDAL: Yes, you might as well, because I am tempted to remember that my colleague—

Ms Thompson interjecting:

Mr BRINDAL: The member needs to be careful because I remember that my colleague the member for Davenport has a record in this house which I am tempted to see if I can—

Ms Thompson interjecting:

Mr BRINDAL: You certainly can. It is not for me to tell you what you can do, but you have certainly got time to get a hot chocolate. It is a pity that the member is leaving the chamber because I was about to say some very rude things about her; but I will wait until she comes back. I start by thanking the minister for acknowledging the part which the previous government played in bringing what is still, largely, this bill before this place and, indeed, before the parliament was prorogued, passing it through this chamber.

The minister goes on, and there is always the sting in the tail, to acknowledge that the Hon. Stephanie Key played some part in achieving some important amendments. I therefore say to the minister, while I would not be damning with faint praise, it is not the intention of the opposition party to fully support all aspects of this measure, but in so far as it varies from the original bill, in so far as it sticks to the concept which we negotiated with all parties, including Trades Hall, we will be supporting it. Where it varies from that which we saw as good policy, we will not be supporting it. I have discussed this in a courteous way with the minister and her officers when she was good enough to provide me with a briefing.

I point out that the objects of the act, as the minister says both in the act and in her speech, are:

to further the state's economic and social development. . .

and—

to further the commitment by the states, territories and commonwealth in partnership with industry, to work together to increase the participation of Australians in an integrated national vocational education and training system that allows for local diversity.

I ask all members to note the words 'integrated national vocational education and training system'. The act goes on in its various provisions—and these will be obviously talked about in the committee stage—to reserve to the minister her position as state training agency, of which the opposition approves because, indeed, when we were in government I found it rather flattering to be an entire training agency in my own head, and I am quite sure that the minister will too. One of the functions of the minister, as the agency, is to ensure that the vocational education and training and adult community education needs of the state are identified and met in a cost effective and efficient manner. Having taken on that responsibility, the Training and Skills Commission under Division 2 is established. Clause 10 provides:

(2) The commission's functions include—

- (a) promoting and encouraging the development of investment, equity and participation in, and access to, vocational education training and adult community education; . . .
- (b) advising and making recommendations to the minister—
 - (i) . . .
 - (ii) on strategies for the development of vocational education and training and adult community education. . .
- (h) promoting pathways between the secondary school, vocational education and training, adult community education, and university sectors;

They are the powers of the commission. There is an important difference between our bill, as we presented it to the house, and this bill as it now comes before the house—and I will take debate on this and correction by the minister, if necessary, in the committee stage. I understand that, in order to get consensus when we introduced this bill, especially with Trades Hall—because the United Trades and Labor Council in this state is particularly opposed to the concept of an Australian workplace agreement (AWA)—in acknowledgment of its philosophic problem with this, the bill we presented to this house was simply silent on that matter. That bill did not contemplate the use of AWAs, but the crown solicitors advising me gave me to understand that, by remaining silent on the point, the law of Australia would apply and AWAs could be used an instrument.

However, as the bill now comes before this place, it actually details the instruments that can be used. In so doing, it would purport to render it unlawful to use an Australian workplace agreement. This house, indeed, is sovereign and can make its own determination, but whether this house has the competency to overwrite the statute law of Australia in a bill that purports to provide a nationally consistent framework is indeed a matter that will be the subject of debate here. If this bill does manage, in my opinion, in an ill-considered way to leave this house without including AWAs, and by some absolute bolt of lightning does manage to get through the upper house in a form that leaves AWAs out of the equation, the debate will be far from over.

I confidently anticipate that people in other places and other jurisdictions are carefully examining this bill with a view to what, if any, challenge or sanctions might be put on this parliament and on training in this state to ensure that it conforms to the nationally consistent framework for which the bill is arguing. I am quite prepared to stand here and say that we left it out of the bill. We did not leave it out of the bill for the purpose of saying that AWAs could not be used. We left it out of the bill to get an agreement with all parties, but we did so in a way that meant the law of Australia still applied.

