

**HOUSE OF ASSEMBLY****Tuesday 16 September 2003**

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

**FIREARMS (COAG AGREEMENT) AMENDMENT BILL**

Her Excellency the Governor's Deputy, by message, recommended to the house the appropriation of such amounts of money as might be required for the purposes mentioned in the bill.

**STATUTES AMENDMENT (DIVISION OF SUPERANNUATION INTERESTS UNDER FAMILY LAW ACT) BILL**

Her Excellency the Governor's Deputy, by message, recommended to the house the appropriation of such amounts of money as might be required for the purposes mentioned in the bill.

**SCHOOLS, NAIRNE PRIMARY**

A petition signed by 157 residents of South Australia, requesting the house to urge the Minister for Transport to provide funding from the 2004-05 state budget to rectify traffic problems around the Nairne Primary School, was presented by Mr Goldsworthy.

Petition received.

**DOG CONTROL**

A petition signed by 54 residents of South Australia, requesting the house to amend current legislation to allow dogs, under effective control, to sit with their owners in all outdoor dining areas, was presented by Dr McFetridge.

Petition received.

**PAPERS TABLED**

The following papers were laid on the table:

By the Premier (Hon. M.D. Rann)—

Government Boards and Committees Information (by portfolio) as at 30 June 2003—

Volume 1  
Volume 2  
Volume 3

By the Treasurer (Hon. K.O. Foley)—

Generation Lessor Corporation Charter

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

Director of Public Prosecutions Act 1991—Direction under Section 9(2)

Regulations under the following Acts—

Land Acquisition—Native Title Variations  
Subordinate Legislation—Expiry Postponed  
Victims of Crime—Fees, Applications Amended

Rules of Court—

District Court—Amendment No 42—Definitions  
Suspended

Magistrates Court—Amendment No. 20—Complaint, Review Application

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

Regulations under the following Acts—

Fair Trading—Related Acts  
Hairdressers—Qualifications  
Liquor Licensing—Dry Areas Copper Coast  
Liquor Licensing—Long Term Dry areas—  
Port Pirie  
Golden Grove  
Meningie

By the Minister for Health (Hon. L. Stevens)—

Regulations under the following Acts—  
Controlled Substances—Pesticides  
Occupational Therapists—Qualifications

By the Minister for Education and Children's Services (Hon. P.L. White)—

Regulations under the following Acts—  
Children's Services—  
Remake  
Revocation

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

Regulations under the following Acts—  
Native Vegetation—2003 Regulations  
Pitjantjatjara Land Rights—Food, Medicine, Mining  
Access

By the Minister for the River Murray (Hon. J.D. Hill)—

Murray-Darling Basin Commission 2001-02

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

Response to the Inquiry into the Passenger Transport Board—32nd Report of the Statutory Authorities Review Committee

Regulations under the following Acts—  
Harbors and Navigation—Quarantine Extension  
Passenger Transport—Maximum Taxi Fares

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

Regulations under the following Acts—  
Construction Industry Long Service Leave—Remake

By the Minister for Tourism (Hon. J.D. Lomax-Smith)—

Advisory Board of Agriculture 2002-03  
Citrus Board of South Australia for the Year Ended  
30 April 2002

Langhorne Creek Wine Industry Fund 2001—2002  
Primary Industry Funding Schemes Act 1998—Riverland  
Wine Industry Fund 2001-02

Response to the Report of the Legislative Review Committee—Giant Crab Regulation Numbers 259 and 273 of 2001

Regulations under the following Acts—

Branding of Pigs—Tracing of Livestock  
Fisheries—

Abalone, Undersized Fish  
Shark Length, Finning  
Scheme of Management Variation—Abalone  
Primary Industries Funding Schemes—  
Adelaide Hills Variation  
Adelaide Hills Wine Industry

By the Minister for Employment, Training and Further Education (Hon. J.D. Lomax-Smith)—

Flinders University—Adelaide—Australia 2002

By the Minister for Urban Development and Planning (Hon. J.W. Weatherill)—

Regulations under the following Acts—

Development—  
Development Assessment Variation  
Requirements Clarified  
18A Revoked

West Beach Recreation Reserve—Remake

By the Minister for Administrative Services (Hon. J.W. Weatherill)—

Regulations under the following Acts—

Freedom of Information—Fees and Charges.

### MEMBERS' TRAVEL

**The SPEAKER:** I refer to the travel undertaken by honourable members and the report about it in the media in recent times—indeed, in recent years—but more especially in recent hours. I confess that I have had some distractions during the course of the morning that have precluded me from preparing what I am about to say as well as I might. However, it does not deter me from my duty in that respect. May I remind the house that I did not come here to make friends or enemies but to make improvements—and that was as a member of parliament not so much as the Speaker.

The reports in the media to which I refer, whilst not inaccurate, are prurient and disparaging. They do nothing to inspire public confidence in the commitment which members have made in the course of their pursuit of understanding and insight into issues which affect this state and their electorates—for the simple fact that so and so much money was spent by such and such a member and that such and such a total has been spent is of itself factual but not useful information, and that it fails to provide the public with an understanding of what was achieved in consequence of the exercise undertaken, the work done, during the course of which public funds were expended.

Such has been the case for some time. Honourable members, and equally members of the general public, would be forgiven by me for thinking that such reports are more about creating sensation than they are about providing useful, factual information which enhances understanding and develops public commitment and participation in policy discussions that will make tomorrow a better place for all of us in South Australia to live in than was yesterday.

Accordingly, when I see a remark made, for instance, that the member for Flinders spent more money than any other member in the course of the travel undertaken during the last 12 month period, for which the report was tabled yesterday, I am surprised that no attempt was made whatever to give details of the outcomes of that exercise. I draw the attention of the house, and indeed the entire community of South Australia, to the outstanding work she did and the outstanding outcomes it will have for this state and her electorate. I mean no disrespect or, for that matter, diminution of the outcomes for the work undertaken during the course of their study by other members in this place. However, I read the reports, as is suggested in the documents authorising them to be undertaken before they are agreed and placed on the internet for all members of the general public to read, should they be interested.

In the case of the member for Flinders, it was not noted by the media that at least \$6 000 of the money was spent in the course of getting a personal assistant from her electorate office in Port Lincoln to Adelaide to undertake work here during the course of the time that she has to work in Adelaide. Whether for the purposes of travel to get here, for training or for any other purpose that is a significant and substantial sum which she is entitled to spend in that manner and which she has done so responsibly and, to my mind, with great effect and benefit. Other members do not have the same measure of disability that the member for Flinders and less than a handful of other members like her have.

The additional amount in the \$23 000-odd that she spent in visiting India has produced outcomes, which were referred to in the media separately and independently from the

remarks made yesterday. And those outcomes read and understood by me—more particularly as Speaker than as the member for Hammond—ought to be noted not just for what they represent in terms of benefits for dollars expended but also for what they represent in terms of benefits to the entire society of South Australia in the future where, in the course of that work, the honourable member studied not just the generation of green energy but the costs of generating it and the benefits that it produced in the communities in India that she visited, and she detailed that.

The honourable member also went to some length to detail the same sort of benefits that would derive from desalination of water on Eyre Peninsula using the processes that she saw in commercial application in the places that she visited. Without wanting to go into further detail about the report, I commend all members of the community in South Australia who have something other than a prurient interest in these matters to look on the internet at that report and the equally interesting, constructive, useful and productive reports the honourable member has provided on the Third World Congress of Rural Women, which was undertaken 11 months ago.

I think that, for the benefit of the house and for the community of South Australia, I need not enter into discussion of the detail which that contains. However, in order to help the media, in future the spreadsheet upon which summary is provided of the expenses will include an expanded area from A4 to A3 so that each member will be able to state—in between 10 to 20 words—not only the dates and places they propose to visit and, indeed, have visited but also in those words set out the basic summary of what it is they set out to achieve by making the visit they have made when they write that report and thereby enable the media to get a better understanding.

It helps neither this institution—which is here with the delegated authority of every South Australian—nor the public interest for the media to treat reports of this place as though they were to be entertaining rather than instructive and factual. I have said before and I repeat now: what may be of interest in prurient terms to the public is not necessarily in the public interest. It has never been more true than in this case. What is in the public interest may not make riveting reading, but it certainly does make for an improvement in understanding in society.

The other remark I wish to make points out two things: first, this parliament has adopted open and accountable processes for the way in which members of parliament (members of this place) can undertake such study, and all members of the public are entitled to know that they can have access to it on the net.

Secondly, it is interesting to compare that in the United States not even 50 per cent of the members of Congress have passports, leave alone undertake study outside the United States. I am still waiting for the figure in the state legislatures, but it is far less than that. Some people in some state legislatures actually pride themselves on the fact that they have never been outside their state. Small wonder we have the phenomenon of the ugly American. Small wonder we have to struggle with the US farm bill policies and the impact that they have on this country and on understanding internationally. I invite the media to make a sharp comparison between that kind of approach in that kind of society and the impact it is having on the image of those people in the world and the approach that we are taking in this state and in this house.

## HEALTH CARE AGREEMENT

**The Hon. M.D. RANN (Premier):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. M.D. RANN:** Yesterday I spoke of the historic bipartisan agreement achieved between the commonwealth and the states and territories at COAG for the River Murray. Sadly for the people of South Australia, such an agreement was not achieved on the Australian Health Care Agreement. The fact is that the federal government has failed to offer adequate funding for our public hospitals—they have been short changed by John Howard. All state and territory leaders were left with the choice of signing an agreement for inadequate commonwealth funding or not signing that document and receiving less money. As I said at the time, it was a choice between less or even less.

After the federal Minister for Health and Ageing refused to negotiate with state and territory health ministers, the premiers and chief ministers wrote to the Prime Minister requesting that the health care agreement be made a priority issue at COAG. We said that the health system was facing increasing challenges with increasing costs and the decline in bulk billing by GPs, as well as the low numbers of available commonwealth funded nursing home places. We also outlined key areas of reform that needed to be part of the agreement. These included:

- improved interface between general practitioners and emergency departments in public hospitals;
- improved interface between public hospitals and the aged care sector;
- an elective surgery strategy to address long waiting times; and
- work force issues to address the shortage of qualified nurses and doctors.

We said that the agreement did not adequately take into account the need for a national reform agenda and the need for a sufficient increase in federal funds. We asked that these be addressed at COAG. However, we were told that the funding agreement was final and South Australia, with all the other states and territories, was forced to sign the deal in the face of harsh penalties. I am advised that this agreement means that South Australia will have its health care funding cut by \$75 million over the next five years compared to the rolling over of the old agreement. If South Australia did not sign the agreement, I am told that we would have faced significant funding losses, with a penalty of \$15 million in the first year and a total of \$246 million over five years.

But this is the agreement that the Leader of the Opposition and the deputy leader are apparently on the public record as supporting, in fact demanding, that I sign. The deputy leader said that it was a good offer. This is despite his statements to a Senate committee in February 2000 in which he criticised the 1998 agreement, saying that it effectively stripped \$628 million from public hospitals around the nation. He cannot have it both ways. I understand that this latest agreement effectively strips the states and territories of around \$1 billion. Why is it a bad deal when the state Liberals were in government and a good deal now? That is the question. For the sake of our health system, I appeal to the state opposition to stop supporting their Liberal colleagues in Canberra and join us in fighting for a better health deal for all South Australians.

*Members interjecting:*

**The SPEAKER:** Order! I remind the Premier that ministerial statements are not provided for the benefit of ministers to thump the opposition below the solar plexus.

**Mr Brokenshire:** Hear, hear!

**The SPEAKER:** Order, the member for Mawson! I apologise to his constituents for his misconduct. The Premier must not engage in debate in the course of ministerial statements, especially since it is inflammatory in its effect on the opposition.

**The Hon. M.D. RANN:** Thank you, sir. In that spirit, let me say that we can achieve so much when we are united on issues of importance facing South Australia. The Alice Springs to Darwin railway and the Mitsubishi agreement are but two examples of bipartisanship between the federal and state levels. We know that there is a need to reform health care funding and, while we try to implement our own reforms to reduce pressure on our public hospitals, we need the support of the state opposition to help us secure adequate funding from the federal government. I will continue my campaign for adequate health funding from Canberra in the interests of all South Australian families, and I invite all members to join us in that campaign.

## SALISBURY 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 am sure members will recall the tragic Park Terrace, Salisbury, level crossing crash on 24 October 2002 that left four people dead and 26 people injured when the Ghan passenger train to Alice Springs collided with a car and a bus. I am now able to provide additional information to the house further to my earlier statements.

Following the success of a six week trial held earlier this year, the level crossing at Park Terrace, Salisbury, will remain open, with the temporary works undertaken for the trial to be made permanent. Motorists, cyclists and pedestrians will be able to continue to use the crossing that will feature a number of additional safety improvements. The state government will spend around \$1.5 million upgrading the crossing, with all temporary roadworks becoming permanent, in addition to an upgrade of the Salisbury Highway intersection. Additional queue detectors have been installed in the road surface along Park Terrace, and the existing medians on both sides of the crossing have been modified to provide escape areas for vehicles that are on the railway tracks. Also, access modifications to North Lane and the car park west of the level crossing will become permanent in order to reduce traffic conflict and congestion.

The six week traffic management trial was recommended by Vincent Graham, the independent investigator appointed by the state government following the tragic crash. Mr Graham's report clearly stated that, should the trial be unsuccessful or inconclusive, the crossing should close but that, if successful, the crossing could remain open, provided that temporary controls and initiatives were made permanent and a further works package implemented. To implement those recommendations, the government has committed to additional works to further improve safety and efficiency. This includes:

- an additional right turn lane on Waterloo Corner Road at the Salisbury Highway intersection;
- improving the alignment of the left turn lane from Waterloo Corner Road into Salisbury Highway;

- improving the alignment of the left turn lane from Salisbury Highway into Park Terrace;
  - increasing the length of the right turn lane from Salisbury Highway into Waterloo Corner road by 70 metres;
  - increasing the length of the right turn lane from Salisbury Highway into Park Terrace south to Fleet Street;
  - widening the road on the north and south sides of the crossing to provide an additional escape area for motorists who are on the railway tracks; and
  - upgrading the pedestrian facilities at the level crossing.
- The trial's main objective was to minimise the likelihood of queuing over the rail crossing by:
- using a sophisticated signal management system to relocate queues away from the crossing;
  - improving links to the train control system;
  - improving pedestrian signal controls; and
  - creating escape zones.

Despite the trial's success, a number of people were observed behaving in an extremely unsafe and illegal way at the crossing. Motorists were observed weaving through the crossing, driving on the wrong side of the road and engaging in other incredibly stupid actions. Pedestrians jaywalked across the crossing, used the road instead of the mazes and walked in front of approaching trains. While the state government has made every possible effort to improve safety at the level crossing, the community needs to be aware of the consequences of behaviour that puts lives at risk and jeopardises the long-term effectiveness of these safety initiatives.

#### PRESS GALLERY, PHOTOGRAPHY

**The SPEAKER:** Order! I advise the photographer in the gallery that they are here under the terms of an agreement between whatever agency it is and the chair, and that agreement explicitly states that the object of any photography, whether video or still, must be the member on their feet at the time and not any member in any pose in their place or elsewhere on an ad hoc basis. It may be necessary for the chair to require all journalists using the gallery to join the press gallery, to which rules will explicitly apply and to which they will commit. I am as disturbed by the behaviour of the press in that respect as I have been in the remarks I made earlier. Any further breaches will result in me calling the standing orders together with a view to establishing such an arrangement.

### QUESTION TIME

#### WORKCOVER

**The Hon. R.G. KERIN (Leader of the Opposition):** Will the Minister for Industrial Relations advise the house of the level of unfunded liability of Workcover Corporation as of June 30? I understand that during the term of this government the unfunded liability of Workcover has gone from \$85 million to what we believe may now be in excess of \$400 million. As part of the ministerial code of conduct the minister has a responsibility to keep this house informed of finances for which he is responsible, and yet the last figure this house was given was a March 2003 figure.

**The Hon. M.J. WRIGHT (Minister for Industrial Relations):** I thank the Leader of the Opposition for his question. This question, of course, is one that he has asked previously and the answer is precisely the same as it was

before. It is that the government relies on the actuarial figures that are adopted by the board. At this stage the government has not been advised of those figures by the board. When they are provided, the government will be happy to provide those figures to the opposition. Let us not forget that the genesis of the problem that we currently have with Workcover goes back to 2000-2001—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.J. WRIGHT:**—when the previous government initially provided a rebate that was signed off by John Olsen and Michael Armitage to the tune of \$25 million. Of course, that was not enough. What did they do after that? The next step after that, when the situation did not warrant it, saw a reduction in the average levy rate from 2.86 to 2.46: that took approximately \$135 million out of the scheme. This opposition—

*Members interjecting:*

**The SPEAKER:** Order! I remind the Treasurer and the member for Bright that, if they wish to have a conversation, they should pick up their toenails, their thighs, their torsos, their temples and whatever part of their anatomy may be attached to them and move to sit beside the other member and have a conversation that does not disturb the proceedings of the chamber.

**The Hon. M.J. WRIGHT:** Thank you, sir. The genesis of the difficulties that Workcover is currently in stem from the previous government: firstly, as a result of the rebate it provided to employers; and, secondly, as a result of the reduction in the average levy rate from 2.86 to 2.46. When was this rebate and the reduction in the average levy rate provided?

**The SPEAKER:** Order! The house did not ask that question. It is not proper for ministers to ask questions and then answer them.

#### HEALTH CARE AGREEMENT

**Mr CAICA (Colton):** My question is to the Minister for Health. What are the reform issues supported by clinicians and professional bodies that states and territories wanted included in the 2003-08 Australian Health Care Agreement?

**The Hon. L. STEVENS (Minister for Health):** I thank the honourable member for this important question. I note even before I begin that the opposition finds this something to laugh about. Unfortunately, the Health Care Agreement that was forced on the states and territories by the Prime Minister not only fails to provide sufficient funding to meet rising costs but also fails to engage with the national reform agenda. It upholds an outdated model of health care that is not sustainable. Seven key areas for reform are sought by the states and territories. They are:

- Improved interface between general practitioners and emergency departments in public hospitals.
- Improved interface between public hospitals and the aged care sector.
- Improved coordination of care for patients when they receive services from different parts of the health system.
- The need for an elective surgery strategy to provide for those who have been waiting long periods for procedures such as hip replacements.
- Improvements to private health insurance for better health outcomes.
- New information and communication technologies to improve the quality and transfer of patient records.

- Work force issues to address the shortfall of skilled and qualified health professionals, and
- Improved remote service delivery, especially in relation to indigenous Australians.

This was recognised by all Australian governments, including the commonwealth, in the early stage of developing the 2003-08 Health Care Agreement. For the first time, leading clinicians and other experts were brought in to form reference groups to assist. They made it clear that fundamental reform is required because the current structure imposes artificial boundaries on consumers and health professionals. I might add that the results of their work are very similar to those findings by John Menadue in our own South Australian Generational Health Review. They said that hospitals should concentrate on emergency and complex health care and that we need to integrate the roles of primary health care and general practice in the health system.

All states and territories indicated their willingness to cooperate with the commonwealth to include these important reforms in the new Health Care Agreement, but the Prime Minister, eagerly supported by the Leader of the Opposition and the member for Finnis, refused to do so. Let us look at the performance once more of the opposition over this whole matter. On one day, 24 April—

**Mr WILLIAMS:** Mr Speaker, I rise on a point of order. As I recall, the question was about what reforms the minister wanted to see happen out of the COAG agreement and had nothing to do with what the opposition might or might not have done at any time.

**The SPEAKER:** The member for MacKillop makes an interesting point, and I wish it were possible for me to acknowledge it. The Minister for Health.

**The Hon. L. STEVENS:** As I have said, on just one day—24 April—after the Prime Minister wrote to the Premier with his so-called offer, the member for Finnis was on radio and television demanding that we sign up to the agreement. The former minister argued that it was a good deal, even though it was far less than the 1998 agreement signed by him—in fact, \$75 million less than that agreement. Mr Speaker, you can be quite sure, as can every member of this house—

*Mr Brokenshire interjecting:*

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

**The Hon. L. STEVENS:**—that I will be very vigilant in reminding all South Australians about who is responsible for the financial difficulties that our public hospitals find themselves in: you and you.

**The SPEAKER:** Order! The last rejoinder by the minister was entirely out of order.

## WORKCOVER

**The Hon. R.G. KERIN (Leader of the Opposition):** My question is again to the Minister for Industrial Relations. Will the minister advise the house when a CEO will be appointed to WorkCover? Under the present WorkCover Act, CEOs of WorkCover are determined by the board, after consultation with the minister. On 13 May this year, I asked the minister to assure the house that, despite his amendments to the act that would see the minister select the CEO, he would honour the current legislative arrangements. He advised the house as follows:

The CEO's appointment is clearly the responsibility of WorkCover, in consultation with the minister.

He went on to say:

As I have said both to the media and this parliament, getting on with the job of appointing a CEO should be one of its first priorities.

A short list of five preferred candidates was forwarded to the minister months ago. On 30 April this year, the minister himself confirmed in the house that he had been consulted on the matter but, over four months later, a CEO still has not been appointed. There has been no CEO of WorkCover since late 2002.

**The Hon. M.J. WRIGHT (Minister for Industrial Relations):** The question about the CEO has been raised by the Leader of the Opposition previously. As I have said before, it is clearly the responsibility of the board, in consultation with the minister, to appoint the CEO. I have been saying publicly for many months that I want the board to appoint as the CEO of WorkCover the highest calibre person they can find. Why would not members want that to be the case?

The Leader of the Opposition also referred to a short list of five candidates being put before me. To the best of my knowledge, I do not believe that is correct. I will certainly check that—

**An honourable member:** You said that the last time.

**The Hon. M.J. WRIGHT:** And I am saying it again. I did not say that before at all. To the best of my knowledge, the claim made by the Leader of the Opposition is incorrect. The new board will obviously make it one of its first priorities to find the best possible CEO. It is my understanding that the board has already put in a place a process to find, as quickly as possible, the best possible CEO.

## CREDIT RATING

**Mr O'BRIEN (Napier):** My question is to the Treasurer. What are the effects of the decision by the international ratings agency Moody's to upgrade South Australia's rating?

**The Hon. K.O. FOLEY (Treasurer):** We received an upgrade from Moody's only a few weeks ago in a direct response to the government's financial plan outlaid in two budgets. Preceding that, Standard and Poor's released a statement that it would have moved South Australia onto a positive watch in terms of our credit rating. We are the only mainland state without a AAA credit rating. For the first time for a very long time, S&P has now announced that we are on a positive watch in respect of our upgrade. It went further and indicated that our state should receive a AAA credit rating within the next three years, provided that the government maintains its budget discipline. I will come to that in a moment. The very important point made by the rating agencies was that, whilst they acknowledged that the state had a lower debt, they had not been in a position to offer an upgrade to our state because of the performance of the former government's budget strategy. That was the statement of Standard and Poor's or Moody's, and it was quite—

*An honourable member interjecting:*

**The Hon. K.O. FOLEY:** Absolutely! They would like me to quote exactly from the statement. I am glad.

*Members interjecting:*

**The Hon. K.O. FOLEY:** I'm happy to. It was a publicly released document. I will quote exactly.

**Mr BROKENSHIRE:** I rise on a point of order, Mr Speaker. Sir, given your earlier rulings on tabling, I note that the Treasurer is quoting from a one page document. I seek your ruling on whether he should table the entire document.

**The SPEAKER:** Order! Whilst I am interested in the point of order, I wish it were possible for me to respond.

**The Hon. K.O. FOLEY:** It is not a document. However, I will send you the press release, because it was released publicly weeks ago. That is a statement. I will quote what Standard and Poor's said, as follows:

Standard and Poor's recognises that the state's credit rating has been constrained by its fiscal performance which, although adequate, has not been strong enough to warrant a AAA status.

That was in reference to the Liberal's budget management. Standard and Poor's has acknowledged that this government has put together a framework of solid financial management that will see us deliver balanced budgets that will lead to a AAA credit rating. S&P also said that it needs to be confident that the government will deliver on and sustain the projected improvement in finances before an upgraded AAA is possible.

The reason I say that is this: for the first time for many years we now have a AAA credit rating within our grasp—something that the last government could not achieve. As Standard and Poor's said, the fiscal performance had not been strong enough by the former government to warrant AAA. This government now has our state within reach of AAA. The one thing standing in its way is if we do not maintain fiscal discipline. To members opposite, the Leader of the Opposition, the deputy leader, and the member for Waite (the last true socialist in this parliament, who wants to spend his way out of opposition into government) I issue a challenge. No longer can the opposition—the member for Finnis, of course, the great fiscal villain—promise to spend money unless they do some of the following: tell us where the money is coming from—that is, what taxes will they increase? What budget cuts will they make, or does not a AAA credit rating matter to members opposite? Do they not care about a AAA rating, because they can no longer issue press releases in which they make bland, bold statements about spending more without people saying, 'What tax are you going to increase? What budget are you going to cut—

*Mr Hamilton-Smith interjecting:*

**The SPEAKER:** Order! The member for Waite seems to be signalling a four. He might go for six if he keeps it up; and the Treasurer ought not to provoke the member for Waite to behave like an umpire.

**The Hon. K.O. FOLEY:** Are they going to borrow more money and throw our AAA credit rating out the window? I heard members opposite say, 'What about the stamp duty windfall?' Well, if they are saying that we should be spending the stamp duty windfall—

*An honourable member interjecting:*

**The Hon. K.O. FOLEY:** And the member for Schubert says, 'Of course we should be—

*Mr Venning interjecting:*

**The Hon. K.O. FOLEY:** I apologise: someone is saying it over there. The point is that if we do not maintain budget discipline we will not get the AAA credit rating. My final challenge to members opposite is: when you put out your press release, tell us what tax you will increase, what spending you will cut or whether you are going to blow out the debt.

*Members interjecting:*

**The SPEAKER:** Order! The deputy leader.

## HOSPITALS, MOUNT GAMBIER

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** My question is to the Minister for Health. What has been the total cost of bringing in locum medical specialists during July and August at the Mount Gambier Hospital, and will the minister indicate what additional costs, such as airfares, accommodation and medical indemnity, are paid by the state government for these locums? Medical records—

*Mrs Geraghty interjecting:*

**The SPEAKER:** Order! Does the member for Torrens have some contribution she wishes to make to the chamber or an inquiry to make of the chair?

**Mrs GERAGHTY:** No, sir. I would like to draw your attention, though, to members opposite and the material that they have been displaying.

**The SPEAKER:** I thank the honourable member. I saw nothing. That does not mean it did not happen. I will watch closely. The deputy leader.

**The Hon. DEAN BROWN:** Medical records from the Mount Gambier Hospital show that in July and August of this year there were 43 days when locum anaesthetists were used for elective surgery lists and 23 nights for emergency surgery. In addition, there were 17 days out of 27 days when locum general surgeons had to be brought into the hospital. That is a total of 83 sessions with locums in just two months. The records show that approximately half of medical specialist services were flown or driven in as locum services to replace residential medical specialists. The cost is huge.

**The Hon. L. STEVENS (Minister for Health):** I am very pleased to answer this question, the details of which I will need to bring back to the house. However, I would like to make a few points. We have been through this particular issue in this house on many occasions.

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

**The Hon. L. STEVENS:** And it does sound familiar. Let us remember that the roots of this issue began during the time when the member for Finnis was the Minister for Health, and everyone knows that that is the case. Mount Gambier had a hospital and a health service in an unsustainable position. I think it would be a really good idea if members opposite, who hold all but one of the country seats in this state, listen very carefully because when a hospital or a health service overruns its budget in a multimillion dollar way, year upon year, guess where the money is coming from? It is coming from all your other health services. The member for Schubert wants capital works, and so does the member for Flinders on the Eyre Peninsula and the member for Kavel. All of you who have country electorates: guess where the money comes from when a health service overruns to the extent that Mount Gambier did. That is the legacy of the former minister.

**The Hon. DEAN BROWN:** On a point of order—

**The SPEAKER:** Order! The honourable Attorney-General will put away his childish toys.

**The Hon. DEAN BROWN:**—I am asking the Minister for Health in my question: what was the additional cost of the locum medical specialist services to Mount Gambier? That is what I want the answer to.

**The Hon. L. STEVENS:** Indeed, you will get your answer and you will get the full answer. I am providing some of the background to that answer, which you know is the—

**The SPEAKER:** Order! I do not know anything: I am waiting for the answer.

**The Hon. L. STEVENS:** As I said, Mr Speaker, the details of the answer I will bring to the house: the information

I am providing is the background to that answer. However, please be assured, everyone, that the situation in Mount Gambier is being resolved by this government. It has been a difficult issue and it has not been helped by the member for Finnis, who has played a spoiling, dishonest and mischievous role from day one.

### PLASTIC BAGS

**Ms RANKINE (Wright):** My question is to the Minister for Environment and Conservation. What is the government doing to reduce the number of plastic bags that invade our oceans, waterways and communities, thereby both endangering animals and polluting the environment?

**The Hon. J.D. HILL (Minister for Environment and Conservation):** I acknowledge the member for Wright's great interest and that of the member for Torrens in getting rid of plastic bags. Both those members have undertaken a lot of work. In each case the members have distributed a thousand calico bags in their communities to very enthusiastic shoppers who have embraced the idea of banning the bag. The government is keen to advance that particular cause, and last year the South Australian government put the issue on the national agenda of environment ministers. We lobbied the other states, we challenged the major retailers and we consulted with the community.

In July this year a survey for the EPA revealed that 94 per cent of South Australians regarded plastic bags as a problem and 70 per cent wanted the bags banned, which reinforced the position that had been taken by the government. I can report that at their ministerial meeting by telephone in August the state and federal ministers unanimously agreed on a phase-out period for the banning of lightweight plastic bags: a five-year framework to get rid of those bags. That will cut 670 million bags used every year in South Australia and something like 6.8 million bags nationally. The days of the plastic bag are numbered.

*Ms Chapman interjecting:*

**The Hon. J.D. HILL:** I have, yes. I can tell the honourable member that I use calico bags or paper bags when I go shopping. They are stored in the boot of my car. I must confess that occasionally on a trip to the butcher a plastic bag does get used, but generally we get rid of them. Already businesses and the community across Australia are taking steps to get rid of plastic bags. I want to share with the house some examples of positive community action in South Australia. Ray White Real Estate, for example, is giving away free calico bags to those who bring in a number of plastic bags. Bunnings, as members would know, has placed a 10¢ levy on plastic bags, and later this month I understand that Edwardstown Primary School will be selling its own custom-made calico bags at Castle Plaza, and I commend it for that action.

The community is getting the message on plastic bags. The well-known frog expert in South Australia, Professor Michael Tyler from the University of Adelaide, wrote to me earlier this year to congratulate the government on its stance in relation to bags. He also commented that several years ago—

*Mr Brindal interjecting:*

**The Hon. J.D. HILL:** He's pleased about that, too. He commented that several years ago he had approached a local hardware shop and suggested that the staff at the checkouts asked customers 'Do you need a bag?' rather than 'Do you want a bag?' As a result of changing their language, they

noticed a 50 per cent reduction in the use of plastic bags over a relatively short time. A range of things are happening in the community.

I have written today to local government and I am challenging local councils and business groups to be among the first in the state to be plastic bag free. As I say, I have written to the Local Government Association and the mayors of all South Australian councils to put that challenge directly to them, and I am hopeful that at least one local government authority in South Australia will be able to match what local government authorities have done in some other states and ban plastic bags or at least develop a strategy to get rid of plastic bags in their communities.

### HOSPITALS, MOUNT GAMBIER

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** Will the Minister for Health hold an independent investigation into the actions of the CEO of the Mount Gambier hospital concerning his withdrawal of practice rights of a GP-anaesthetist from both the public and private hospitals in Mount Gambier? Will the minister take appropriate action if necessary against the CEO for abuse of responsibility? In a letter dated Friday 11 July, the CEO of the Mount Gambier hospital withdrew forthwith the practice rights of a GP-anaesthetist, Dr Goodman, and claimed:

During a recent meeting, an issue relating specifically to your practice was raised. I had intended to bring my concerns forward with you personally, but your termination notice has pre-empted this discussion.

In other words, he has not even told him the issue. The letter continues:

Before granting admitting privileges or practice rights within the hospital, I must seek college input as to the necessity of a clinical audit of your recent practice. I feel obliged to follow this path. Such an audit would be, from my viewpoint, in your interests as well as those of the Mount Gambier public hospital.

Since then, the head of anaesthetics at the hospital has attempted to find out from Mr McNeil, the CEO, what the practice issue was, with no response. The doctor involved and the joint committee of the College of Anaesthetists and the College of GPs have also been unable to find out what the issue was, yet the cause of the withdrawal of practice rights remains entirely unreported to any authority, and especially to the head of anaesthetics at the hospital, or to the appropriate colleges, which should otherwise deal with it. This is a very serious matter and I expect the minister to carry out a full investigation.

**The SPEAKER:** Order! The honourable minister.

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

**The SPEAKER:** The member for Newland will come to order! The minister.

**The Hon. L. STEVENS (Minister for Health):** I am not aware of the details that the deputy leader has outlined. I would imagine that it is particularly an issue for the board of the Mount Gambier hospital, but I am happy to look into it.

### WORKCOVER

**The Hon. R.G. KERIN (Leader of the Opposition):** Will the Minister for Industrial Relations advise the house whether he or his office has received a draft or final copy of the June 2003 quarterly report for the WorkCover Corporation? When will it be publicly released?

**The Hon. M.J. WRIGHT (Minister for Industrial Relations):** I will have to check that detail for the Leader of the Opposition, and I will get back to him after doing so.

**The SPEAKER:** Is the minister sure that he does not have that information?

**The Hon. M.J. WRIGHT:** I don't, sir.

### SCHOOLS, DRUG USE

**Ms CICCARELLO (Norwood):** My question is to the Minister for Education and Children's Services. Can the minister explain what responses schools undertake when there is a drug-related incident in their community?

**The Hon. P.L. WHITE (Minister for Education and Children's Services):** I thank the member for Norwood for her important and serious question. When there is a drug-related incident involving schools, a clear response has to be sent to the community, the school community and our children. Schools, naturally, are part of the communities in which they sit and, as such, they must be prepared to deal with some incidents.

Today's press reported an incident at one of our government primary schools. That school responded in an exemplary way in order to ensure that a clear signal was sent to the students that drug use would not be tolerated. In that instance, the parents of the students who were in possession of or consumed the drug were invited to the school to talk about the harms and risks of the drug, how to 'drug-proof' their children, if you like, and the need for vigilance in the matter. The local police attended the school and spoke in this case to the year 6 and year 7 students about the dangers to health of cannabis and the penalties for being in possession.

The offending students were suspended—firstly, externally—and they were given school work while they were externally suspended. They were then internally suspended: they attended regular classes but were excluded from socialising with other students during recess and lunch periods. Throughout that period, they were provided with counselling on issues such as life choices and the health ramifications of consuming that drug. Students in all year groups in the school have been spoken to about the dangers of cannabis.

Members would be aware that there has been quite a lot of activity following last year's Drugs Summit, which came up with an action plan that has been implemented by all agencies. As a result of that work, my agency has employed three additional project officers, who are working with government and non-government schools (the Catholic and independent school sectors). Each is working with schools to assist them to develop or improve strategies and undertake and coordinate specific projects. This supports the summit recommendation that whole-of-school drug strategies need to be further developed and extended to all schools. At this point in time we have over 380 government schools with whole-of-school drug strategies, and we have a timetable for all schools to have a whole-of-school drug strategy.

In addition, this year my department has implemented a new training program called Keeping Connected, which is aimed at staff assisting students who have experienced drug-related issues. So far this year, we have run nine training programs, and the Catholic education sector has been included. Participant feedback from those programs about the knowledge and skills gained, including their application to a range of student issues, has been extremely positive.

Also, 14 government schools and two Catholic schools have been selected, and shortly two independent schools will be selected, to research, develop and improve ways of including the needs of students who are most vulnerable to drug-related harm through a range of topics, and that information will be shared with other schools. In addition to all those measures that have been implemented, a policy statement and a procedural framework have been approved to provide explicit advice about the management of drug-related incidents in our schools, particularly from the perspective of ensuring the well-being and inclusion of all students and in dealing very thoroughly with these issues. That will be launched and distributed next month.

### ARTS SA

**Mr HAMILTON-SMITH (Waite):** My question is to the Premier as Minister for the Arts. Prior to, or at the time of handing her resignation to you, did Kathie Massey, the outgoing CEO of Arts SA, raise concerns with you about budget cuts that you have made as Minister for the Arts to Arts SA, cuts to arts agencies, and cuts to the development of the arts in the state?

**The Hon. M.D. RANN (Minister for the Arts):** May I say that it really is scary when you face the member for Waite. Yesterday, the honourable member asked the same question and I said that I would take it on notice and get back to him, and that is what I will do.

**Mr Hamilton-Smith:** The first minister to lose his CEO.

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Order!

### INSURANCE, PUBLIC LIABILITY

**The Hon. D.C. KOTZ (Newland):** My question is directed to the Attorney-General. Given the Attorney-General has stated that organisations that register a code of practice under the Recreational Services (Limitation of Liability) Act will be totally protected against any form of claims of negligence arising from activities covered under their code of practice, will he now advise the house whether this means that a code of practice negates the need for recreational organisations to be covered by public liability insurance? In *The Advertiser* on Monday 15 September, it was reported that the Attorney-General said:

Once they [meaning the volunteer organisations] have a registered code of practice their exposure to negligence claims will be eliminated.

**The Hon. M.J. ATKINSON (Attorney-General):** If the organisation complies with its code of practice and there are appropriate waivers, then the law of negligence will no longer be a threat to them. The code of practice is a substitute for the law of negligence. That is what we are trying to achieve. However, I will take the question on notice and I will get the member a detailed reply.

### WATER RESTRICTIONS

**The Hon. R.B. SUCH (Fisher):** My question is to the Minister for Administrative Services. In light of the recent heavy rain and the fact that at least one of our reservoirs is overflowing, will the minister now lift water restrictions?

**The Hon. J.W. WEATHERILL (Minister for Administrative Services):** As the honourable member has noted, our



metropolitan reservoirs are currently standing at 82 per cent capacity compared to 52 per cent capacity for the same time last year. Obviously, that is a good position to be in leading into summer. However, I can tell members about some of the important elements of the network. The Mount Bold Reservoir is now full, and the gates were opened at 7.30 a.m. this morning to allow water to be slowly released by the Onkaringa River, which is useful for the environmental flows in that river. The Myponga Reservoir has also reached capacity over the weekend, and water has been slowly released into the Myponga Creek. Reservoir gates are opened as required to maintain capacity levels and to ensure a controlled rate of discharge. I know the honourable member for Fisher will be particularly interested in the Happy Valley reservoir, which is being kept at lower than usual levels because of the work that is being done to strengthen one of the reservoir walls.