My understanding of this bill, as it comes before this place, is that AWAs are sought to be excluded. That is simply

not acceptable to the opposition. I doubt that it will be acceptable to the government of Australia that is, after all, elected to govern Australia. I know it is not acceptable to members of Business SA who in conversation this morning told me that they have not only voiced strong objection to this provision in a briefing to the minister but also provided her with their own amendment which seeks to have AWAs re-inserted; and the minister will know—because we have done her the courtesy of giving her our proposed amendments—that our amendments move to ensure that AWAs are made a part of this bill.

I now come to the next important part of this bill, which is the disputes resolution committee. I will not bore the house by going through stuff which I went through in the last parliament and on which the minister will be briefed. However, we thought that one of the keys to this revised way of looking at training and skills development is that it is important to separate the functions of the umpire and the judge. In essence, by amalgamating some functions of the existing Accreditation and Registration Council (ARC) with those of the existing VET board to make a new overarching body, and then to create a subcommittee, which is the disputes resolution committee, we sought thereby, quite deliberately, to excise the policy and function role from the dispute resolution role, which I believe has been one of the severe limitations of this bill in the past.

I say that in the context that I was not allowed to give an explanation, so I will give that explanation in the context of this debate. Whilst I was asking the minister a separate question, which touched on small business development in this state, it also touches on AWAs and it impinges on this bill. The business, which I started to speak about in my explanation, is a business in my electorate called Recipes That Talk. They are in a business partnership with Business SA and they have developed a very innovative method of placement of students in years 11 and 12 school-to-work transition. Currently, over 100 students are in placement—I believe 130. This has gone down by about 30 because of what has happened with the disputes resolution committee.

Central to their innovation is the use of an AWA. This has been developed with the full knowledge and approval of Business SA and with the full knowledge and consent of parents, students, employers and the school authority. It is interesting to note (and the minister will say that we were in government—and I admit that—but we did not get everything 100 per cent right; and I doubt she will, and I am prepared to admit that) that the group in the Education Department that looks after this area is called EVE, and it has employed something like 20 employees over six years. It has managed to place in this school-to-work transition program something like 450 people. I worked it out in my head that it is a placement per employee of about four people in school-to-work transition a year.

If I had known this when I was in government, and if the Minister for Education had known this when we were in government, we would have asked questions. If people who are getting \$30 000 or \$40 000, or more, a year can only manage to place one person in this sort of program, perhaps we are not using our money very well. In a few months, the principal, Lisa Pisano, has placed more than 100. Most of them—and I know of 70—are with a large retail group and are going onto full-time placement. It is not as if the contracts are cancelled and there are no statistics about how many EVE contracts are cancelled.

The apprentice and trainee management group, I think it is called—but we can correct the record if I am wrong with the exact title—has referred this matter to the Accreditation and Registration Council. The manager of the business was verbally told—and I can share with the minister or the house the names of the officers who said this, if necessary—that they do not like AWAs. That is what she was told. However, this has not been committed to paper. Instead, the disputes resolution committee of ARC has tied the business into an endless round of procrastination and delay, requiring information that has never been sought before on a series largely of peripheral issues. As this happens, the business is knowingly being starved of funds and, because of uncertainty, is losing clients. The business has advised me that, if this impasse is not speedily resolved, it will be bureaucratized into bankruptcy.

That is the position which faces the house. We have a bill before the house which now seeks to outlaw AWAs. Coincidentally, we have a business that is being strangled because it has a very clever, very innovative way of using AWAs and is being very successful with student placement. I think that those matters and the conduct of the current ARC are indeed a matter of grave concern to this house.

Over the next few days, if I have the time in question time, I will outline to the house a number of other instances where, since I resigned as minister and before this minister probably realised what was going on, I believe the ARC has been entirely out of control and doing things which are unconscionable, unreasonable and, in fact, reflect people in privileged positions of public service abusing their power and using their power to get people or to make points, because they simply do not like people. As I have said to the minister, I will be asking, given the time, a series of questions in the next few days.

I acknowledge that this bill gets rid of the old ARC, and I say, 'Thank God for that.' If for no other reason, I would be supporting this bill. But I am concerned that under the new bill we ensure competent jurisdiction. What worries me a bit about this bill—and, in fairness, I say to the minister, worried me even when I was handling this bill—is that the commission has enormous powers. They are powers that it should have because it takes over powers for trainees—which are, in effect, the modern form of apprenticeship—and powers for what we know traditionally as apprentices. Those people and their rights—and training generally—really do need to be preserved and nurtured.

This is a very important body. However, what worries me about the current form of the ARC and potentially about this measure is competent jurisdiction. The minister has not been here for that long, so I will share this advice with her: the minister needs to actually see this house when it tries to turn itself into a court of law. When it tries to exercise one of its judicial functions, if there is one thing that I can say consistently—and I see some members smiling—all we ever do is get ourselves into God only knows how much trouble.

I do not think the Speaker will criticise me here, because I am actually criticising a previous parliament, but we never seem to know what we are doing. We do our very best, but we are not lawyers and we are not judges. I think that in some matters that have been tried to be considered, with the best endeavours of this house, we have not been universally successful or have yet hit in this parliament on the best method for dealing with things that can be very important.

I remind you, Madam Acting Speaker, that, when this house considered a number of matters in the last parliament

relating to privilege, it cost at least two ministers their job—the Deputy Premier and a minister—and I think was partially responsible in an indirect way for Premier Olsen resigning. So, the power of this house is huge and its responsibility to exercise that power judiciously and wisely is therefore important. I raise that matter with the minister only in the same context of this bill. One of the things that worries me about the functions of the commission and the review committee is that if they are called on to exercise an industrial power and are given that responsibility under this bill and to have that responsibility vested in them, it is therefore cogent as part of this debate to examine whether, while the responsibility might be vested in the commission and in the disputes resolution committee, they are the best people to exercise that jurisdiction or whether in fact, as the minister does on many occasions, the minister has the power and then has another power which allows her to delegate to responsible officers.

As part of this debate, I think the opposition would like to be convinced by the minister or, if we cannot, we will move an amendment to say, 'If this commission or the committee is hearing a matter that is a matter of competent industrial jurisdiction, it should give to the competent industrial jurisdiction the right to hear and determine the matter and, if necessary, then act on that determination.' Does the minister understand the point that I am making?

The Hon. J.D. Lomax-Smith: Yes.

Mr BRINDAL: The bill seems to have taken longer to reach this chamber than we thought it would have, and I believe the minister has exercised an abundance of caution over this matter. Perhaps she was not convinced by anything and had to go through it word by word, seeing that it took nine months. But at least the minister has got it here. We believe (and I believe I said in my contribution when we first introduced this bill) that it is well over time. It is a very important initiative and will lead this state into the 21st century.

I think that the minister would know without my having to say it, but the rest of the house may not realise, that you can have all the economic development boards and all the wheeler dealers in Adelaide—the industrialists, the editors of the *Advertiser*—together in as many talkfests as you like to talk up South Australia or to make sure that South Australia goes from strength to strength, but none of it will work unless we have a skills base and a level of training and trained people and innovators who can then develop the industries that need development and can hopefully come up with a bright innovative idea.

When making speeches as minister for training, I was often given to saying that the only thing I pray is that one of us somewhere, whether it is this minister or whether it was in my time or in the next three ministers' time, can produce from within our system another Bill Gates. In an economy like South Australia, you need only one Bill Gates and we would be set for the next 40 years, given the enormous income his conglomeration benefits.

I do not expect that there will be a lot of contributors to this debate. Like the minister, I think I would record my disappointment, because if there is one thing that will lead this state into the future it is this bill. It is getting training right, it is getting apprenticeships right, it is being able to innovate and have the right structures which do that and which are pivotal to this state's development and to this state's going into the world that is the 21st century. In my opinion, it will not be done unless we use any and every innovative tool at our disposal.