While we do have these rising water levels in our reservoirs, it is actually not an unusual occurrence to have spills from the reservoir system. In fact, four in every five years there is a need during the winter months to have those spills. However, the level 2 water restrictions will remain in place until we have a much better understanding of what the circumstances will bring in terms of our needs from the River Murray. We cannot afford to be complacent, and I trust that all South Australians are aware of the crisis that remains, notwithstanding the recent and welcome rainfalls.

For the benefit of members, I state that in an average year Adelaide will source about 40 per cent of its water from the River Murray, while in a dry year this will go up to 90 per cent. This year, on current projections, we expect that we will be pumping something in the order of 50 per cent from the River Murray and obviously relying upon the reservoirs for the balance of that.

Fortunately, the recent rainfalls are good news, and they will at least ensure that we will not have to move to the harsher levels of restrictions. What seemed like a real possibility earlier on in the season seems unlikely now, but we will monitor the situation. I think most people are well aware that the crisis remains in relation to the River Murray, and we will be carefully considering our future water needs. It may be that we have to consider some changes in the water restrictions, and we may also need to grapple with the question of the ongoing modification of water use on a permanent basis.

#### CODES OF PRACTICE

**The Hon. D.C. KOTZ (Newland):** Will the Attorney-General explain to the house why a draft code of practice required under the Recreational Services (Limitation of Liability) Act, submitted by Horse SA, has not been processed as required by government regulation, despite being lodged more than six weeks ago and despite the government's having already received the \$1200 up-front payment for processing?

**The Hon. M.J. ATKINSON (Attorney-General):** The codes of practice must be most carefully constructed and analysed because they take the place of the law of negligence. They must be adequate from all points of view. So it will take a while to study them. We are just beginning this process. The member supported the introduction of codes of practice as one way of trying to resist the public liability insurance crisis. I will look into this particular code of practice and get the member an answer.

#### SCHOOLS, PORT LINCOLN REPORT

**Mrs PENFOLD (Flinders):** My question is to the Minister for Education and Children's Services. Will the minister advise the house when the report on the options for Port Lincoln's schools and kindergartens will be made public? In November last year, a project officer was appointed to compile an education brief on the options for Port Lincoln's schools and kindergartens. There has been huge local interest in this report, and several public meetings have been held. Consequently, I wrote to the minister on 22 May and again on 12 August asking when the report would be made public. The Mayor of Port Lincoln, Peter Davis, has also written to the government on 29 August, as was reported in today's *Port Lincoln Times*, as follows:

You may be aware that the Education Department recently spent some \$250 000 investigating the currently overcrowded and outdated junior primary and primary schools that lie alongside Centenary Oval and immediately north of the current CBD. No public report has been issued by the department relative to this investigation.

**The Hon. P.L. WHITE (Minister for Education and Children's Services):** In the time that it took the member to ask her question, I checked with the member for Reynell, who chairs the review into that matter, and she informs me that that report was forwarded quite recently, so I expect it to arrive—

*Ms Chapman interjecting:*

**The Hon. P.L. WHITE:** No, it has been forwarded, and I expect it to arrive in my office shortly. I will consider it and, when appropriate, comment on the results.

*Ms Chapman interjecting:*

**The Hon. P.L. WHITE:** As I have said, it has been completed and forwarded to me quite recently.

#### SHEARER TRAINING

**Mr VENNING (Schubert):** Can the Minister for Employment, Training and Further Education inform the house of the terms of reference given to Mr Andrew Brown to conduct the recently released report into shearer training, and can the minister advise the house whether the Minister for Agriculture, Food and Fisheries had any input into their formulation? The minister recently released a report prepared by Andrew Brown investigating shearer training in South Australia. I have been advised by the industry that the terms of reference were not clear and were neither addressed nor highlighted in the outcomes.

**The Hon. J.D. LOMAX-SMITH (Minister for Employment, Training and Further Education):** I thank the member for Schubert for once again giving me the opportunity to talk about sheep shearing.

*Mr Brindal interjecting:*

**The SPEAKER:** Order! The member for Unley is not yet the Minister for Tourism.

**The Hon. J.D. LOMAX-SMITH:** The member for Schubert has really shown a great interest in this review, and he was one of the first people in this house to see the results of that review. I thought at the time that he saw the terms of reference, and I apologise for that. I am very pleased to give them to him. Whilst, of course, I have read them, I have not committed the terms of reference to memory, so I am unable to quote them to him now. However, I would be very happy to get that information for him.

In relation to the consultation program, I believe that it was quite extensive and each of the people who made either

a verbal, a written or an online submission was noted in the back of the report.

*Mr Brindal interjecting:*

**The Hon. J.D. LOMAX-SMITH:** If I can think of one, I will mention it. That information was in the report, but I would be very happy to get all that information again for the member for Schubert, and he may want a briefing by our staff, and certainly there are people with a great commitment to sheep shearing, as I have, in the department.

Sheep shearing is clearly an important industry in this state, and the review took note of not just the beginners, the improvers and the advanced shearers but also the wool classers and the handlers, and the whole of the industry sector. The sheep shearing review was more important than just regarding shearing, as the member would realise. I would be very happy to have all those terms discussed with the member. If he would like to make an appointment with my office, I would be very pleased to go through it with him.

### PRODUCT SAFETY

**Mr SNELLING (Playford):** My question is to the Minister for Consumer Affairs. Minister, following your temporary ban in May on the sale of yoyo balls, how can parents like myself be reassured that toys such as these will not end up back on the market endangering children, and what other dangerous products should a family like mine be aware of?

**The SPEAKER:** The Minister for Consumer Affairs.

**Mr BRINDAL:** I rise on a point of order, Mr Speaker. I believe that, under standing orders, displays are irregular in this place, and the Minister for Consumer Affairs appears to be playing with something resembling a yoyo as he answers a question.

**The Hon. M.J. ATKINSON (Minister for Consumer Affairs):** I have decided to—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.J. ATKINSON:** I have decided to ban the sale of yoyo balls permanently in South Australia, because they are a danger to children. They can choke children, injure their eyes, and there can be a severe reaction to their liquid content if the ball bursts. There are many variations of the toys being targeted, including yoyo water hammer balls, yoyo sports balls, yoyo smile balls, yoyo meteoric balls and yoyo light balls. One of these balls can reach right across the chamber and smack the member for Unley in the chops!

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.J. ATKINSON:** They are generally a rubber ball attached to a long synthetic rubber cord with a small loop at the end. The balls are usually filled with liquid. I am told a South Australian child has suffered a serious eye injury as a result of playing with one of these toys. Reports from interstate have seen a little boy swinging the ball and elasticised cord around his body. It then went too high and wrapped around his neck four times, cutting off his circulation. The boy's face turned blue, and he started screaming, alerting his father, who was able to remove the cord. The boy's father is convinced that his son would have suffocated but for his swift intervention.

A Western Australian fair trading official developed a rash near his eyes after splashing his face with some of the liquid contained within the yoyo ball during an investigation into the toy's safety.

*Members interjecting:*

**The SPEAKER:** Order! I ask honourable members to put their balls away.

**The Hon. M.J. ATKINSON:** I have signed a declaration under section 25 of the Trade Standards Act 1979 stating that liquid and/or novelty style yoyo toys with elasticised cords are dangerous goods. This means that they have been permanently banned from sale in South Australia.

Parents should also be warned about the risks associated with flashing dummies that were recently on sale at the Royal Adelaide Show and are proving popular at parties and nightclubs. The novelty item does not have to meet the Australian Standards for pacifiers, because it is being marketed as an entertainment item to older age groups.

The dummies with flashing LED lights are not designed for babies and pose a number of safety risks. The teat is made of low quality plastic and has rough edges. The neck cord poses a strangulation risk—

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

**The Hon. D.C. KOTZ:** Mr Speaker, I know that you are just waiting for a point of order from me to point out that displays are indeed out of order. Obviously, the toy boys on the front bench are displaying their dummy.

**The SPEAKER:** In some measure, I have to agree with the member for Newland that it is not necessary for any member, the Attorney-General included, to display balls, or, for that matter, his dummy, to make a point. But it could be, I guess, in some other honourable members' opinion, an appropriate piece of apparel.

**The Hon. M.J. ATKINSON:** The toy can be opened, as I will demonstrate, exposing small children to batteries, circuitry and sharp edges of the electronic mechanism. The Office of Consumer and Business Affairs is concerned that parents of older children may give these dummies to newborn to three-year-old children or that young children could pick them up without knowing the risk they pose. The toys should not be given to babies under any circumstances.

**Mr BRINDAL:** I rise on a point of order, Mr Speaker. Sir, I am mindful of your ruling today in respect of the conduct of the media in this place. I simply ask you this: as I understand the standing order in respect of displays, it is to discourage inappropriate behaviour in this house and our pulling stunts. A photographer in this gallery has been photographing—as is their right—the Attorney on his feet while he was conducting a display. Sir, I ask you whether the publication of that photo subsequently is orderly or appropriate.

**The SPEAKER:** Order! Can I say at the outset that I am not privy to the questions members choose to ask—or at least very seldom am I. More particularly though, whatever members choose as apparel or other adornment on their body is something over which the chair has very little control in standing orders. I have already made the point that, should the Attorney-General regard the dummy as an appropriate piece of personal apparel, he is entitled to wear it. Equally, if he wants to play with his elastic balls, that is a matter for him. I leave the house and the public to judge the relevance of such conduct.

**The Hon. P.F. CONLON:** I rise on a further point of order, Mr Speaker. As what some may consider to be an illustration of gross hypocrisy, I point out that the member for Bright (what a misnomer!) has raised the headline of a newspaper above the level of his desk in a deliberate attempt

to display it. He has been doing this throughout question time. It does not bother me, but the hypocrisy does.

**The SPEAKER:** Order! I note the point made by the honourable minister. Again, it is a matter for the member to decide how they wish to be seen or obscene.

### MINISTERS, REMARKS

**The Hon. P.L. WHITE (Minister for Education and Children's Services):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. P.L. WHITE:** I need to apologise to the house. In answering a question from the member for Flinders, I thought she said 'Kangaroo Island'. However, I was advised that she said 'Port Lincoln'. So my answer referred to the Kangaroo Island review. However, I will get the proper information for the Port Lincoln issue about which the honourable member was referring. I apologise to the house; I misheard.

### GRIEVANCE DEBATE

#### HOSPITALS, MOUNT GAMBIER

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** I wish to follow up on matters I raised in question time today. The first matter is the extent to which a significant number of resident medical specialists at Mount Gambier have been driven out of the hospital through non-renewal of their contracts by the state government and by other circumstances. I will highlight other circumstances that have driven at least one or two of them out. As a result, a very significant cost has been incurred in bringing in a large number of locum medical specialists to replace the resident ones. I have raised in this house before the approximate cost—and I know it is only approximate, because you are dealing with different professions and areas of specialisation—of a locum is about \$1 000 a day. On top of that, there are the airfares to fly the person in or out, or the car expenses to bring them in. There is invariably a car rental cost, because they are normally given a car whilst they are there. There are also their hotel and meal costs, in many cases their medical indemnity costs, as well as other costs on top of that. This is a substantial cost. Indeed, under some circumstances the extra costs could amount to about \$600 to \$800 a day, or it may even be more if the medical specialist has had to fly to Adelaide for one day of service.

The medical records of the Mount Gambier hospital show that on 83 sessions in just two months locum specialist services were used, either the specialist surgical services or the anaesthetists' services. That is a huge input from outside Mount Gambier, and it is a very considerable cost. I estimate that the extra costs over and above using resident medical specialists might be in the range of \$250 000 to \$500 000 a year. Of course, if that is the case, that is a direct reduction in the services available to people at Mount Gambier. That results in a significant cut indeed to surgical services at Mount Gambier and surrounding areas. That is why I asked the question of the minister today—to determine exactly what those circumstances were in terms of what was the total cost of bringing in locum services and what were the additional

costs for their airfares, accommodation, meals, indemnity costs, etc.

The other issue I raised was the circumstances that led to the practising rights of a GP-anaesthetist—that is, Dr Goodman—to practise at the Mount Gambier private and public hospitals. On Friday 11 July, Mr Ken McNeil, the Chief Executive Officer of the hospital, sent a letter to Dr Goodman pointing out that, as from next Monday—that is, forthwith—his practising rights had been terminated. I quoted in the house today a paragraph of that letter which indicated that there were some practice issues which he was going to raise with Dr Goodman (but he did not because he had terminated his services) and which he thought precluded him from being able to practise in the hospital. The real issue is: if the issue was important enough to terminate the practice rights of the doctor in the hospital, then the head of anaesthetics, the college of GPs and the college of anaesthetists should have been told about it.

When those parties tried to find out what the issue was, they could not get any information from Mr Ken McNeil. I understand that even Dr Goodman cannot find out exactly what the issue is. So we have what appears to be a mysterious issue which has precluded the doctor from being able to practise in the hospital. However, the basis for which he is being dismissed cannot be revealed to anyone. That is a breach of natural justice and medical practice because, if there are genuine practice issues, then they should be immediately reported to the appropriate college so that action could be taken. That is why I have asked for the full investigation by the minister.

Time expired.

#### IRAQ

**Mr CAICA:** It is post-war Iraq, and the coalition of the fibbing is working overtime to shore up its post-war rhetoric. Blair is feeling the heat of the probing Hutton inquiry over the 'sexed up' dossier claim, with his Chief of Staff resigning and the Defence Secretary about to fall on his sword. Both the Bush and Blair camps in the era of pre-emptive warfare are pushing the 'no proof but we had to act' line, as stated by US Deputy Defence Secretary Paul Wolfowitz in his defence of murky intelligence. One wonders how a western country, such as Australia, would react to such a rationale if we were to bear a sustained attack from another country. Mr Blair and Mr Bush have both resorted—in the face of a lack of evidence for WMDs—to the 'history will prove us right' line, which is a justification for war, and in no way do I seek to excuse the horrors of the past regime in Iraq, which is analogous to murdering one's wife on the suspicion of her having an affair on the balance alone of statistical probability.

These reactions are nothing new. The need for a war has often given the theory of truth short shrift. The major problem for Mr Blair, though, is the dramatic decline in his popularity, where public mistrust has Labour MPs calling for his resignation. While the truth—as-casualty march has had a lesser effect on Mr Bush, it has been a contributing factor in his record low public approval rating. The overseas post-Iraq issue of truth has not been reflected in Australian polling on the issue of possible deception, with 67 per cent of those polled stating that they believe they have been knowingly misled by the Howard government over Iraq's WMDs.

Unlike its overseas counterparts, the Howard government's popularity has not been diminished by this belief. This is an interesting and disturbing phenomenon. Federal Labor

squabbles have not helped, but there is more to this. It is disturbing because the Howard government has tapped into the mantra of freedom, racism and terrorism to an increasingly nervous Australian electorate in order to shore up its support. The federal government is not averse to playing the fear card. We all know the well-documented stories of the children overboard and the unanswered questions surrounding the SIEV X disaster.

The Howard government has refused to comprehensively confront the issue of the validity of the real threat of WMDs (as is bedevilling the Blair government at the moment), as well as denying any knowledge of the 'sexed up' revelations. This pivotal information was passed on by the Blair government to the Bush administration. Is Howard asking us to believe that this information was not handed to the ONA or to his office? Given the revelations coming out of the Hutton inquiry, and the communication lines on intelligence between the Coalition of the Willing, it would be fanciful to suggest that the full story was not available to the Howard government.

Has our boundary rider for the alliance of US and Australian interests any further rich veins of international adventurism to further divert public focus from pressing domestic issues? We know of our deputy sheriff's role for North Korea. There appears to be another avenue for exploitation in regard to possible missile attacks on commercial aircraft. According to a report in *The Australian*, Qantas chief Geoff Dixon appeared at odds with the Prime Minister's view that missile attacks on Australian commercial aircraft are probably greater than the threat of hijacking. Mr Tongue, the head of Transport Security for the federal Transport Department, sided with Mr Dixon's view. Was Mr Howard merely uninformed over this?

I contend that the truth is catching up with the Howard government. As these big picture events recede, we see a similar approach to the truth of domestic issues that characterised the approach to national security issues. The deputy sheriff's badge is looking tarnished; the security blanket is looking threadbare. We have the ethanol affair, the lamentable Wilson Tuckey affair and the revealed facade of Howard's ministerial code of conduct, the fudging by Tony Abbott as to when he instigated the 'Hanson fund' and the attacks on the credibility of the ABC. The wheels of the federal government are starting to fall off. As many commentators in the press have observed, a complacent government, a government of half truths is gradually being found out.

In my next contribution I wish to speak about the long-term impact that the Prime Minister and his government ministers, with their half truths, their denial of the truth, rewriting of the truth and their circumvention of the truth, will have on the value that Australians hold most dear—that being honesty.

### MURRAY RIVER

**Mr VENNING (Schubert):** During the parliamentary recess I was able to visit much of my electorate, and a very important part of it is the River Murray. I was a guest of the Boating Industry Association on a fact-finding tour from the Murray Mouth right up to Morgan. I certainly welcomed the recent announcement by the federal government, together with the South Australian, New South Wales and Victorian governments, to spend \$500 million on the River Murray. However, I am very guarded in my enthusiasm. I have been very sceptical about how the money has been spent on the

river in the past, coupled with the fact that the South Australian government is not spending any extra money on the river, after the River Murray tax, which was announced earlier this year, and that will amount to its total contribution.

On the visit to the Lower Murray regions (and you, sir, would be very interested in this, I noted some serious deficiencies in how the money is being spent—or not being spent. Mannum, a major town in my electorate, is recognised as the heartland of the houseboat tourism industry—an industry that is a very special part of the tourist strategy across the state. Taking into account the large pleasure boat industry and the subsequent amount of waste which that generates, I was appalled to discover no pump-out station between Mannum and Swan Reach, which is 96 kilometres of the river!

Most users of the river are very conscious and responsible about the proper disposal of their black water—that is their toilet sewerage water—into these waste stations, but a lack of pump-out stations in one of the most heavily used areas of the river is appalling. We hear all the rhetoric, the passionate speeches and the beating of chests about saving the Murray, yet here we do not have the most basic of needs—a pump-out station. A houseboat could be up to 48 kilometres from its nearest pump-out station, which would take an average houseboat up to six hours to get to just to empty the toilet. So, guess what happens? Guess what could happen? What are you asking to happen?

To be environmentally responsible, the government must provide more options for the houseboat industry. I know that the Mid-Murray Council has sought assistance to provide a pump-out station at Walker Flat which is halfway between Mannum and Swan Reach and which could simply connect into the local STED scheme. That is already there and it is not a very big deal. I am also very concerned about the grey water, that is, the water other than the sewerage, such as water from the sink and the laundry, that houseboats and other pleasure craft release directly into our waterways, particularly those boats that do not move very far.

Some seem to be permanently moored along the river bank, as you, sir, would know. During the parliamentary recess, I saw a waste water disposal system that is being developed in Mannum, and I am full of praise for those efforts. The invention treats the grey water from a houseboat in an extra pod under the houseboat. It has been almost fully tested on one of the river's largest boats. This seems a major step forward in an important environmental area which is directly affecting the river but which is struggling for completion due to lack of government support—in fact, there has been no government support.

I should have thought that this would be an obvious project for the government to support financially, as it has direct consequences for the health of the river, but these valiant inventors are yet to receive any support at all. You may be aware of this, sir, but, if not, I am happy to provide you with the details. These two minor but important initiatives have obvious and immediate effects upon our river and are minor in price compared to many other projects. They also would help our tourism industry to maintain its clean and green image. All these developments would provide a win for everyone.