I was criticised on occasion by some of my own colleagues, because I was a very strong advocate of the Construction Industry Training Board (CITB). The Construction Industry Training Board was, in my opinion (an opinion which is not shared universally in my party) a very clever initiative of the last days of the Bannon government. For that reason, it was philosophically viewed with a little suspicion by some on this side of the house. Notwithstanding that, it was a clever innovation because it is a user pays system. It requires people who are having building additions or building work, or a whole variety of work, done beyond a certain level (the Treasurer would have done well to listen to this, because it might have saved him some money) to contribute to a levy. That levy goes to training all those people in the building industry who need training. So, the building industry can work out how many plumbers, plasterers, roof fixers and all the trades it needs and it has a fund to train them.

The minister knows—and I knew when I was the minister—that it does not matter how many times you go to the Treasurer (whoever the treasurer might be), how many good reasons or how many bended knees you take: the state coffers have so much money to spend, and it goes for education right across the spectrum; it goes for health; it goes for training; it goes for roads; it goes for everything that the public purse is required to do, and there will never be enough money for training.

The CITB was an innovative way of saying, 'Let's get, in certain sectors, the users to pay.' If I was not convinced by our own scheme, when I went to New Zealand and saw the Fishing Industry Council and its interrelationship with the New Zealand government, whereby the government contributes \$1 for every \$2 raised in levy by the New Zealand fishing industry, I saw that everyone was pleased. The New Zealand government gets \$3 worth of training for every dollar it contributes, and the fishing industry gets \$1 subsidy for every \$2 it puts in. It is integrated right across from deckhands to fish processors.

I make those points only in respect to AWAs and this bill to try to emphasise that the bill should retain maximum flexibility, that is, through the use of new vehicles such as the CITB and industry levies. It is through the use of AWAs and any other mechanism we can think up now or in future that we can take the bill forward. Not only do I ask the minister to seriously consider the inclusion of AWAs but also in relation to any clause where we can create a degree of flexibility we should do so. I remind her that the Local Government Act (and she smiles because she was Lord Mayor at the time) and the City of Adelaide Act, which was not supposed to have got through the parliament, did so successfully, and the Local Government Act was last amended some time ago. I hope and pray that it will not be 2050 or 2075 before this legislation is amended. I am conscious of the fact that once it passes through here the minister will have great difficulty going back to cabinet and saying that we need to give this another go. This has to be our best shot and has to set the conditions at least for the next 10 years or possibly longer.

I therefore argue flexibility, the need to include AWAs and the need to see that where a jurisdiction is exercised, as far as possible, we grant to everybody on whose behalf it might be exercised that very essential item we would all argue in this place on any bill, namely, natural justice. The bill has to be worked in a way that whoever comes before this committee, before the disputes resolution committee or has any association with this bill, at the end of the day can feel

that they have been treated justly and fairly and have not been disadvantaged because they were the subject of this bill. That is why I make my preceding remarks and why, in commending this bill to the house, I hope the minister seriously looks at the propositions put forward by the opposition, not just because they are put forward by us but because they are intelligent, well thought through and well argued.

I recognise that the minister has a mind such that before she considers party and partisan politics—who sits where in this place—she is quite capable of considering a good idea, putting it in her legislation and forgetting that it was our idea. The opposition does not mind that but wants good legislation for South Australia.

Ms THOMPSON (Reynell): I was surprised to hear the member for Unley saying that he did not think there would be many speakers on this bill, as there is strong competition among government backbenchers to speak on this bill because we see it as being extremely important for the future of the state and to some of the people whom we represent. It is with great reluctance that I will not speak for the full time available to me, because there is much to speak of about the importance of TAFE to the future of this state.

From my perspective, I would like to spend more time talking about the importance of TAFE to my community in Reynell. The good citizens of Morphett Vale, Reynella and Christie Downs have an unusually high level of TAFE qualifications on an Australia-wide basis, where they are continuing, according to the latest census figures, to participate in TAFE. To support my community we need to ensure that TAFE and university are linked, because we have very low levels of university qualifications. We need to link TAFE to the jobs of the future—the jobs that will bring high paying, stable employment, as TAFE provided in the past provided but has been unable to do in the last decade or so, when it has been really messed up.