I call on the government to show some direct and decisive action with some of the Murray funding, not just the rhetoric of the past. I was amazed to make inquiries in America about treatment of grey water plants. One of the people said, 'We understand there is a person in Australia with an invention

that is actually working.' How amazed and embarrassed I was to be told that this invention was in South Australia and, indeed, Mannum. I have been to inspect this project, and it is a great project, and it does work. I understand also that the government has been funding an interstate project similar to this one, which will not work because it operates on a completely different system.

I would ask the government, if it does not know about this, to please find out about it and back it because this is very vital to keeping our River Murray clean; and it will bring life back to the Murray.

### CHRISTIE DOWNS COMMUNITY HOUSE

**Ms THOMPSON (Reynell):** I have to report that on Saturday last I was very pleased to attend the third annual Christie Downs Community House show day. This is not a sort of display day for the house: it is, in fact, a very important initiative from community members in Christie Downs to provide children of the area with an opportunity to participate in a show. Three years ago, when the Christie Downs Community House was having a planning day, one of the volunteers from the centre said, 'What we really need around here is a show, because there are so many families in this neighbourhood who cannot afford to take their children to the show. When the children are at school and everyone else is talking about what they did at the show, they have to keep quiet.'

Letitia Broadstock's perception is very important: it indicates a really good understanding of how children who live in poverty have to manage at school. Not only does Letitia understand this issue, she decided to do something about it. The Community House committed to undertaking a show. It worked with the City of Onkaparinga, the Noarlunga Health Village and the Housing Trust to mount a show, and has done so for the last three years. The first year I went just before lunch time. It was a horrible, rainy day and, once again, the Crows were playing in the afternoon, so I was really surprised to see just how many people were there. There were cars everywhere, children everywhere, grandparents, parents and everyone. The place was absolutely packed, and from that excellent beginning the show has continued to grow so that last weekend again the roads were clogged and the oval was full of people enjoying themselves and being a community.

I cannot give any report on the numbers of people who attended, because the volunteers who ran the show were so busy providing all the services that they did not actually stop and count people through the various entrances, of which there were many. It was quite open: it was free to attend. People were able to buy tickets for rides and food for \$1 or \$2 a ticket. In terms of an indication of the attendance, I know that one of the community organisations assisted children to decorate about 800 door hangers. Those were the children who were in the door hanging decorating ages, they were accompanied by younger children in pushers, and I was pleased to see many teenagers there.

For the last two years there has been a bungee run, which has been the sort of activity that challenged some of the young people who often find themselves marginalised and do not really feel that they are part of the community. Besides the bungee run there was a Ferris wheel, a hurdy-gurdy, camel ride, horse ride, and the food included fairy floss. I am sure that you, Sir, appreciate the magic of seeing fairy floss being made, which is what was available to the families of

Christie Downs all day on Saturday. There was face painting, an animal farm and a show ring. There were callisthenics and gym displays, a pet show, which was judged by the member for Kingston and the member for Mawson, and I had the pleasure of judging the cooking and craft displays.

The Minister for the Southern Suburbs has asked me to pass on his enjoyment of the show and his congratulations to the Community House on its initiative. In concluding, I again congratulate Letitia Broadstock for her initiative in recognising that Christie Downs community needed a local show. I would like to thank the City of Onkaparinga Council, particularly Joanne Purvis from the Pathways for Families Committee; the board of management of Christie Downs Community House for their amazing efforts; Molly Wakely, from the South Australian Housing Trust; and the staff of the Noarlunga Health Village.

### COUNTRY SPEED LIMITS

**Mr MEIER (Goyder):** Yesterday I highlighted the fact that I had the community cabinet in my electorate during the parliamentary break, and I appreciated that. One thing I did not get to highlight was that one of the deputations I had was with the Minister for Transport, the Hon. Michael Wright, in relation to speed limits. I took up with him the fact that there was considerable concern from constituents of mine—and also from me—as to the reduction to 100 km/h in certain areas on Yorke Peninsula. I have not received a response back: I trust that the minister is still working through and, hopefully, will increase the speed on some of those roads to 110.

I would highlight particularly a section of the coast road north of Ardrossan, where we have just had some passing lanes installed to make it an even safer road and it is still 100. A constituent of mine was booked there last week by an unmarked police car, doing 115. He indicated to me when he rang soon thereafter that he was very upset that he had not noticed any change in speed sign. He had seen the 110 but not seen the 100. He said that he had the speed control set at 114, the police got him at 115, and he let me know soon thereafter what he thought of the new lower speed limit. I hope that the minister is going to take action and will at least have uniformity of speed, because it is becoming particularly difficult to work out whether you are in a 100 or a 110 zone—and, in the city, whether you are in a 50 or a 60 zone.

Yours truly got picked up on Peacock Road either last week or the week before. I got a letter to say that I was doing 64 in a 50 kilometre zone. To be quite honest, I did not realise that that was a 50: I suppose I should have looked at the signs and not at the road. This is one of the problems: you tend to look at signs now, and not at other road users, and I do not think that augurs well for safety. It is very disappointing that we have gone down the track of a place like Sydney, which is totally confusing. I would have thought that Adelaide had one of the best zoned areas for speed in Australia. There are some other things I wish to highlight, away from the community cabinet.

The Bute Sporting Club had its opening back in, I think, July. It has extended its premises considerably and I want to compliment all who were involved in the extensions to that club: they have worked very hard over many years, but particularly in the last six to 12 months. It was wonderful that they could host the A Grade grand final this last Saturday between Paskeville and the Curramulka/Minlaton/Stansbury

Crows. For those awaiting with interest, it was the CMS Crows who won, beating Paskeville very convincingly. It basically was the Crows colours, and Paske happen to have the black and white, so it was almost a reflection of interstate. It was a great match, and I would pay compliments to those who were playing.

**The Hon. M.J. Atkinson:** What was the score?

**Mr MEIER:** It was a significant victory in the end. We certainly had our fair share of rain during the match, too.

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

**Mr MEIER:** They were not in the grand final. Can I pay compliments to the others, because it is not only A Grade that plays but B Grade, which Kadina won, and also the senior colts, junior colts and the netball, which are all very important. It was a great day in Bute: thank you very much for the way you hosted it. The Wallaroo Pistol Club had the international match titles a couple of months ago, and I was pleased to be able to officiate at and open that event. It was state titles, but even people from outside the state came to compete. There was excellent weather on the Saturday and Sunday, and it is great that Wallaroo is held in such high standing throughout the state for its pistol shooting. In fact, there is much happening in my electorate.

Gregory's Wines, the makers of the famous Barley Stack wines, had their open day, from which all money went to the Central Yorke Peninsula Hospital, and many thousands were raised. Their number one and two bottles for this year raised, I think, over \$1 000 each. It was a compliment to Rod and Tony Gregory.

## CROCFEST

**Ms BEDFORD (Florey):** In the first week of September I was honoured to be invited to represent the Minister for Youth at this year's Crocfest held in Port Augusta, which celebrated with the theme 'Respect yourself, respect your culture.' I was able to deliver the minister's message prior to the evening's performances. Also present was the federal Indigenous Affairs Minister the Hon. Philip Ruddock. As he spoke of reconciliation that evening, it occurred to me that the Prime Minister said recently that no-one asked him to say he was sorry any longer. Indigenous people I speak to say that they have stopped asking him because they have given up hope that he will ever say it or even understand why it is so important for him to apologise. Perhaps indigenous people should start asking him to apologise again, every time they see him or minister Ruddock. I am sure it is still an important thing for them to do.

Also present was Damien Amamoo of Nunga IT and Shirley Peisley and Tricia Cronin of Reconciliation South Australia. I am lucky enough to sit on that committee with the member for Hartley, who represents the opposition. I represent the state minister for indigenous affairs. Mr Peter Buckskin, CEO of the Department of Aboriginal Affairs and Reconciliation, was also there. He is also a member of the Reconciliation Council. Ted Mullighan is co-chair with Shirley Peisley, and I know that they are working on an exciting new agenda with their board and others.

This is the second time that I have been able to attend Crocfest since being elected. It was first held in 1998 at Weipa in Queensland, and it is one of a series of, I think, seven performing arts festivals held annually in rural and remote areas of Australia for the benefit of young people. It is very similar to the rock eisteddfod in the city. The aim of Crocfest is to engage young indigenous and non-indigenous

Australians in a festival environment that embraces positive messages about health, education, sports and visual and performing arts. Each event is a three-day celebration and includes staged performances by students from participating schools and community groups. This year the Port Augusta festival hosted approximately 30 schools.

Crocfest was all about learning and fun for kids in the whole community, with everyone coming together in the spirit of reconciliation. The festival celebrated the benefits of a healthy lifestyle and provided a unique opportunity for students to work collaboratively with their schools and communities towards positive goals. There were many displays, and I mention one in particular from the Department of Administrative Services, where I was able to participate in a guess-the-distance competition, and another where participants could attempt to reassemble the internal organs of the human body. That was a very interesting exercise and, unfortunately, I was more successful at guessing the distance of the line than reassembling the anatomy!

Port Augusta Secondary School practically closed down for the day so that it could open a languages tent, and it also had many stalls with goods that the students had made for sale for fundraising. One of the teachers remarked that the students were willingly working through recess and lunch to prepare items for sale. She also said, with a little bit of tongue in cheek, that they were so motivated and engaged in the festival that it would be good to see them also motivated that way in studies!

As I mentioned at the beginning of my remarks, the major focus of this inspirational event was learning to respect yourself and your culture by encouraging young students to realise that they can be anything they want to be—that they can make what they want to of their lives. One of the major displays showcased scores of professions and jobs from which children could choose as their goals in life. The event is drug and alcohol free, and I was able to speak to another famous John Howard, this one being Dr John Howard from the Ted Noffs Foundation. He takes a great interest in the wellbeing of young people on behalf of his organisation, and I look forward to discussing other initiatives of the foundation with him at a later date.

At Crocfest there were also many successful indigenous role models, including AFL player Michael Long; Torres Strait Islander musician Eddie Peters; Jimmy Little, who is a nationally and internationally acclaimed vocalist known for his country music; and ATSIIC commissioner Klynton Wanganeen. Also present were indigenous police officers, ambulance workers, health workers, representatives from corrections, people from the universities and the defence force; the list went on and on.

While speaking of how important role models are for young people, I acknowledge our own South Australian trailblazer, Ms Nyrell Pattell, who is 48 years of age and a grandmother of eight. She recently became the first Aboriginal person to gain a masters degree in social science, graduating from the University of South Australia on 1 September. Nyrell has since started working on her doctorate, which she expects to finish in 2005. Nyrell is an outstanding role model for all indigenous people, particularly young women. Her passion for and dedication to strive for excellence and her pursuit for equity for her community are admirable. I wish her all the best in her studies and know that she is committed to improving the outcomes of indigenous people. With her masters degree behind her, I hope Nyrell will continue to work in the health area and be instrumental

in forging desperately needed changes to create much-needed improvements for indigenous people both here in the city and in regional and remote areas.

Time expired.

## SITTINGS AND BUSINESS

### The Hon. P.F. CONLON (Minister for Infrastructure):

I move:

That for the remainder of the session, standing orders be so far suspended as to provide—

- (A) that—
- (i) unless otherwise ordered, the house sits on each Monday at 2 p.m.; and
  - (ii) unless otherwise ordered, the motion for adjournment on Mondays is moved not later than 10 p.m. and, if the motion is moved before that time, it may be debated; and
- (B) that private members' business has precedence over all other business as follows—
- (i) on Wednesdays for two hours after grievances—bills, motions with respect to committees (including reports of committees) and motions for disallowance of regulations; and
  - (ii) on Thursdays from 10.30 a.m. to 1 p.m.—Other Motions; provided that—
    - (a) notices of motion take priority over orders of the day unless otherwise ordered; and
    - (b) if all business in (ii) is completed before 1 p.m. the sitting of the house is suspended until 2 p.m.

Motion carried.

## STANDING ORDERS SUSPENSION

### The Hon. P.F. CONLON (Minister for Infrastructure):

I move:

That standing orders be and remain so far suspended as to enable the restoration and introduction of government bills before the Address in Reply is adopted.

Motion carried.

## STATUTES AMENDMENT (ANTI-FORTIFICATION) BILL

### The Hon. M.J. ATKINSON (Attorney-General)

obtained leave and introduced a bill for an act to amend the Development Act 1993 and the Summary Offences Act 1953. Read a first time.

**The Hon. M.J. ATKINSON:** I move:

That this bill be now read a second time.

This bill, which lapsed at the close of the last parliamentary session, amends the Development Act and the Summary Offences Act to give effect to the government's election promise to enact laws to prevent criminal organisations such as those known as outlaw motorcycle gangs fortifying their clubrooms and other premises to prevent police access and to give the police the power in appropriate circumstances to require the removal or modification of fortifications where they have been constructed.

Originally, the government tabled a draft of the bill in the house to enable local councils and other interested parties to review it and provide comments. A number of parties did so and, as a result, some changes have been made to the bill. These are summarised in the remainder of the second reading

report. I seek leave to have the balance of the second reading explanation inserted into *Hansard* without my reading it.

Leave granted.

### Background

When criminal organisations, such as those commonly referred to as "outlaw motorcycle gangs", fortify premises, this poses a serious problem for law enforcement agencies and is an unwanted intrusion by these organisations into our communities.

If police officers cannot enter premises swiftly to execute warrants, for example, the criminals who occupy these fortresses are given an opportunity to conceal or destroy evidence of their criminal behaviour.

Members would be aware of the establishment of heavily fortified clubrooms by a number of these motorcycle gangs in residential areas. There have been violent attacks on these premises, involving firearms and explosives. In the worst of these incidents, people were killed as a result of a confrontation near one gang's headquarters in the city.

This Government believes firmly that law-abiding people should not be forced to share with violent criminals the streets in which they live. Our suburbs and towns should be havens for families, not for organised criminal gangs.

On 4 December last year the Government tabled a draft of the *Statutes Amendment (Anti-fortification) Bill* for public comment.

As members will recall, this Bill amended the *Development Act 1993* and the *Summary Offences Act 1953* to give effect to an election commitment of the Government to enact laws to prevent motorcycle gangs from turning their clubrooms into suburban fortresses and, where such fortresses have been constructed, laws to empower the police to demolish fortifications preventing their access.

The Government took the unusual step of tabling a draft of the Bill to ensure stakeholders, in particular local government, had an opportunity to examine the Bill and provide comments. Consultation occurred and, as a result, a number of amendments were made to the Bill. The Bill was subsequently introduced but lapsed at the close of the last session.

### Development Act amendments

Part 2 of the Bill amends the *Development Act 1993*.

Clause 4 amends section 4 of the Act to insert a definition of "fortification", being the definition to be inserted into the *Summary Offences Act 1953* by the amendments contained in Part 3 of the Bill.

Further amendments to section 4 then incorporate the creation of fortifications into the definition of "development".

The effect of this will be that the construction of fortifications, as defined, will become a category of development within the meaning of the *Development Act 1993* and thus require development approval.

As the Government made clear when the draft Bill was tabled, these new laws are not intended to prevent or frustrate law abiding members of the public from taking reasonable steps to secure their homes, community or business premises. The definition of fortification has been drafted so as to include only those structures or devices that are either designed or intended to prevent or impede police access to premises or which actually do so and are excessive in the circumstances. The installation, for genuine security reasons, of common domestic or business security measures, such as standard security locks, doors, window screens, bars or alarm systems, will not be caught by these new provisions.

Clause 7 inserts a new section 37A into the Act.

Subsection 37A(1) provides that where a relevant authority (a council in most cases) has reason to believe that a proposed development *may* involve the creation of fortifications as defined, the authority must refer the application to the Commissioner of Police. Under subsection (2), the Commissioner must determine whether the proposed development creates fortifications as defined. The Commissioner is authorised, under subsection (3), to seek further information, such as technical specifications from applicants to assist him to make this determination.

Under subsection (5), having made a determination that a proposed development is fortification, the Commissioner must direct the relevant authority either to:

- refuse the application, if the proposed development consists only of fortifications; or
- in any other case, impose conditions on the proposed development that prohibit creation of the fortifications.

An applicant will have a right of appeal to the Environment, Resources and Development Court against a direction of the

Commissioner. Subsection 37A(7) provides that the Commissioner, not the relevant authority, is the respondent to any appeal, but the relevant authority may be joined as a party with leave of the Court. This provides a safeguard to ensure the Commissioner exercises his power of direction appropriately and that undue or inappropriate pressure cannot be brought against council officers.

#### Summary Offences Act amendments

Part 3 of the Bill amends the *Summary Offences Act 1953* to insert a new Part 16.

The provisions contained in Part 16 will authorise the Police Commissioner to apply to the Magistrates Court for an order, a "fortification removal order", which is directed at the occupier or occupiers of fortified premises, requiring the removal or modification of the fortifications. If the order is not complied with, the Commissioner is given the power to have the fortifications removed or modified, and to recover the costs of doing so from the person or persons who caused the fortifications to be constructed.

The provisions allow for the owner or occupiers of the fortified premises to object to and ultimately appeal the issue of the fortification removal order.

Proposed section 74BB lays down the procedure to be followed by the Commissioner when seeking a fortification removal order, and specifies the grounds on which an order may be issued.

Under subsection one, the Commissioner may apply to the Magistrates Court for the issuing of a fortification removal order. This application may be made, and heard, *ex parte*.

The Court may issue a fortification removal order only where it is satisfied that the premises named in the application are "fortified" as defined, and either, the fortifications have been constructed or erected in contravention of the *Development Act 1993* or there are reasonable grounds to believe the premises are being, have been, or are to be used for or in connection with the commission of, to conceal or to protect the proceeds of, a serious criminal offence.

"Serious criminal offence" is defined, in proposed section 74BA, to mean an indictable offence or an offence prescribed by regulation.

The grounds on which the Commissioner seeks a fortification removal order must be verified by affidavit. To ensure continuing criminal investigations or the safety of police operatives or informants is not compromised, the Court may, having regard to public interest immunity, declare information relevant to the application to be confidential, thereby prohibiting its disclosure.

Under proposed section 74BC, a fortification removal order must contain detailed information including:

- the grounds on which the order was issued;
- a statement directing the occupiers of the premises to remove or modify the fortifications within the specified time (which must be no less than 14 days);
- a statement clearly explaining that unless the fortifications are removed or modified as ordered by the Court, the Commissioner is authorised to have the fortifications removed or modified, and may recover the costs of doing so from any person who caused the fortifications to be constructed;
- a person's right to object to the issuing of the notice.

A copy of the affidavit verifying the grounds on which the order is sought must be attached to the order unless the affidavit contains information declared by the Court to be confidential.

Under proposed section 74BD, the order must be served personally or by registered post on the occupiers and the owners of the premises. If formal service is not possible, it shall be sufficient for the Commissioner to cause a copy of the order to be affixed to the premises at a prominent place, at or near the entrance.

Proposed sections 74BE and 74BF provide the occupiers or owners of the premises with the right to object to the order by filing a detailed notice of objection with the Magistrates Court. On the hearing of a notice of objection, the Court must review the evidence presented by the Commissioner and the person objecting and determine whether, on this evidence, the grounds for making an order, being those set out in proposed section 74BB, are satisfied. The Court is authorised to confirm, vary or withdraw the order.

In addition, under proposed section 74BG, both the Commissioner and the objector have a right to appeal the decision of the Magistrates Court on a notice of objection to the Supreme Court. An appeal lies as of right on a question of law and with permission of the Court on a question of fact.