I could have spent ages talking about the destruction of TAFE as an institution over the last five years and the destruction of the training system in Australia, where there was the development of a private registered training organisation system, which really has been at best patchy in its ability to deliver to our community.

Mr Brindal interjecting:

Ms THOMPSON: The member for Unley occasionally says that TAFE has been patchy, too. I am amazed that TAFE has been able to do anything bearing in mind how it has been led at the ministerial level in the immediate past, with the controls that have been put on it and the starving of funds it has suffered. The report of the Economic Development Board points out clearly how little South Australia has committed to TAFE training per head compared to the rest of Australia and the need to do a lot better in relation to TAFE. I am sure this bill will enable South Australia to do much better.

There are three parts of the bill on which I want to comment. The first two are linked and the third is an entirely different matter. The first two relate to the grievance and dispute mediation committee and the provisions relating to Australian workplace agreements.

The people who are engaged in training are often at very vulnerable stages of their careers. Young people, they often come straight from school and do not have a full understanding of the way in which a workplace operates or a full understanding of their rights and entitlements that are standard within our Australian industrial system. The very reason why they are doing training is that they do not have

a full understanding of how the workplace operates, and their training is designed both on and off the job to assist them in establishing not only the technical skills of the job but also an understanding of the climate in which their job is undertaken, how the organisation works, the ways you support your company, the ways you do not support your company or whoever your employer is, the way people get on and relate to each other in the workplace, and what might be the ethos in terms of asking questions.

Young people coming from school are very good at asking questions, and I am pleased they are. Some employers are not so good at respecting their right to ask questions or at answering them. The same applies to older workers, who are often undertaking training because they have had an unfortunate event in their working life and are forced through circumstances to look for a new path in their career. They are feeling very vulnerable, and both categories of workers are often not in a strong position to negotiate their conditions and agreements. Unfortunately, some employers have exploited this vulnerability of workers in the training area and sought not to give them the protection of an award or enterprise agreement during their training period. Rather, they expect these vulnerable workers to negotiate a particular employment contract with them through an Australian workplace agreement. The figures show a larger proportion of AWAs to be found amongst people undergoing training than in the workplace in general, and that is a very disturbing figure because members of the working community are better able in many circumstances to negotiate their conditions than are trainees. The fact that there is a higher proportion of AWAs for those under training contracts is a problem.

There are numerous examples of people who have had AWAs while undertaking a contract of training but have run into major problems. People have signed an AWA in anticipation of engaging in a contract of training, and the training has been so dodgy that that contract of training has not been approved. Despite this, a worker has been left under the conditions of an AWA.

All sorts of limitations have been placed on people, particularly those who undertake training while on casual work. There is much room for misunderstanding. Some people think that they are to be a trainee when seasonal work is not available, and that they would just be a trainee in between full-time work, and then discover that they are a trainee all the time and receive no full-time wages and are, therefore, deprived of a living wage. So, there has been a history of problems with AWAs and people under contracts of training. This bill seeks to address this problem in two ways. One is by eliminating AWAs from people who are engaging in contracts of training, and the other is by establishing a grievance and dispute mediation process. That process will be available to a much wider range of people than just those involved in AWAs, but it is an important mechanism for people to be able to investigate problems that arise in the training process.

The other matter that I want to touch on briefly is the provision that gives protection of the title of 'university'. I was somewhat perturbed a couple of years ago to discover that there were not only the three universities with which I am well acquainted in South Australia but that, indeed, there were maybe a dozen. I have not really been able to determine exactly how many there were, but I think that I found about five in the phone book at one time—and I wondered why I did not put up a sign myself! Again, this can be another case of exploitation, where an establishment hangs out a shingle

that indicates that it is a university, particularly when they seek to attract overseas students who are coming to Australia expecting to receive a quality education and they find that it is really a shingle on the front door of some establishment in a poky corner somewhere.