Once issued by the Court, the Commissioner may determine not to enforce a removal order, but must, under proposed section 74BH, lodge a notice of withdrawal with the court and serve a copy of the notice on all persons served with a copy of the removal order.

Proposed section 74BI provides for the enforcement of a fortification removal order. If the order has not been complied with, and all objection and appeal rights have been exhausted, the Commissioner may cause the fortifications to be removed or modified to the extent required by the order. In doing so, the Commissioner, or any police officer authorised by the Commissioner, may enter the subject premises without warrant and use any assistance or equipment necessary. To defray the costs associated with enforcing an order, the Commissioner may seize and dispose of anything that can be salvaged in the course of removing or modifying the fortifications, the proceeds of which are forfeited to the State.

The Commissioner may recover any additional costs as a debt from the person who caused the fortifications to be constructed. In the event that the owner of the fortified premises is an innocent party, in that he or she is not responsible for the construction of the fortifications, the owner may, under proposed section 74BK, recover the reasonable costs associated with repair or replacement of property damaged, owing to the fortifications or the enforcement of an removal order, from any person who caused the fortifications to be constructed.

Under proposed section 74BJ, any person who obstructs, interferes with or delays the removal or modification of fortifications, by either the owner or the Commissioner, is guilty of an offence and liable to imprisonment for six months or a \$2 500 fine.

#### Schedule

In addition to the substantive amendments to the Development and Summary Offences Acts, the Schedule to the Bill further amends the *Summary Offences Act 1953* by dividing the Act into separate parts, replacing outmoded language and removing obsolete provisions.

#### Conclusion

The absence of laws either preventing the construction of, or authorising the removal of, excessive fortifications has allowed criminal gangs to construct fortresses in our suburbs and towns. This is something this Government will not tolerate.

These anti-fortification laws, once enacted, will be amongst the toughest in Australia. Criminals will no longer be able to conceal their illegal activities inside urban fortresses, safe in the knowledge that police and other law enforcement agencies are unable to enter.

The Police Commissioner will be able to prevent the construction of these urban fortresses. If constructed, he will be able to have the fortifications removed or modified.

Although these powers are extensive, they will be subject to appropriate review and approval processes. These processes will ensure the powers will be used appropriately and will not adversely affect ordinary members of the public.

Labor went to the last election with a promise that, if elected, it would enact tough new laws to empower police to deal appropriately with organised crime. The *Statutes Amendment (Anti-Fortification) Bill* delivers on this promise.

I commend the Bill to the House.

#### Explanation of Clauses

##### PART 1

##### PRELIMINARY

#### Clause 1: Short title

This clause is formal.

#### Clause 2: Commencement

This clause provides that the measure will come into operation on a day to be fixed by proclamation.

#### Clause 3: Interpretation

This clause is formal.

##### PART 2

##### AMENDMENT OF DEVELOPMENT ACT 1993

#### Clause 4: Amendment of section 4—Definitions

This clause amends the definition section of the *Development Act 1993* by inserting a new term, "fortification", which is defined by reference to the meaning of "fortification" in Part 16 of the *Summary Offences Act 1953* (as inserted by clause 8).

The definition of "development" is also amended by the insertion of "the creation of fortifications" as an additional class of development.

#### Clause 5: Amendment of section 35—Special provisions relating to assessments against a Development Plan

The amendment made to section 35 by this clause establishes that a proposed development referred to the Commissioner of Police under section 37A on the basis that it may involve the creation of fortifications, will not be taken to be a *complying* development under the regulations and therefore will not be subject to the operation of



subsection (1), by virtue of which a complying development must be granted a provisional development plan consent.

*Clause 6: Amendment of section 37—Consultation with other authorities or agencies*

This minor amendment to section 37 clarifies the meaning of subsection (1).

*Clause 7: Insertion of section 37A*

Section 37A applies in relation to proposed developments involving the creation of fortifications. If a relevant authority has reason to believe that a proposed development may involve the creation of fortifications, the authority must refer the development application to the Commissioner of Police.

The Commissioner is required to assess the application to determine whether or not the proposed development involves the creation of fortifications. The Commissioner must advise the relevant planning authority of the determination as soon as possible.

The Commissioner may request further information from the applicant before assessing the application.

If the Commissioner's determination is that the proposed development involves the creation of fortifications, the relevant authority must either refuse the application (if the proposed development consists only of the creation of fortifications) or impose conditions prohibiting the creation of the fortifications. The Commissioner is the respondent to any appeal against a refusal or condition under subsection (5) but the relevant authority may, if the Court permits, be joined as a party to the appeal.

### PART 3

#### AMENDMENT OF SUMMARY OFFENCES ACT 1953

*Clause 8: Insertion of Part 16*

Clause 8 inserts a new Part into the *Summary Offences Act 1953*. Part 16 deals with the regulation of fortifications and the powers of the Commissioner of Police in relation to certain types of fortifications.

### PART 16

#### FORTIFICATIONS

*74BA. Definitions for Part 16*

Section 74BA inserts some new definitions necessary for the purposes of this measure. Some key terms include "fortification", "fortification removal order" and "serious criminal offence".

*74BB. Fortification removal order*

This section provides that the Magistrates Court may issue a fortification removal order if satisfied, on the application of the Commissioner, that the application relates to fortified premises, and that the fortifications have been created in contravention of the *Development Act 1993*. An order may also be issued in relation to fortified premises if there are reasonable grounds to believe the premises are being used (or have been or are likely to be used) for or in connection with the commission of a serious criminal offence, to conceal evidence of a serious criminal offence or to keep the proceeds of a serious criminal offence.

An order under this section may be issued on an *ex parte* application and is directed to the occupier of the premises. If there is more than one occupier, the order is directed to any one or more of the occupiers of the premises. The order requires the named occupier or occupiers to remove or modify the fortifications.

The Commissioner must verify the grounds for the application in an affidavit and may identify certain information provided to the Court as confidential. If the Court is satisfied, having regard to the principle of public interest immunity, that the information identified as confidential should be protected from disclosure, the Court must order that the information is not to be disclosed to any other person, whether or not a party to the proceedings. A person must not disclose information in respect of which such an order has been made without the consent of the Commissioner unless the disclosure has been authorised or required by a court. A court must not authorise or require disclosure of information without first having regard to the principle of public interest immunity.

Proceedings in relation to an application under this section may be heard in a room closed to the public.

*74BC. Content of fortification removal order*

This section prescribes the information that must be included in a fortification removal order.

A fortification removal order must include—

- a statement that the fortifications must be removed or modified within a certain period of time, which must not be less than 14 days after service of the order;
- a statement of the grounds on which the order has been issued (although this statement must not include informa-

tion that cannot be disclosed because of an order of the Court);

- an explanation of the right of objection under section 74BE;
- an explanation of the Commissioner's power to enforce the order under section 74BI.

A copy of the affidavit verifying the grounds of the application for the order must be attached to the order unless the affidavit contains information that has been identified as confidential and cannot be disclosed because of an order of the Court.

*74BD. Service of fortification removal order*

A fortification removal order must be served on the occupier or occupiers named in the order, and a copy of the order must be served on the owner (unless the owner is an occupier named in the order). Service of an order may be effected personally or by registered post. However, if service cannot be promptly effected, it is sufficient for the Commissioner to affix a copy of the order to a prominent place close to the entrance of the premises.

*74BE. Right of objection*

A person on whom a fortification removal order has been served is entitled to lodge a notice of objection with the Magistrates Court. However, a notice of objection cannot be lodged if a notice has already been lodged in relation to the order (unless proceedings in relation to the earlier notice are discontinued). The objector is required to include in the notice full details of the grounds for the objection and must serve a copy of the notice on the Commissioner personally or by registered post at least 7 days before the hearing of the notice.

*74BF. Procedure on hearing of notice of objection*

Proceedings in relation to a notice of objection must, if convenient to the Court, be heard by the Magistrate who issued the fortification removal order. After hearing evidence from the Commissioner and the objector, the Court must confirm, vary or withdraw the order after considering whether the grounds on which an order may be issued (as stated in section 74BB(1)) have been satisfied.

*74BG. Appeal*

A right of appeal to the Supreme Court lies against a decision of the Court on a notice of objection. The appeal lies as of right on a question of law and with the permission of the Supreme Court on a question of fact. Enforcement of a fortification removal order is stayed until the appeal is finalised.

*74BH. Withdrawal notice*

The Commissioner must file a withdrawal notice with the Court, and serve the notice on the owner and all relevant parties, if he or she decides that a fortification removal order will not be enforced.

*74BI. Enforcement*

If an order is not withdrawn by the Commissioner or the Court, or set aside on appeal, and the fortifications are not removed or modified to the extent necessary to satisfy the Commissioner that there has been compliance with the order, the Commissioner may take action to enforce the order.

For the purposes of causing fortifications to be removed or modified, the Commissioner, or an authorised police officer, may enter the premises without warrant, obtain expert technical advice or make use of any person or equipment he or she considers necessary.

The Commissioner may seize anything that can be salvaged in the course of removing or modifying fortifications. Anything salvaged under this section may be sold or disposed of as the Commissioner thinks appropriate. The proceeds of any sale are forfeited to the State. If such proceeds are insufficient to meet costs incurred by the Commissioner under this section, the costs may be recovered from any person who caused the fortifications to be created.

*74BJ. Hindering removal or modification of fortifications*

Under subsection (1) of section 74BJ, it is an offence to do anything with the intention of preventing, obstructing, interfering with or delaying the removal or modification of fortifications in accordance with a fortification removal order. Subsection (1) applies in relation to the removal or modification of fortifications by a person who is the occupier or owner of the premises (or is acting on the instructions of the occupier or owner) or is a person who is acting in accordance with section 74BI.

*74BK. Liability for damage*

No action lies for damage to property resulting from enforcement of a fortification removal order against the Crown or any person.

However, an owner of premises is entitled to recover the reasonable costs associated with repair or replacement of property damaged as a consequence of the construction of fortifications, or damage resulting from the enforcement of a fortification removal order, from any person who caused the fortifications to be created.

#### 74BL. Delegation

The Commissioner's functions or powers under this Part may be delegated by the Commissioner to any police officer holding a rank not lower than that of inspector. Such delegation is subject to any limitations or conditions the Commissioner thinks it proper to impose.

#### 74BM. Application of Part

Section 74BM provides that if the provisions of Part 16 of the Act are inconsistent with any other Act or law, the provisions of Part 16 prevail. This section also provides that an application for approval under the *Development Act 1993* is not required in relation to work required by a fortification removal notice.

#### SCHEDULE

##### Further Amendments to Summary Offences Act 1953

The *Summary Offences Act 1953* is further amended by the Schedule, which repeals the italicised headings that appear throughout the Act and substitutes Part headings. The new headings are substantially the same as the existing headings. However, these amendments have the effect of dividing the Act into separate Parts, which is consistent with the usual format of current legislation. The Schedule also makes a number of additional amendments of a statute law revision nature.

**Mr BROKENSHIRE** secured the adjournment of the debate.

### SUMMARY OFFENCES (OFFENSIVE WEAPONS) AMENDMENT BILL

**The Hon. M.J. ATKINSON (Attorney-General)** obtained leave and introduced a bill for an act to amend the Summary Offences Act 1953. Read a first time.

**The Hon. M.J. ATKINSON:** I move:

That this bill be now read a second time.

The Summary Offences (Offensive Weapons) Amendment Bill 2003 was introduced originally into the House of Assembly on 26 March 2003 but lapsed when parliament was prorogued. The bill has not been changed. The bill is to give effect to the government's election promise to prohibit the carrying of knives in or near licensed premises at night. The bill will provide for new aggravated offences of carrying an offensive weapon or possessing or using a dangerous article in or in the vicinity of licensed premises at night. The proposed new offences are to be added to section 15 of the Summary Offences Act 1953. These new offences will carry substantial maximum penalties of two years' imprisonment or a fine of \$10 000 or both.

The government believes that there is a greater risk of violence in and around licensed premises at night-time, especially pubs, nightclubs and some types of clubs. The offences under this bill are directed specifically at this risk and should discourage people from carrying any type of weapon when they go to licensed premises at night. These new offences will supplement the existing offences intended to prevent the commission of crimes of violence with weapons.

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

Leave granted.

The simple offence of carrying an offensive weapon has a history going back at least to the English *Vagrancy Act 1824*. The early South Australian offence was limited to a person being found by night armed with an offensive weapon or instrument, and who, being required to do so, did not give a good account of his means of support and assign a valid and satisfactory reason for being so armed.

The maximum penalty was imprisonment with hard labour for three months. In 1953 the offence was changed from a vagrancy offence to an offence against public order. The 1953 offence was wider in scope than the old offence, in that anyone (not just vagrants) could be found guilty of the offence, and the offence could be committed at any time of the day or night. The carrier of the offensive weapon no longer had to give a good account of his or her means, but could avoid conviction if he or she could prove that he or she had a lawful excuse for carrying the weapon. The maximum penalty was three months imprisonment or a £50 fine. This offence remains on our statute books. Many people are charged with it. In 1985 the maximum penalty was changed from three months to six months imprisonment or a \$2 000 fine, or both. In 2000, the maximum fine was increased to \$2 500.

In 1978, section 15 was expanded by the addition of new offences of manufacturing, dealing in or possessing a dangerous article. The list of dangerous articles was revised with effect from 2000 when the prohibited weapons laws came into force. The maximum penalty for a dangerous article offence is 18 months imprisonment or a fine of \$7 500 or both.

The prohibited weapons provisions prohibit manufacturing, dealing in, possessing or using prohibited weapons. Prohibited weapons are declared by the *Summary Offences (Dangerous Articles and Prohibited Weapons) Regulations 2000*. These were drafted in accordance with a resolution of the Australasian Police Ministers Council that all Australian States and Territories should enact consistent prohibited weapons legislation. The only defence to this offence is that the person is exempted by, or under, the Act or by the Regulations. The exemption must be proved by the accused person. The maximum penalty is two years imprisonment or a \$10 000 fine or both.

There are also indictable offences of having custody or control of an object intending to use it, or to permit or cause another to use it, to kill, endanger life, cause grievous bodily harm or harm. The maximum penalties are imprisonment of 10 years or five years, depending on the intended degree of harm.

Of course, threatening with or using a weapon violently constitutes another offence, which might range from common assault to murder.

The Government promised before and during the election campaign to introduce legislation dealing with the carriage of knives in or near licensed premises at night because it believes that there is a higher than usual risk of violence in and around licensed premises at night time. Our intention is to supplement the existing preventive weapons offences. A discussion paper was published about how the election promise might be carried out. It was available on the Internet and was sent to many organisations and individuals. All liquor licensees were notified through the Liquor and Gambling Commissioner's newsletter to licensees. About 65 responses were received, nearly all of them pointing out that there was a need for a defence to the proposed offence, otherwise many people going about their ordinary business, observing their religious or cultural requirements, or engaging in their usual recreational pursuits would be unfairly captured. A number of useful submissions were received. The bill now before the House was drafted after careful consideration of submissions.

The new offences will apply to knives and to all other offensive weapons and to dangerous articles. Although knives have attracted public attention, other weapons such as bottles, baseball bats and tyre levers can be used with equally lethal or injurious results. The new offences will not extend to prohibited weapons, as prohibited weapons offences already carry a maximum penalty equal to that for the proposed new offences. With one exception, that penalty is the maximum for an offence against the *Summary Offences Act*.

#### Details of the bill

An offensive weapon is defined in the Act as including a rifle, gun, pistol, sword, club, bludgeon, truncheon or other offensive or lethal weapon or instrument. Any thing can be an offensive weapon if the carrier intends to use it offensively. Thus, to give a few examples, a baseball bat, a billiard cue, a screwdriver, a hammer, a picket, a length of pipe and a broken bottle have all been treated as offensive weapons in appropriate circumstances. Dangerous articles are items that are declared by the *Summary Offences (Dangerous Articles and Prohibited Weapons) Regulations 2000*. They include, for example, devices or instruments for emitting or discharging an offensive, noxious or irritant liquid, powder, gas or chemical that is capable of immobilising, incapacitating or injuring another person either temporarily or permanently, anti-theft cases, blow guns and bayonets. In recent times, possession of capsicum spray has probably been the most commonly detected dangerous articles offence.

"Carry" is already defined widely in the Act. A person is taken to be carrying an offensive weapon if he or she has it on or about his or her person, or if it is under his or her immediate control. Thus, for example, a person who has an offensive weapon in a hand bag or in a bicycle or motor cycle pannier or under the car seat would be carrying it. "Possess" is of even wider meaning. However, for the purposes of the new aggravated offences, probably there will be little practical difference between "possess" and "carry".

The factors that distinguish the proposed aggravated offences from the existing offences of carry an offensive weapon or possess or use a dangerous article are location, time and penalty.

The new offences will apply to people who are in, or in the vicinity of, any licensed premises at night. "Vicinity" is a word that is used in many South Australian statutes. To some extent, it takes its meaning from the context. Its ordinary meaning as described in the seventh edition of the Concise Oxford Dictionary is "*surrounding district, nearness in place (to); close relationship (to)*". Thus, a person who is in the street outside licensed premises is in the vicinity of them. A person who is some distance away in the car park of the hotel would be in the vicinity of the hotel.

The new offences will extend to any licensed premises. Although we think that there is a generally higher risk of violence around certain licensed premises, it is not possible to define them in a legally and practically satisfactory way by reference to the type of licences, permits and authorisations held by the licensee of the premises and used at a particular time. For example, Members might be surprised to be informed that some premises that most people would call "pubs", including some in Hindley and Rundle Streets, are not operated under hotel licences. Also, there are premises that operate under different licences, permits and authorisations at different times of the day and night and a part of the premises might be operated on a different licensing basis than another part. Special events that attract a large crowd of people, often young people, who are being supplied with liquor, may be held once only, or only occasionally and a licence is issued for the occasion. Also, the circumstances that are thought to increase the risk of violence, particularly the congregation at night of many people drinking alcohol, are sometimes present at other licensed premises such as some restaurants and places where wedding receptions and similar celebrations are held. The Government hopes that including all licensed premises will make the new laws more effective.

The time element will be night time and "night" is defined in the bill to be between 9 pm and 6 am. This is the same as the definition used in the *Criminal Law Consolidation Act 1935* for nocturnal offences.

The prosecution would have to prove that the accused was carrying or possessed an offensive weapon or a dangerous article, that it was night time as defined, and that the accused was in, or in the vicinity of, licensed premises. The accused could exculpate himself by proving on the balance of probabilities that he had a lawful excuse for carrying or possessing the offensive weapon or dangerous article. This will make what would otherwise be intolerably draconian legislation capable of fair and reasonable application. As the High Court said in 1947 in the leading case of *Poole v Wah Min Chan* about the equivalent defence of reasonable excuse, it entitles the person who has the thing to explain his possession of it by reference to his knowledge and intent. Of course, the prosecution is at liberty to lead evidence to rebut, or to comment adversely on, the accused person's evidence of his claimed knowledge, reasons and intent. The Court will weigh this all up and decide whether the accused person has proved the defence.

Examples of people who are likely to have a lawful excuse for carrying an offensive weapon in or in the vicinity of licensed premises include customers who are using a knife supplied by the licensee for dining, chefs who are working, or going to or from work, tradesmen called in to do repairs at night, people who are performing traditional dances or ceremonies at a celebration, such as sword dances, and people who pass near a hotel or restaurant when going fishing. Any exemptions that apply to people who have prohibited weapons will not be affected by this bill: those exemptions will still apply.

Carrying a weapon for self-defence is rarely a defence. The courts, including the High Court, have ruled consistently that it is a defence only if the accused can prove that he was in imminent danger of attack.

If the accused person can prove a lawful excuse for carrying the weapon at night in, or in the vicinity of, licensed premises, then no offence is committed. There is another partial defence that might be available to the accused, and that is ignorance. If the accused person did not know that he or she was in premises where liquor was sold

or supplied, and also did not have any reason to believe that he or she was in such a place, then the accused person could be liable only to conviction for the lesser offence of carrying an offensive weapon, or possessing a dangerous article, without lawful excuse. It would be difficult for an accused person to prove this degree of ignorance of the facts of his location, as in nearly all cases it will be obvious. The defence of ignorance against a charge of being in the vicinity of licensed premises is a little different. Because of the width of this offence, there will be a defence of not knowing that one is in the vicinity of such premises. If this is proved, the accused person could be liable only to conviction for the lesser offence of carrying an offensive weapon or possessing a dangerous article without lawful excuse. For example, if a person who had a knife in his pocket walked at 11 p.m. along Stephens Place, Adelaide, past the Queen Adelaide Club, licensed premises that has no sign outside indicating its name or nature, it is quite likely that he will be able to prove that he did not know he was in the vicinity of premises at which liquor was sold or supplied. If he proved this, he could not be convicted of the aggravated offence that carries the maximum penalty of two years imprisonment or a \$10 000 fine or both. But, unless he could also prove that he had a lawful excuse for carrying the knife, he would be convicted of the offence of carrying an offensive weapon without lawful excuse, an offence that carries a maximum penalty of six months imprisonment or a fine of \$2 500 or both.

Existing provisions of the *Summary Offences Act* will enable the Police to search people whom they reasonably suspect have a weapon and to seize the weapon. Subsection (2) of section 15 will enable the Courts to order forfeiture of the weapon to the Crown if the person is convicted.

The new offences should discourage people from carrying any type of weapon when they go to licensed premises at night. It should discourage people who are hanging around the outside of licensed premises at night from having a weapon. The Police will have power to search for and confiscate weapons in these situations when appropriate.

I commend this bill to the House.

Explanation of Clauses

*Part 1—Preliminary*

*Clause 1: Short title*

*Clause 2: Commencement*

*Clause 3: Amendment provisions*

These clauses are formal.

*Part 2—Amendment of Summary Offences Act 1953*

*Clause 4: Amendment of section 15—Offensive weapons, etc*

This clause inserts new subsections (1ba), (1bb) and (1bc) into section 15 of the principal Act.

Proposed subsection (1ba) provides for an aggravated offence where a person carries an offensive weapon or carries or uses a dangerous article—

- at night; and
- in, or in the vicinity of, licensed premises.

The maximum penalty for an offence under this subsection is a fine of \$10 000, or imprisonment for a period of 2 years.

Proposed subsection (1bb) provides a defence to prosecution under new subsection (1ba), where the defendant did not know and had no reason to believe that he or she was in premises where liquor was sold or supplied, or, in the case of someone not actually in licensed premises, that the defendant did not know that he or she was in the vicinity of premises where liquor was sold or supplied.

Proposed subsection (1bc) provides that the court may, on the trial of a person for a contravention of subsection (1ba), convict the person of an offence under subsection (1) or (1b) of section 15 of the principal Act if the court is satisfied the person is not guilty of the offence charged, but is guilty of the lesser offence.

The clause also inserts definitions of "licensed premises" and "night" into section 15 of the principal Act.

**Mr BROKENSHIRE** secured the adjournment of the debate.

#### **PASSENGER TRANSPORT (DISSOLUTION OF THE PASSENGER TRANSPORT BOARD) AMENDMENT BILL**

**The Hon. M.J. WRIGHT (Minister for Transport)** obtained leave and introduced a bill for an act to amend the Passenger Transport Act 1994 and to make related amend-

ments to the Road Traffic Act 1961 and the Superannuation Act 1988. Read a first time.

**The Hon. M.J. WRIGHT:** I move:

That this bill be now read a second time.

This bill was before parliament last session. It is now being restored in exactly the same format as it was previously. This bill is about the abolition of the Passenger Transport Board, and in its place will be established the Office for Public Transport. The reasoning behind this piece of legislation is to ensure that good government can deliver on an integrated transport policy, and we believe firmly that moving in this direction—establishing a specific office for public transport but having it under the department rather than the current arrangement—will be a much better policy position to deliver on public transport to all South Australians.

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

Leave granted.

This bill represents a further step in the re-casting of transport policy-making and implementation within the South Australian Government.

The PTB was established for several purposes, the most important being the letting and administration of contracts for supply of metropolitan Adelaide bus services.

Notwithstanding this government's opposition to privatisation, I freely acknowledge that the administration of the process was carried out to the highest standards of professionalism and probity. I therefore place on record the government's appreciation of the Board, the staff and my predecessor as Minister, the Honourable Diana Laidlaw for their efforts in this respect and more generally in respect of the many facets of providing public transport.

There are two principal reasons for now seeking to abolish the Board. The first is that public transport needs to be properly considered when capital investment decisions are being made. We must face up to the fact that Adelaide has by far the most run-down public transport infrastructure of all the mainland capitals. There are various reasons for this but it has not helped to have responsibility for preparing and advancing investment projects fragmented between Transport SA, the PTB and TransAdelaide.

As a demonstration of its commitment to integrating transport, the government has released its draft Transport Plan for South Australia, the first such plan since 1968. The government is committed to working through the issues associated with this plan.

The second reason for seeking the abolition of the Board is responsiveness. One of the costs of separating administrative functions from the Minister is that people with grievances can feel removed from the democratic process. In Opposition, feedback such as this was relatively common in relation to the PTB. It does not necessarily reflect poorly on the PTB but the feedback was a perception resulting from the use of a statutory authority to distance the Minister from these matters.

That is not to say it is appropriate for the Minister to be held directly accountable for all functions. A series of delegations will be put in place within the Department to provide for transparent and, where necessary, arms length decision-making.

The most obvious requirement for this is disciplinary matters. The bill provides that the Passenger Transport Standards Committee will be established under the legislation to exercise disciplinary powers under the Act. It is not appropriate to vest such quasi-judicial powers in a Minister and, for this reason, the Committee will be established to continue the existing scheme for disciplinary matters.

Finally, I emphasise that the staffing of the Passenger Transport Board will be largely preserved in the transition to an Office of Public Transport within the Department of Transport and Urban Planning. The existing skill base in areas such as the contracting process, accreditation, compliance and marketing across modes will all be retained.

#### Explanation of Clauses

*Clause 1: Short title*

This clause is formal.

*Clause 2: Commencement*

The measure will be brought into operation by proclamation.

*Clause 3: Amendment provisions*

This clause is formal.

*Clause 4: Amendment of s. 4—Interpretation*

The definition of the "Board" will no longer be required. A new definition relating to the Passenger Transport Standards Committee is to be included.

*Clause 5: Repeal of Part 2*

The Part relating to the constitution and proceedings of the Passenger Transport Board is to be repealed.

*Clause 6: Substitution of heading to Part*

*Clause 7: Substitution of heading to Part 3 Division 1*

These are consequential amendments.

*Clause 8: Amendment of section 20—Functions of Minister under Act*

The functions of the Board are to be adopted by the Minister.

*Clause 9: Repeal of section 21*

This is a consequential amendment.

*Clause 10: Amendment of section 22—Powers of Minister*

The powers of the Board are to be conferred on the Minister.

*Clause 11: Amendment of section 23—Acquisition of land*

*Clause 12: Amendment of section 24—Power to carry out works*

References to the Board are to be replaced with references to the Minister.

*Clause 13: Substitution of Part 3 Division 3*

The department of the Minister will prepare an annual report relating to the operation of the Act. The report will continue to include specific reports on matters referred to in section 19(2)(c) of the Act. The Minister will be able to establish committees in connection with the performance or exercise of the Minister's functions or powers under the Act. The Minister will be able to delegate functions or powers.

*Clause 14: Amendment of section 27—Accreditation of operators*

*Clause 15: Amendment of section 29—Accreditation of centralised booking services*

*Clause 16: Amendment of section 30—Procedure*

*Clause 17: Amendment of section 31—Conditions*

*Clause 18: Amendment of section 32—Duration and categories of accreditation*

*Clause 19: Amendment of section 33—Periodical fees and returns*

*Clause 20: Amendment of section 34—Renewals*

*Clause 21: Amendment of section 35—Related matters*

References to the Board are to be replaced with references to the Minister.

*Clause 22: Insertion of section 35A*

The Act sets out a comprehensive scheme for the exercise of disciplinary functions. It has been decided to continue the practice under which disciplinary matters are referred to a specialist body. Accordingly, the Passenger Transport Standards Committee is to be recognised in the legislation. The Minister will appoint suitable persons to be members of the Standards Committee. A quorum of the committee will be three members of the committee.

*Clause 23: Amendment of section 36—Disciplinary powers*

These amendments will vest the current disciplinary powers of the Board in the Standards Committee.

*Clause 24: Amendment of section 37—Related matters*

*Clause 25: Amendment of section 38—Appeals*

These are consequential amendments.

*Clause 26: Amendment of section 39—Service contracts*

*Clause 27: Amendment of section 40—Nature of contracts*

*Clause 28: Amendment of section 42—Assignment of rights under a contract*

*Clause 29: Amendment of section 43—Variation, suspension or cancellation of service contracts*

*Clause 30: Amendment of section 44—Fees*

*Clause 31: Amendment of section 45—Requirement for a licence*

*Clause 32: Amendment of section 46—Applications for licences or renewals*

*Clause 33: Amendment of section 47—Issue and term of licences*

*Clause 34: Amendment of section 48—Ability of Minister to determine fees*

*Clause 35: Amendment of section 49—Transfer of licences*

*Clause 36: Amendment of section 50—Suspension or revocation of licences*

*Clause 37: Amendment of section 51—Appeals*

*Clause 38: Amendment of section 52—False advertising*

*Clause 39: Amendment of section 54—Inspections*

*Clause 40: Amendment of section 56—General offences*

*Clause 41: Amendment of section 57—Offenders to state name and address*

References to the Board are to be replaced with references to the Minister.

*Clause 42: Amendment of section 59—General provisions*

relating to offences

Clause 43: Repeal of section 60

These are consequential amendments.

Clause 44: Amendment of section 61—Evidentiary provision

References to the Board are to be replaced with references to the Minister.

Clause 45: Amendment of section 62—Fund

These are consequential amendments.

Clause 46: Amendment of section 63—Registration of prescribed passenger vehicles

References to the Board are to be replaced with references to the Minister.

Clause 47: Amendment of section 64—Regulations

These are consequential amendments.

Clause 48: Repeal of section 65

Section 65 is redundant.

Clause 49: Amendment of Schedule 1

Clause 50: Amendment of Schedule 3

References to the Board are to be replaced with references to the Minister.

Clause 51: Amendment of Schedule 4

A number of the provisions in Schedule 4 of the Act are now spent and can be removed.

Schedule—Related amendments and transitional provisions

It is necessary to make related amendments to the *Road Traffic Act 1961* and the *Superannuation Act 1988*. In addition, clause 5 sets out transitional provisions associated with the operation of the measure. All assets and liabilities of the Passenger Transport Board are to be vested in the Minister by force of this provision, unless vested in the Crown, another Minister, or another agency or instrumentality of the Crown by proclamation made by the Governor. All determinations or other acts of the Passenger Transport Board will continue as if made or undertaken by the Minister. Disciplinary proceedings under Division 5 of Part 4 of the Act will continue before the Passenger Transport Standards Committee.

**Mr BROKENSHIRE** secured the adjournment of the debate.

### MOTOR VEHICLES (SUSPENSION OF LICENCES OF MEDICALLY UNFIT DRIVERS) AMENDMENT BILL

**The Hon. M.J. WRIGHT (Minister for Transport)** obtained leave and introduced a bill for an act to amend the Motor Vehicles Act 1959. Read a first time.

**The Hon. M.J. WRIGHT:** I move:

That this bill be now read a second time.

A court case earlier this year identified an irregularity in the Registrar's ability to suspend the licence of a driver who is medically unfit to drive. This bill makes a small change to the Motor Vehicles Act to correct the problem identified by the court. The correction will ensure that, if required, the Registrar can suspend the licence of someone who would present a danger to other road users.

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

Leave granted.

The *Motor Vehicles (Suspension of Licences of Medically Unfit Drivers Amendment Bill 2003* amends the *Motor Vehicles Act 1959* to restore the power of the Registrar of Motor Vehicles to immediately suspend the driver's licence of a person on receiving information from a legally qualified medical practitioner, registered optometrist or registered physiotherapist or from another source, that the person is suffering from a physical or mental illness, disability or deficiency such that they are likely to endanger the public if they continue to drive.

It has been the practice of the Registrar to suspend driver's licences on the basis of such information. This is done to minimise any risk to the community.

Depending on the nature of the information, the Registrar would give a person 14 days notice of his intention to suspend their licence. This would allow the person, if they were able to furnish evidence of their fitness or ability to drive, to avoid the suspension. In a small

number of cases, because of the severity of the person's condition, the Registrar would immediately suspend the licence to protect the community. In order to have the suspension lifted the person would then be required to undergo further tests or medical examinations, or provide other evidence to support their fitness or ability to drive. On receipt of the test or examination results or other evidence, the Registrar would then decide whether the licence would be returned to the person conditionally or unconditionally.

As a result, the community was safeguarded by the Registrar's power to immediately suspend the licence of a person who, in the opinion of a health professional, should not have been driving on a road.

This is the procedure intended by Parliament. However, when the Motor Vehicles Act was amended in 1999 to implement the National Driver Licensing Scheme, section 88(1) and (2)—which allowed the Registrar to impose and remove a licence suspension—were inadvertently removed. It was assumed that section 80 contained the necessary power to immediately suspend the driver's licence of a person who was medically unfit to drive, should it be necessary.

However, late last year the District Court found in *Cummings v Registrar of Motor Vehicles* that section 80 of the Motor Vehicle Act does not enable the Registrar to immediately suspend a licence. Rather, the Registrar must, on receiving information from a health professional, and before suspending the person's licence, require the person to furnish evidence that they are fit and able to drive. Only if the person cannot or will not supply this evidence within a reasonable period can the Registrar proceed to suspend the person's licence.

A real, immediate and substantial risk to the community has been revealed as a consequence of the Court's interpretation of section 80 in *Cummings v Registrar of Motor Vehicle* as it may enable people who should not be behind the wheel of a motor vehicle to continue to drive.

Currently the Registrar receives approximately 50 notifications per week from health professionals that a person is suffering from a physical or mental illness, disability or deficiency such that they are likely to endanger the public if they continue to drive. The severity of their conditions is such that immediate licence suspension is warranted. In a significant proportion of these cases, it is unlikely that the person will attempt to continue to drive as they are incapacitated, significantly disabled by their illness or have heeded professional advice not to drive. However, approximately four per cent represent a significant risk to the community as they tend to wilfully ignore or defy the advice of their health professional not to drive.

Licence suspension will reinforce the advice provided to the person by their health professional that they are not capable of driving safely and are likely to pose an unacceptable risk to the community and themselves should they continue to drive.

Officers from the Department of Transport and Urban Planning have worked with the Crown Solicitor to put in place an emergency procedure to deal with individuals whose licences need to be suspended immediately.

However, these procedures do not represent a long or even medium term solution. They are merely strategies designed to minimise the risk to the community until the Motor Vehicles Act can be amended.

Other approaches to addressing this problem, such as providing the Registrar with the power of immediate suspension by amending regulations under the Act, or utilising other general powers under the Act, have been explored and found not to be viable.

The amendments to the Act proposed by this bill are quite straightforward. Clause 4 amends section 80 by inserting a new provision that restores the Registrar's power to immediately suspend a person's licence on receipt of information that the person is suffering from a physical or mental illness, disability or deficiency such that they are likely to endanger the public if they continue to drive.

The clause also amends the section by inserting the phrase, "for such period as the Registrar considers necessary in the circumstances of the case". The intent of this additional amendment is to clearly define the limits of the decision-making process and to allay any perceptions or concerns that the Registrar's powers in determining the period of a licence suspension are virtually unfettered, or that these powers could be misused.

I also note that these amendments to section 80 will in no way diminish a person's right to appeal against a decision of the Registrar. Should a person be dissatisfied with a decision of the Registrar to suspend their licence (including the length of the suspension), the person can seek a review of the decision under

section 98Z of the Act. If a person is not satisfied with the outcome of this review, they may, under section 98ZA, appeal against the decision of the Registrar to the District Court.

The bill also contains a provision to ensure that licence suspensions imposed before the commencement of this measure are valid.

The bill corrects an anomaly in the Motor Vehicles Act to ensure that it operates as, I believe, Parliament intended.

Most importantly, the bill seeks to ensure that the community continues to be protected from the dangers posed by individuals who are suffering from a physical or mental illness, disability or deficiency and are a danger to themselves and others if they continue to drive.

I commend the bill to honourable members.

#### Explanation of Clauses

##### Part 1—Preliminary

*Clause 1: Short title*

*Clause 2: Amendment provisions*

These clauses are formal.

##### Part 2—Amendment of Motor Vehicles Act 1959

*Clause 3: Amendment of section 5—Interpretation*

This clause inserts a definition of "health professional" in the principal Act to avoid use of the lengthy phrase "legally qualified medical practitioner, registered optometrist or registered physiotherapist" in sections 80 and 148 of the Act.

*Clause 4: Amendment of section 80—Ability or fitness to be granted or hold licence or permit*

This clause amends section 80 of the principal Act to enable the Registrar, without having to require a person to undergo tests or furnish evidence of their ability or fitness to drive, to suspend a person's driver's licence or learner's permit (or to refuse to issue or renew a licence or permit, or to vary a licence classification) if satisfied from information furnished by a health professional or from any other evidence received by the Registrar that the person is not competent to drive a motor vehicle or a motor vehicle of a particular class. It also empowers the Registrar to suspend a person's licence or permit for such period as the Registrar considers necessary in the circumstances of the case.

*Clause 5: Amendment of section 148—Duty of health professionals*

This clause amends section 148 of the principal Act to replace the references to "medical practitioner", "registered optician" and "registered physiotherapist" with "health professional".

##### Schedule 1—Validation of certain acts

*Clause 1: Certain acts validated*

This clause validates suspensions of driver's licences and learner's permits purportedly imposed by the Registrar under section 80 of the principal Act before the commencement of this measure that would have been valid if they had been imposed after that commencement.

**Mr BROKENSHIRE** secured the adjournment of the debate.

### ADDRESS IN REPLY

**Ms THOMPSON (Reynell):** I move:

That the following Address in Reply to His Excellency the Lieutenant-Governor's opening speech be adopted:

May it please Your Excellency—

1. We, the members of the House of Assembly, thank His Excellency the Governor's Deputy for the speech with which he was pleased to open parliament.

2. We assure Your Excellency that we will give our best attention to all matters placed before us.

3. We earnestly join in His Excellency's prayer for the divine blessing on the proceedings of the session.

It is with great pleasure that I move the adoption of the Address in Reply. I start by thanking His Excellency the Governor's Deputy for attending parliament yesterday in the unfortunate absence of the Governor, Marjorie Jackson-Nelson: but, of course, as members will recognise, the Governor's Deputy fulfilled the role admirably. I also thank Kaurna elder, Lewis O'Brien, for his welcome on to country to commence the ceremonies yesterday.