That does not enhance our reputation as a place of high education integrity and high trade integrity, because we are, effectively, bringing these people into what they believe is a university under false pretences. The provision in this bill to protect the title of 'university' and to prevent people from using that title unless they are one of the state recognised universities protects our universities and our credibility in both education and trade on an international basis, and can also protect other people in the community who recognise that they need to gain further qualifications from being conned into taking a course at one of these dodgy universities. As I indicated, I would like to have said much more, but we have a lot to do before Christmas, so I enthusiastically commend the bill to the house.

The Hon. J.D. LOMAX-SMITH (Minister for Employment, Training and Further Education): I move:

That the sitting of the house be extended beyond 6 p.m.

Motion carried.

The Hon. J.D. LOMAX-SMITH: I accept the compliments of the member for Unley in bringing this bill forward, and acknowledge that many good things take nine months to come to fruition. In the time that we have spent dealing with this bill, I believe it has been tidied up and improved, but his intent, his purpose and the spirit of the bill which he brought forward last year still remain almost entirely intact. I also thank the members for Giles and Fisher for their insight and comments. I am very pleased to hear their comments. I have also heard the comments regarding training and the requirement from the government to protect the rights of apprentices and trainees. It is quite clear that the elements of the university status that are incorporated in this bill are similarly important in that the name 'university' has now been enshrined in this bill in a way that protects the title and protects the reputation of Adelaide as a university campus town.

As the member for Unley will recall, the bill intends to identify the strategies and priorities required by the minister in producing a quality vocational education and training system and to find a way of promoting a culture of lifelong learning. The new act replaces the Vocational Education, Employment and Training Act and establishes the new authority, the Training and Skills Commission, as the peak government authority on policies, planning, funding and quality in vocational education and training. It aims to underpin the new national vocational education and training standards across the country, and this matter was discussed at the last ANTA-MINCO meeting that was held on Friday. We believe that the introduction of this bill will bring the highest level of compliance to our state as compared to other states across the nation.

Mr Brindal interjecting:

The Hon. J.D. LOMAX-SMITH: The one exception that perhaps the member for Unley and the government have is in their appreciation of the damage that AWAs can do to young people in apprenticeships and traineeships. It is quite clear that this is a relatively small part of the contract of training numbers in our state. In the latest figures to date, we

can say that 5.7 per cent of contracts of training lodged have been with AWAs and, interestingly, they occur in the meat and meat products manufacturing area, food retailing, cafes and restaurants and IT centres, particularly call centres. Almost half of them are in the meat and fish processing areas. Some 98 per cent of them are in the private sector, and school students are more highly represented than are non-school students. Interestingly, they have a higher percentage of cancellations and non-completions, which would tend to imply that there was some dissatisfaction amongst either the employers or the employees in the system.

The problem for the government is that the AWAs that we have in place do not really fulfil the no disadvantage test if one looks at the way in which the penalty rates come to be balanced over the ordinary time and overtime worked during the course of a year. In addition, the training contracts tend to continue with the conditions of an AWA beyond the training period. So, there are some issues about employment that are particularly noticeable when young people, who are ill-informed or unsure of their rights, are put in a position where they have difficulty in negotiating the conditions of an AWA and are not even aware, in some circumstances, that they have entered a contract of training. For that reason, we seek to move what was, indeed, the former minister's motion, and I do not believe that the action taken by us in putting together this bill is any different from the amendment moved by the former minister. Indeed, if the federal government had no problem with the previous iteration of the bill, I can see no reason why it would suddenly find it anathema and wish to oppose it.

In relation to the matters that have been discussed in relation to the ARC and TAM, it is quite clear that the previous arrangement, which must have frustrated the member for Unley, was really complex and separated the powers into the employment and the training parts of the department. I am not prepared to go into the very serious specific allegations made by the member's constituent regarding the ARC, but I can promise him that all those matters are being investigated. As members will realise, I do not come from the industrial relations sector, and the development of this bill was done without dogma but with, of course, reference to our party policy, and anyone who looked at the catalogue of complaints and non-completions, the litany of problems brought before the media, brought to the ARC's attention and investigated by TAM, would understand that there are many instances where people are seriously disadvantaged by the application of AWAs and, like the former minister, we seek to exclude them in the provisions of this bill.

I commend the bill to the house. It tidies up and builds on the good work of the member for Unley, it incorporates the matters that have been discussed at some short length by members on this side of the house, and I hope that it passes with ease in the next few days.

Bill read a second time.

In committee.

Clause 1 passed.

Progress reported: committee to sit again.

JULIA FARR SERVICES

The Hon. S.W. KEY (Minister for Social Justice): I seek leave to make a ministerial statement.

Leave granted.

The Hon. S.W. KEY: Earlier today I answered a question on Julia Farr Services from the member for Finniss. In the process of giving that answer I told the member for Finniss he should not attribute to me his words or those of the federal minister. I have subsequently had the opportunity to review the transcript of a radio interview I did on 11 November and accept that I did say the words that the member for Finniss attributed to me. I apologise to the member and the house for suggesting the quote he made was his, not mine. The point I was endeavouring to convey was that the talk of all beds closing at Julia Farr was initiated by the state opposition and the federal minister for the ageing, not me.

LAW REFORM (DELAY IN RESOLUTION OF PERSONAL INJURY CLAIMS) BILL

The Legislative Council agreed to the bill without any amendment.

HOLIDAYS (ADELAIDE CUP AND VOLUNTEERS DAY) AMENDMENT BILL

The Legislative Council agreed to the bill with the amendment indicated by the following schedule, to which amendment the Legislative Council desires the concurrence of the House of Assembly:

- Page 4 (clause 7)—After line 27 insert new paragraphs as follow:
- (c) the area of the City of Port Lincoln; and
 - (d) if a substitution has been made or is to be made in the area of the City of Port Lincoln, the area of—
 - (i) the District Council of Ceduna; and
 - (ii) the District Council of Cleve; and
 - (iii) the District Council of Elliston; and
 - (iv) the District Council of Franklin Harbour; and
 - (v) the District Council of Kimba; and
 - (vi) the District Council of Le Hunte; and
 - (vii) the District Council of Lower Eyre Peninsula; and
 - (viii) the District Council of Streaky Bay; and
 - (ix) the District Council of Tumby Bay.

LEGISLATION REVISION AND PUBLICATION BILL

The Legislative Council agreed to the bill with the amendment indicated by the following schedule, to which amendment the Legislative Council desires the concurrence of the House of Assembly:

- Page 6 (clause 8)—After line 17 insert:
- (6) Legislation must be published under this Act without reference to the Latin regnal year.

STATUTES AMENDMENT (TRANSPORT PORTFOLIO) BILL

The Legislative Council agreed to the bill without any amendment.

STAMP DUTIES (GAMING MACHINE SURCHARGE) AMENDMENT BILL

The Legislative Council agreed to the bill with the suggested amendments indicated by the following schedule, to which suggested amendments the Legislative Council desires the concurrence of the House of Assembly:

- No. 1. Page 3 (clause 3)—After line 13 insert new definition as follows:
- 'family group' means a group of persons connected by an unbroken series of relationships of consanguinity or affinity;
- No. 2. Page 7, line 1 (clause 3)—Leave out subsection (3) and insert:
- (3) However, a transfer does not include—
 - (a) a transaction by way of mortgage; or
 - (b) a transaction between members of the same family group by way of gift; or
 - (c) a transaction between members of the same family group for which there is no consideration of a commercial nature.
- No. 3. Page 7, lines 22 to 27 (clause 3)—Leave out all words after 'surcharge if' and insert:
- (a) no liability to duty is imposed (apart from this Division) in respect of the transaction (or an instrument by which it is effected); or
 - (b) the transaction is effected by a conveyance that is exempt from ad valorem duty under this Act.

STATUTES AMENDMENT (STAMP DUTIES AND OTHER MEASURES) BILL

The Legislative Council agreed to the bill without any amendment.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL

The Legislative Council agreed to the bill without any amendment.

ADJOURNMENT

At 6.08 p.m. the house adjourned until Wednesday 19 November at 2 p.m.