I had a combination of reactions to the Governor's address. I was, first, saddened by the number of bills which

have to be placed on the *Notice Paper* for a second time because they were not able to pass through the two houses of parliament in the last session. A number of important pieces of legislation that affect the health and safety of this community were not able to be dealt with within a reasonable time. In particular, I mention the Health and Community Services Complaints Bill which was introduced very early in the last session and which was delayed and delayed. It concerns me that not all members of the parliament in this and the other place recognise just how important that bill is to the health and safety of our community and the efficient functioning of our hospital system. I was reminded of this yesterday when I heard an item on the news about the New South Wales health complaints ombudsman having identified, through a review, that 17 people had died unnecessarily in that state because of poor treatment in hospitals. We would like to say that that would never happen in South Australia, but I think we all know that hospital systems are under great strain and that they are staffed by humans who make mistakes. As the New South Wales commissioner identified, it is really important that the microsystems surrounding patient care be carefully examined on a regular basis.

The Health and Community Services Complaints Bill provides a mechanism for ordinary citizens to raise issues of concern regarding their care, or that of their relatives, in a very simple manner. They are not required to sue someone to prove that they have been treated poorly. They are not required to go before a medical board, face a number of experts and be questioned by them. They are able to go to a health and community services complaints ombudsman, indicate their problem, have the matter investigated, and have the ombudsman seek to conciliate an outcome which is satisfactory for all. This is an excellent system. South Australia is the only state that is now lacking this system, and I urge all members of this place and the other place to move to enable the prompt passage of this bill when it is reintroduced.

Of course, another matter that was reintroduced is one about which the Attorney-General spoke today, that is, the Statutes Amendment (Anti-Fortification) Bill. I think we will all feel safer when biker gangs are not able to intimidate local government into enabling their fortified premises to be erected. Bringing the matter into the province of the Police Commissioner is an entirely proper and sensible manner of dealing with this and, again, I hope that it passes quickly.

It was noted very early in the Lieutenant-Governor's comments that the community wants to feel safe in their homes and on the streets, and a range of the measures identified in the Lieutenant-Governor's address will contribute to that feeling of safety. During the break I undertook a survey of my constituents, asking them about the issues on which they wished me to work and how they were situated in relation to issues such as health, education, jobs, housing and community safety, and what action they wanted to see taken in these areas. In relation to the Lieutenant-Governor's speech, I am pleased to point out that many issues raised by members of my community are being addressed in some manner. One of the key issues was that people do not feel safe in their homes, and I find it very sad that, in an era when people are in fact much safer than they have been in many bygone eras, they are not able to have that feeling of security. This is something that we need to work on through a combination of initiatives to enable people to feel that they can participate in the community and feel comfortable in their homes.

We also heard of measures relating to sustained economic growth, greener and cleaner environments, good financial management, and that we reduce state debt through careful budget management so that we can achieve a long-term sustainable position in order to provide the schools, hospitals and social services that the community deserves and expects.

I know that it is very difficult to maintain budget discipline, and this government does not have much of a precedent on which to base its actions when you look at the actions of the previous government. We hear from members opposite again and again demands for further expenditure. But the expenditure is often the opposition's wishy-washy sorts of feel-good displays that they indulged in while they were in government—

**An honourable member:** Soccer stadiums

**Ms THOMPSON:** Yes, soccer stadiums, wine centres, bus terminals at Football Park—and on and on we go. I find that some of my constituents now really expect the Labor government—

*Members interjecting:*

**The SPEAKER:** Order! It is almost insulting to refer to some members as parrots. I do not want to have to do that. There are a variety of species of cockatoo. The member for Reynell has the call and is responding to the address made by the Governor's Deputy on behalf of the whole house.

**Ms THOMPSON:** Thank you, sir. In the effort to maintain budget discipline, the Treasurer has to resist many calls for expenditure, and I note that when they come from people on this side of the house and from some of my constituents they do not relate to fripperies. I was at a meeting the other night, when some locals asked me why it would not be possible to borrow in order to put on 250 additional social workers that some people believe are needed in FAYS. The rationale was that the provision of early intervention services in relation to child abuse and neglect would save the community many millions of dollars over the next 30 to 40 years, so perhaps we could consider the present value of those savings and borrow in order to employ social workers.

Of course, I had to reply that this is not the way to manage our budget tightly, even though I recognise that there is some merit in that argument. Unfortunately, I also recognise that Standard and Poor's and Mooney's do not have an equivalent view of the value of some of the activities in our community.

I speak of this because it illustrates just how bad the situation was allowed to become during the previous government's era in the delivery of some of our most basic social services. The fact that people are now asking for 250 social workers in relation to child protection indicates that that important area of government activity was abysmally neglected under the previous government.

I noted in the Lieutenant-Governor's address the release of the second report of the Social Inclusion Board entitled 'Everyone's Responsibility: Reducing Homelessness in Australia' and that in this report the board outlines how it will achieve the government's target of halving the number of people sleeping rough in this state. In my area, I do not often see people sleeping on the streets. However, people sleeping on the street is only the visible end of the homelessness issue. I have visiting my office every day people who do not really have a home. They are a family of four sleeping in the second bedroom in a two-bedroom unit under extremely crowded conditions.

This is a stressful environment for all members of the family. It is usually the grandparents giving shelter to a child

and their children. Sometimes, the older members of the family are not well, their patience is a little exhausted, and they find that suddenly they have to deal with a sick child being accommodated in their second bedroom, together with three other members of the family, in stressful circumstances. These people are yet to be up to the priority stage for dealing with the huge problem of homelessness in our community.

I think that we all recognise that dealing with those people who are sleeping on the streets is our first priority, but there is much room for work to be done in relation to adequate housing in our community. Again, the current government has to overcome years of neglect by the previous government, which saw about 8 000 public houses disappear from the total number of houses available through the Housing Trust and the Community Housing Association. How many of those people could be safe, secure, warm and able to face their future with confidence if the previous government had not dispatched 8 000 public homes?

I think we all know that education is one of the great priorities of this government. The Governor was able to refer to the fact that this year there are smaller junior primary classes for more than 9 000 children, a new school leaving age of 16, new efforts to reduce truancy, and primary counsellors for an extra 32 schools. I am also very pleased that the government has made more than 1 000 school and preschool teachers permanent. As I move around schools in my electorate, permanency for teachers is an issue about which people have frequently told me they are really pleased. Both parents and other teachers in the school tell me how much more stable the school is and how everyone can be confident in planning for the future when contract teachers become permanent.

What is more important in this area is that teachers who choose to teach in the schools in my electorate (some of which offer considerable teaching challenges) and who are committed to their profession want to provide opportunities for children to learn. Unfortunately, some of the families in my electorate have not been able to provide their children with some of the preschool learning opportunities that more middle class families are able to provide. The increase in teachers in the junior primary area is a really crucial step in being able to address quickly the educational deficit some children have when they come to school.

I heard that the member for Mawson was not very confident that there had, in fact, been many initiatives in schools. However, I am able to report a very solid list of improvements in schools in my area, although I readily admit that there is a long way to go. However, since this government has been in office, money has been carefully and wisely spent where it can have the maximum impact. So, instead of announcing \$6 million here and \$8 million there, we are sometimes announcing things such as \$27 600 for upgrading toilets, which is something that has happened at the Reynella South school.

Upgrading toilets is a really important initiative. It tells children that they and their health are important, and it helps them establish healthy personal habits. It stops children, as I have heard, not visiting the toilet all day. I have been told many times about children in my electorate, who, under the previous conditions, found the toilets so revolting that they would not use them. I consider it disgusting that any government could allow such conditions to continue in their schools: this government will not. The Minister for Education and Children's Services wisely identified the upgrading of toilets

as a priority area for the schools asset management plan and has set about giving our children healthy sanitary facilities.

Further, at the Reynella South Primary School, \$132 250 has been provided for upgrades to the administration area and sick area—again, important areas for effective school administration—and \$40 000 has been provided towards upgrading the middle school classrooms, as well as extra funding for school counsellors. At Flaxmill Primary, additional junior primary teachers have been employed to reduce class sizes, as well as extra school counselling support. At John Morphett Primary, again additional junior primary teachers have been employed to reduce class sizes and extra school counselling support has been provided.

Recently, when I had the pleasure of visiting John Morphett Primary School to present SRC badges to a number of the young people, I was told that the extra school counselling support has made an incredible difference to that school. Whilst it is only a few hours a week, that money has been used to assist children with their behaviour management and improve relationships with families and it allows the principal to engage more in educational leadership instead of having to focus all his time on behaviour management. The John Morphett Primary School was extremely pleased with the big difference those few hours of additional support have made.

Again, at Lonsdale Heights Primary School, additional primary school teachers have been employed to reduce class sizes. At Morphett Vale West, a PIE project grant is to be used for a numeracy project and extra school counselling support has been provided. Children attending Pimpala Primary are pleased about having their toilets upgraded, although the work has not been completed yet. Both the members of the governing council and the school leadership were very concerned about the state of the toilets used by the children. There is also funding for extra school counsellors. Coorara Primary School also received funding for extra counsellors, making a huge difference to the children's learning environment.

One of the three secondary schools in my area, Morphett Vale High School, has received funding for an attendance improvement package, which has made a real difference in the school. Mentors have been introduced and a very important upgrade to the technical studies area (which had been allowed to become quite unsafe by the previous government) and also an upgrade of electrical circuit-breakers has occurred. This is another area where teachers and children were at risk because the standard of the documentation of the electricity system in the school was so abysmal. There was one incident where someone was put severely at risk. The school staff feel very unsafe when they have to change fuses because of the poor state of the circuit-breakers. Again, this basic action about basic school facilities has been undertaken by this government.

Christies Beach High School has introduced mentors and received funding for a tree planting day, an ecologically sustainable development grant for a catchment stakeholder newsletter and a plant propagation facility. There has been support for an environment program with the Christie Creek catchment group under Green SA Schools and a grant for harmony in schools under multicultural education grants. These are a series of small initiatives that make the school a much better learning environment.

Mentors have been introduced at Wirreanda High School and this government has given its continued support for a gymnasium, the funding for which was announced by the previous government in its dying hours of office. These

initiatives show that this government is spending money wisely, where it counts, to improve the education of our children and particularly to improve the education opportunities for children in schools where the family wealth is not always able to provide the sorts of opportunities available to some children in our state. We have prioritised the expenditure to areas of greatest need.

The Generational Health Review is a major initiative in terms of trying to be able to deliver the health services our community needs. It is not just about delivering hospital services but about trying to improve the health of our community and involving people in the management of their own health. It is also about trying to coordinate the services that are available so that there is not waste and duplication. This will be a long-term initiative. It is designed to serve the community for 20 to 30 years, and it will probably take at least 10 years to implement. However, at least we now have a clear view of what needs to be done to make the health service deliver healthy outcomes for people in our community.

As I mentioned earlier, my survey indicated that people feel very vulnerable. Older people particularly in our communities feel extraordinarily vulnerable. This is despite the fact that Institute of Criminology figures show that older people in their homes are less at risk of harm than any other group in the community. However, because on the rare occasions when they are harmed they are often very frail and vulnerable, the feeling of vulnerability is increased. So, sometimes there is the need to give a message to those members of the community that we recognise their feelings of vulnerability and that we consider their safety to be extremely important. That is why this government is looking at harsher punishment to criminals who pick on the elderly and the vulnerable.

The other people who are singled out for particular protection under new government initiatives are children and people with a physical or intellectual disability. I was pleased to note that the government will also give the courts the power to impose longer sentences against those who attack public officials such as nurses, teachers and police officers. We are all revolted when we hear of people who give much of their time, physical and emotional energy, as well as their safety to protect the community, being set upon. People know about the way in which police officers put their safety and lives on the line for us every day. However, they are not always aware of the extent to which both nurses and teachers are attacked in their line of duty. Sometimes this is because, particularly in the case of nurses, very sick and vulnerable people are not totally aware of what they are doing. However, unfortunately at other times it is because people are malicious and inconsiderate and attack people who are doing their jobs in the interests of the community but who may at times have had to indicate that they were not able to provide the service or take the action that a particular community member had wanted. People cannot attack the people who are serving our community in this way and expect that it will be ignored. We will allow the courts to treat such behaviour particularly harshly.

The government will also introduce a new class of offences to facilitate the conviction of parents or caregivers who are criminally responsible for the death or serious injury of children. Again, we are all revolted when this happens. I am pleased that this government is not simply relying on prosecution after a tragic event. It has been taking great pains to identify how we can support families of young children,



particularly those who are especially vulnerable. In this area international research has confirmed the importance of the early years as a way of ensuring good health and good educational outcomes. Dollars spent in the earlier years return great dividends in our community. So, we are bringing together an initiative that provides opportunities for children, as well as protection for them.

One of the initiatives of this current government which did not receive attention in the Governor's speech but about which I am most proud is the government's early childhood services initiative, which has been announced by the Minister for Health. In this I acknowledge the work of the member for Wright who, in her role as parliamentary secretary, has worked hard to develop the initiatives. The government's priority for children and families was reinforced by recommendations in both the Generational Health Review and the Layton report into child protection. The early childhood initiative will provide for universal home visiting for every child born in South Australia. The strategy will provide much needed information, support and reassurance for parents at the time they need it most. It will also provide for sustained support for families that need extra help to make the start of life safe, secure and stimulating for their baby.

I am pleased that this government is committed to delivering services to children in a way that encourages and supports parents. It is well known that new parents can feel very vulnerable and uncertain in their role, and they can perceive criticism even if there is none. Professionals need to make sure that their work with parents is based on partnership and a clear stance of working alongside them, not lecturing and judging them, but of being practical, tangible assistance to them. I am assured that the government's new initiative has this value base firmly built into it. I look forward to further more detailed announcements as the initiative rolls out.

As a member representing an electorate that contains many young families, I am certain that this scheme will be of great benefit to them. It will also be of great benefit to some of the grandparents who talk to me about their concern that their grandchildren are not being cared for in the way they would like. There is nothing like that sort of intergenerational conflict to poison a family. When there is involvement of a caring professional—sometimes supported by volunteers, I might add—this can really reassure all persons who have the welfare of the child at heart. So, I look forward to learning more about the outcomes of the early childhood initiative.

*Mr Koutsantonis interjecting:*

**The ACTING SPEAKER (Mr Goldsworthy):** Order!

**Ms THOMPSON:** Returning to the issue of the vulnerability felt by many members of our community, one of the more recent ways that people have raised their concerns with me relates to identity theft. I am pleased to note among the initiatives announced in the Governor's address the inclusion of legislation relating to identity theft and fraudulent behaviour, and also relating to computer crime. I was also pleased to note a comprehensive range of prison-based rehabilitation programs because, as much as people are anxious for those who offend the community to be removed from the community, it is absolutely no good if they come back into the community in an even worse state than when they went into prison.

I am sure members will recall that the Governor's speech referred to the implementation of the recommendations of the Economic Development Board which arose out of the Economic Growth Summit and which is contained in the

report entitled A Framework for Economic Development in South Australia. I note particularly that one of the recommendations relates to eliminating some boards, statutory authorities and advisory bodies, and this will require legislative change. Some years ago (in my time as a public servant) I was involved in a committee which sought to review some of these boards, statutory authorities and advisory bodies.

We looked at a number of them and we could not really see why they should continue, but when we wrote to the industry and community partners who were stakeholders they all insisted that these boards, statutory authorities and advisory bodies were needed for the health, safety and wellbeing of their industry. I think that we need to recognise the challenge involved in removing these boards; that they were not usually invented by some government—whether it be Labor or Liberal—for the fun of it: they were usually established as a result of governments responding to requests from the industry for some sort of regulation or protection in a time of need.

And often, once a board is there, the industry keeps on looking for that protection. So, it will be a real challenge, and I anticipate that all members—particularly members opposite—will be lobbied very strongly by various community boards and groups (particularly from rural areas) which do not wish to be abolished. It is really incumbent on all of us to remember the strong bipartisan support that was displayed at the Economic Growth Summit and the strong support from industry and community leaders. And when we are urged not to abolish a particular board because of its role in someone's life we need to be strong and remember that it is probably now an impediment to effective and efficient development in South Australia.

I have been particularly pleased that there is also to be established an economic development plan for the south, recognising that this region has not always shared in the development that some other parts of the state have enjoyed, and that there is a need to treat the southern region as an important part of the state's economy and one that has its own characteristics and needs. The southern economy has potentially great significance for economic growth into the future. In the past governments have helped with specific businesses, for example, Mitsubishi, but there has not been a clear plan for new economic opportunities for the whole region.

And while much money has been used to support Mitsubishi by this government and previous governments, as well as federal governments, the trickle-down effect does not cover all areas of the region. So, it is very important that an economic development plan be developed by this government to identify new opportunities for the region that will lead to long-term jobs growth. Senior government officers from relevant departments will be assigned to develop the plan. This is a whole of government initiative which will be coordinated by the Office for the Southern Suburbs. Also, the City of Onkaparinga will be closely involved in the development of the plan, as well as local business enterprise centres and business associations.

I am pleased to note that there is a full-time research officer dedicated by the government to consolidate information that already exists about economic development in the southern suburbs and the structure of industry and employment in the region so that this initiative will not duplicate any path, plans or strategies. I am pleased that the research component will be ended very shortly—hopefully by the end of September—and that there will be an economic develop-

ment plan for the south early next year. The need to promote an active, confident and skilled work force is something of great importance to this state.

The whole picture of the work force did not receive much attention under the previous government. I frequently raised the issue of work force participation as a symbol of the confidence that a community has in its economy. I was particularly concerned that work force participation rates in the south of Adelaide had fallen more than in any region other than Port Augusta. The building of the Alice Springs-Darwin railway line offered major hope to the Port Augusta economy and a great opportunity for an increase in work force participation in that area.

I do not yet have local figures on increases in work force participation, but I am very pleased to note that, according to the ABS work force participation trend rate series, there has been a display of confidence in our economy by the people of South Australia since the election of this government. In March 2002 the participation rate in South Australia was 60.8 per cent, which was 2.9 per cent behind the national average. By August this year that figure had increased to 62.1 per cent, which is now only 1.4 per cent behind the national average. I regard this as a real symbol that the people of South Australia are confident in the direction that this government is taking.

I will conclude my remarks by speaking briefly about another important area for this government, that is, the environment. The Governor's speech mentioned the initiatives taken in relation to the Murray-Darling Basin. I commend the Premier and the Minister for Environment and Conservation on securing a COAG resolution in relation to the Murray-Darling Basin system and a commitment to action over the next five years. The \$500 million agreement resulting from this is crucial to restoring the health of the river.

In the constituent survey which I undertook and which has previously been mentioned I found that, in answer to the question: if you were premier for a day, what is the single thing you would want to achieve, many people indicated they would like to fix the Murray River. It is certainly something of concern to all people in this state. Of course, one of the environmental initiatives is the urban forests project. I am pleased to say that people in Reynella and surrounding areas will really be able to participate in and enjoy the urban forests. I think that most members would recognise that Reynella is an area from which most original vegetation was cleared.

The land was used for farming of various sorts in a day when the need to grow trees was not so recognised. As far as households are concerned there has been a concentrated effort on greening the area, but our creeks and some of the public spaces still need much attention. The first areas where urban forest activities will occur will be along Christie Creek and the Field River. Other sites involve schools, which is another excellent way of involving young people in a commitment to the future of their community and their recognising that they can beautify their environment.

Unfortunately, too often a very small minority of young people receive attention for the damage they do to the environment, but there are many more of them involved in beautification. Two sites that will be developed in the early stages of the urban forests project are the Lonsdale Heights Primary School and the Southern Futures Vocational College. The other sites for urgent attention in relation to the urban forests project are the O'Halloran Hill Recreation Park and

Glenthorne Farm which, of course, will be of interest to all people from the south.

There are further areas being investigated, one being Tarnnanga Reserve in Morphett Vale, a site along Christie Creek which has been used for many years by local residents and which does have some important remnant vegetation, and it will be very pleasing to see this supplemented by more concentrated plantings as part of the Urban Forest Project. Whilst I did say that I was going to wind up in relation to the environment, there is one more matter that deserves attention, particularly now that the Minister for Transport has returned to the chamber, and that is South Australia's first transport plan in 35 years, which will be an important achievement of this government.

I know that many people and business organisations in the south were pleased to have the opportunity to contribute to the development of the plan. They saw that there was plenty of room from the draft plan to contribute information about their priorities, and I am confident that the minister will take account of the needs for economic development in the south when addressing the final draft of South Australia's first transport plan. Again because of the state of the finances, I point out to my constituents that we are not likely to be electrifying the southern railway tomorrow and probably will not be able to take it down to Aldinga the day after, but at least we will know, again, the wisest way to spend the money that we have available so that it is spent in the direction of efficiency in transport, recognising the role of public transport but also the role of private transport and particularly the role that private transport has in support of economic development.

It is important that every dollar we spend fits into an overall direction, so that we do not find that we are digging up things or having things not meeting up and just frustrating the community again when they see their money being unwisely spent. There were many other initiatives announced in His Excellency's address, all of them important and contributing to a better way of life in our community, a healthier economy, healthier individuals, better educated individuals who not only are able to obtain the jobs of the future but who, through an improvement in education, are able to better understand some of the forces that act upon them.

Empowering individuals to take constructive paths in their lives is something that is very important to me as I see some people who have suffered many setbacks in their lives and often find it difficult to see a way forward. We need to find different ways of walking alongside them, helping them to make the most of their abilities, helping them to contribute to our community and provide a more vibrant future for all of us. I am confident that the measures outlined in His Excellency's address provide an important step in that overall process of prosperity and wellbeing for the state.

## WORKCOVER

**The Hon. M.J. WRIGHT (Minister for Transport):** I seek leave to make a brief ministerial statement.

Leave granted.

**The Hon. M.J. WRIGHT:** During question time today I undertook to check on two matters in relation to which questions were asked. I am now in a position to provide the house with further information. I can confirm that I was provided with a short list of five candidates for the position of CEO of the WorkCover Corporation. I can also confirm

that my office has received a draft copy of the June quarterly performance report. The finalisation of the report and its release is a matter for the WorkCover board. I have not been advised of a release date.

#### ADDRESS IN REPLY

Adjourned debate on motion for adoption resumed.

**Ms BREUER (Giles):** I am very pleased to respond tonight to the Deputy Governor's address and was pleased to hear his proposed program for the new term of this parliament. I was also very pleased that leading his speech was his reference to social justice and social inclusion, particularly his reference to the implementation of the Layton child protection review. During the break I was asked by the Woomera school to speak to year eight to 12 students about being Australian: about what it is to be an Australian, how proud we are to be Australian and how important it is to vote in this great democracy of Australia, a democracy where we all get a fair go.

I was very pleased to speak to these young Outback Australians. It was only a small group of about 20, because it is a very small school now. I spoke for quite a few minutes about how proud I am to be Australian and then I looked at the young boy who was sitting in front of me. He was a young lad of about 13 years old, big brown eyes, beautiful innocent face, and I realised that I was looking at one of the detainee children housed in the Woomera community, although still very much in detention. I actually felt physically sick and I had to stop talking. I thought: how can I stand here talking about how wonderful a country this is, how proud I am of it, when sitting in front of me is an innocent young child who was incarcerated by our Prime Minister and our Immigration Minister?

This child and his family were locked behind razor wire, kept there indefinitely until he and his mother, presumably, were released into housing, still constantly monitored and supervised by ACM staff in uniform, not knowing when or if they would be released to find the freedom that they had risked their lives to gain. Those beautiful eyes were not the eyes of a terrorist: they were the eyes of an innocent, beautiful young child, a child that Philip Ruddock, Minister for Immigration, had chosen to subject to a miserable, desperate, frightening life, all in the name of border protection. I continued speaking to the children but I felt hypocritical, and mostly I felt guilty. I felt guilty because this is happening in our beautiful country. I felt guilty that my fellow Australians believe that this is a just punishment for the asylum seekers.

But mostly I felt guilty that I as a Labor politician in a party with its basis of a fair go for all have not spoken out enough against this man Philip Ruddock. Philip Ruddock's behaviour is a blight on our humanity, and he is aided and abetted by his warlord John Howard. They have turned this country into a racist, demonising, uncaring country where it has become an object of ridicule to be a do-gooder: you are seen as a bleeding heart. When I was young we were taught to love our neighbour, to care for those less fortunate than us and to care for and assist those who needed help. What has happened to us? What has happened to us as a country? Philip Ruddock has turned this country away from our heritage, away from the great advances we have made since the abolition of that dreadful scourge in our society, the White Australia Policy, away from the reputation we held in the

world of being a welcoming, caring nation, compassionate to the needs of other countries and to people in trouble.

Can we forget the pride of seeing Cathy Freeman light that Olympic flame? There was a lump in our throats at seeing a young Aboriginal hero, symbol of all the good things about Australia, up there on the screens of millions of people worldwide. Now we are viewed with disgust by other nations because of the abhorrent treatment of our refugees by Philip Ruddock and his despots. Philip Ruddock also, on hearing three weeks ago that the courts had ordered the release of a young family of five children from Baxter Detention Centre after years of detention, said that he would do all in his power to have the children brought back into custody. How callous and cruel is this man?

I listened to an interview with Ms Pauline Frick from Centacare the day after their release. She and Dale West from Centacare had moved them from Port Augusta to Adelaide and reunited them with their mother for a few hours. She was receiving medical treatment in Adelaide. Pauline described the reunion, how their mother had cooked all afternoon while waiting for them and how they laughed and teased each other like any siblings. She spoke about the wonderment on their face and in their voice when they realised they did not have to ask all the time for anything. They are temporarily free.

I sat outside my office that morning and listened as Pauline described them at that time. It was live radio, and she described how the youngest was snuggled up to her. I cried. Tears ran down my face with the sadness and the shame of what we have done to these young children and their lives. I cursed Philip Ruddock when I heard him say that he would fight to get them back into custody again—the whey-faced, stubborn Philip Ruddock, whom I met several years ago, but whom I scarcely remember because he seemed so inconsequential. This is the man who has cold-bloodedly constructed this inhumane, callous policy, the miserable consequences of which we see in this state.

In recent weeks I have grown concerned about the state of mind of many people in my electorate who visit Baxter Detention Centre. They are distressed, they are agitated and they are seriously stressed. They are carrying the weight of our collective sins on their shoulders, the sins of Philip Ruddock's policies. Weekly, indeed daily for some, they visit the people in these centres, and these people are not faceless, nameless numbers but real people. Of course, Philip Ruddock does not want them personalised.

When the SIEV X sank in Indonesia in October 2001, 353 people died, many of them mothers and children—almost twice as many people as those who died in Bali. Many of us know many of the names of those who died in Bali, but Ruddock took great care to ensure that those people who drowned remained nameless and faceless. When the *Tampa* situation occurred, the media were kept away. We saw some helicopter shots and footage from far away, but we saw no real people. We heard only sanitised reports from the Prime Minister and Philip Ruddock. When the babies overboard incident supposedly occurred, we heard allegations about parents in life jackets throwing children overboard, but we did not hear ages or details of the children, or anything that was real or personalised. We demonise these children and these people; we certainly do not make them seem real.

I ask myself who is this Philip Ruddock, and why and how he has become this bloodless, colourless Mr Burns of our country. Last week I heard a wonderful interview with Lowitja O'Donoghue, who is a well-known and respected Aboriginal activist. She is also a very active worker with

young asylum seekers from Afghanistan. She has been very outspoken about our policies and is continually campaigning to inform people about what is happening in these detention centres and to these people. She spoke of Philip Ruddock. She said she had known him for many years, had worked with him and travelled overseas with him. She said that she knew him when he was on fire for Amnesty International. Unfortunately, something has happened to him.

An eminent former state Liberal politician spoke to me last year about Philip Ruddock. She said she had known him for years when he was a strong advocate of people's rights. She said that now he has changed. He is bloodless. They were her words. Philip Ruddock was once a proud member of Amnesty International, a man respected for his enthusiasm for the organisation and its principles, its first principle being that no-one should be imprisoned for things they have said or written. He persuaded many of his colleagues from all sides of parliament to set up a parliamentary branch of Amnesty International.

Philip Ruddock believes so strongly in his principles and his Christian values that he crossed the floor in 1998 to vote against his leader, John Howard, who wanted to curtail Asian immigration. Now Philip Ruddock still wears his Amnesty International badge, but with defiance. The organisation has repeatedly asked him to remove it. His policies are against all that Amnesty International stands for.

He has imprisoned and continues to imprison men, women and children who are guilty of nothing more than wanting a better life for themselves and their children. Overwhelmingly they have been found eventually to be genuine refugees. Some were destined in their own countries to be tortured or killed. They wanted freedom in a new country and a new life for their children, as I believe any of us in this chamber would do. If we were in similar circumstances we would want the best for our children. There has been no legitimate, official way they could get to Australia, the so-called land of tolerance, freedom and justice. So they came out on boats to try to make a new life for themselves. We have locked them up behind razor wire, behind electrified fences, for years at a time, subjecting little children to live with violence, mental illness and brutality every day they are imprisoned.

What happened to Philip Ruddock, the former president of the Young Liberals, a decent politician who put his career on the line to defend non-racist immigration? He became a minister. Finally all his ambitions were realised. He said, 'I have been waiting to be a minister for 20 years.' He has been prepared to sacrifice his principles, his values and his beliefs to become Howard's most valued minister. Philip Ruddock has sold his soul for his ambition. He has had to become tougher than anyone. He has had to make harsh decisions to ignore any humane feelings he once harboured to develop policies which have been cruel, hard and despicable and which should be totally anathema to Australians. Crikey.com calls him the cadaver. He is compared to Mr Burns, the soulless, aged, unfeeling despot in the Simpsons—a pathetic figure. He has received more criticism and attention than any other minister in the Howard government, but his ruthless, inflexible, unrelenting policies and attitude have not wavered. After the last federal election, having served his Prime Minister loyally and introduced those dreadful policies—

**Mr BRINDAL:** I rise on a point of order of relevance. This is the Address in Reply in the South Australian parliament, and all I am hearing is a speech about federal immigration policy. I cannot see that it is relevant in the context of this debate.

**The ACTING SPEAKER (Ms Ciccarello):** Traditionally a broad-ranging speech is allowed.

**Ms RANKINE:** I rise on a point of order. I wonder that the member for Unley could hear what the member for Giles was saying because he was taking a call on his mobile phone, and I thought that was against standing orders.

**The ACTING SPEAKER:** Yes, the member for Unley knows that it is inappropriate to use a telephone in the chamber.

**Mr BRINDAL:** I defer to you, Madam Acting Speaker. If you can you tell me under which standing order it is illegal, I would be most grateful.

**The ACTING SPEAKER:** It is the customary practice of the house. The member for Giles has the call.

**Ms BREUER:** Thank you, Madam Acting Speaker. My speech is very relevant to this state. The people of this state are paying money for our police force to go to Baxter, and we are paying for many of the medical services that are supporting these people. It is a huge issue for South Australia. Baxter is based in our community.

**Ms Thompson:** Child protection, emergency services.

**Ms BREUER:** As I led into my speech I mentioned child protection, which is why I have brought up this subject today. After the last federal election, having served his Prime Minister loyally and introduced those dreadful policies, Philip Ruddock would, one imagines, have been promoted for his loyalty and his hard work and would be given another portfolio, but, no, he was given the Aboriginal affairs and reconciliation ministry. What an insult for Aboriginal Australia and what a tragedy for reconciliation. His hard-nosed attitude now dominates that portfolio, slowly destroying any chance of a positive future.

David Marr, in his book *Dark Victory*, talks about Ruddock the Anglican, the lawyer, the stamp collector. He says that integrity is a key Ruddock word. He says that, talking to the Canberra press club in 1998, Ruddock declared:

As well as our determination to safeguard the integrity of our immigration program, we are also determined to safeguard the integrity of the nation's borders.

How ironic! Integrity! When little children are locked up in desert prisons for years on end—

**Mr BRINDAL:** I rise on a point of order. I do not think it is either orderly or in good taste to refer to someone's religion, denomination or otherwise. I really do not think that should be included in *Hansard*. Whether he is an Anglican, Catholic or Callithumpian, it is not good parliamentary practice, and I believe that the chair should rule accordingly.

**The ACTING SPEAKER:** I do not think that was in any way derogatory. It is just a statement of fact.

**Ms BREUER:** I referred in my speech to David Marr talking in his book *Dark Victory* of Mr Ruddock the Anglican—if the member for Unley is really upset, we will say 'the Christian'. How can anyone say integrity is used when little children are locked up in desert prisons for years on end, daily watching people sew up their lips, swallow toilet cleaners and go slowly mad? That is integrity! I feel sad that we do not seem to be winning this battle to convince our fellow Australians that those people in camps are ordinary human beings. They are tortured souls because of their past and now their present but, like us, they burp, they pass wind, they love, they cry and they feel. Some may be bad and some may be criminal. I certainly doubt that any are terrorists, because they would not arrive in leaky boats if they were. These people are not faultless, but most of them are mothers,

fathers, little children and young adults—they are ordinary people like us.

Philip Ruddock and John Howard have demonised them, turned our nation largely against them and given us a target to hate and despise in these troubled times. I wonder if Philip Ruddock sleeps well at night. Does he doze off with a free conscience and does he wake in the early hours only because he has a full bladder? Or does he wake with a start and sweat and tremble with the enormity of his sacrifice to further his ambitions? What does it profit a man if he gains the world but he loses his immortal soul? History and his god will judge Philip Ruddock.

This government has indicated very strongly that it cares about children and about children's welfare in this state. We will address this very carefully in our term. I hope that the federal government will follow our example.

**The Hon. R.G. KERIN (Leader of the Opposition):** I start my contribution by congratulating the Lieutenant-Governor, Bruno Kruminis, on his first formal address to parliament yesterday, and thank him for the job that he is doing in so ably supporting our excellent Governor, Marjorie Jackson-Nelson.

I turn to the contents of yesterday's speech and the direction which was spelt out by the government and in which it will take us over the term of this parliament. It was very much more of the same: there were a lot of restatements of previous rhetoric. It lacked absolute direction as to where it wants to take the state over the next couple of years. As I said, 'rhetoric' is the key word for the whole speech. Once again, law and order was very much a part of it, and I will come back to law and order. But we are hearing tough talk, at the same time matched with cuts to budgets and no commitment by the government to making law and order work for the people in the community. It is seen more as a headline-grabbing exercise. But, as I said, I will come back to law and order.

I think that our big problem at the moment is that we have a government which is distracted from the main game. At the moment this government is distracted by a range of issues. We have the Atkinson-Ashbourne affair, of course, which will be in the courts, and then we will have an inquiry. In relation to the 'raffle-gate' issue, we are still not sure which of Senator Bolkus's version of events has been decided on, but there have been three different versions. There is also a bit of a distraction within the government as to which faction is knifing whom on certain issues at the moment. Last week we saw the unprecedented move with the—

**The Hon. S.W. KEY:** I rise on a point of order, Madam Acting Speaker. My point of order is along the lines of that taken previously by the member for Unley, and that is the relevance of this topic to the Governor's speech. I wonder whether factional issues—which, I understand, plague the Liberal Party as well as other parties—need to be looked at.

**The ACTING SPEAKER:** I thank the minister. I think there is no point of order and I ask the leader to continue.

**The Hon. R.G. KERIN:** Thank you, and that is an excellent ruling. I can understand why the member is somewhat sensitive about the factional plays within the Labor Party at the moment. Last week, we saw an unprecedented move, when the Liberal opposition, the Democrats and several of the Independents came together to demand an inquiry by the government at the completion of the Ashbourne trial. It is a pity that such pressure had to be exerted

for a process to be put in place which is essential to the trust of the South Australian people in executive government.

Very serious issues are central to the credibility of this government and need to be examined, such as probity; what happened; why it was kept quiet; and breaches of ministerial codes of conduct. We know that we must now let the court case proceed, but the government has been dragged pretty much to the line in relation to an inquiry following that. We await the terms of reference of the inquiry, but we will not be satisfied unless there is agreement from us on those.

As the Attorney is here, I will briefly make the point that it was up to the Premier whether or not he reinstated the Attorney to the position of Attorney-General. I question the judgment of that. I would have thought there was no real problem with the Attorney coming back into cabinet but, weeks after the government had the previous attorney-general instruct the DPP to take a particular direction, it questions the relationship between the DPP and the Attorney-General, in a case where the Attorney-General may have to appear as a witness. I really question the judgment of the—

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

**The Hon. R.G. KERIN:** But the government set the precedent of the Attorney instructing the DPP. In relation to justice being seen to be done, I question the judgment of the Premier. We have heard a lot about openness and accountability from this government over the last 20 months—

**The Hon. M.J. Atkinson:** What portfolio should I have got?

**The Hon. R.G. KERIN:** There's a lot that you shouldn't have got, I know that, but I won't name which one you should have got! I can think of a lot of portfolios that I would keep the member for Croydon right away from, but I will not nominate which one the Premier could have put him into.

Openness and accountability were key planks of the Labor government's election campaign and, since then, we have heard an enormous amount of rhetoric about it. Every day we are told of the government's ongoing commitment to transparency, but that is certainly not backed up with action.

I would like to highlight a couple of the issues in relation to outstanding questions in this place. At present, 131 questions from the Liberal MLCs have not been answered by the government. To date, 63 questions from 2002 from Liberal MPs remain unanswered in this house, and we have asked another 50 during 2003 for which we are still awaiting answers. A total of 115 questions asked by the Liberal Party during estimates in 2002 still remain unanswered, in addition to 90 questions from estimates this year.

**The Hon. M.R. Buckby:** Openness and accountability!

**The Hon. R.G. KERIN:** That's right. This government promised openness and accountability. They also said that they would answer all the estimates' questions within two weeks; they have not done so. Despite the spin that the Premier put on things, when he made that promise of answers to everything, they have just absolutely ignored that position.

*Members interjecting:*

**The Hon. R.G. KERIN:** Someone asked which year. The problem is that it is well past two weeks since this year's estimates and we are still waiting for last year's answers. So, it is a bit of a waiting game and, like many other things, there is not the action to back the rhetoric. In total, 449 questions have not been answered by what claims to be an open and accountable government. I think that is a disgrace.

It is fast becoming a government where reviews and summits abound but no action occurs. Excluding the Constitutional Convention, the Rann government has undertaken

135 government-funded reviews and has held an additional six taxpayer-funded summits. Despite our best efforts and endless requests, the opposition has been advised of the release of only 14 reports. We have a lot of announcements of reviews but only 14 reports that we have actually been able to see.

It seems that reviews are a very good way to put off making any hard decisions and that summits are a great way to get a media headline, but they achieve very little when you have a government that does not pick up on the information that comes from those or put it into action out in the community; that is not happening.

In the area of health, we see some real problems. We hear the government bleating about the federal government and whatever, but with health the federal government has shown some leadership. They really have been about reform in the health area, and it was just a complete stunt at COAG where the premiers had a pre-arranged walk-out. They could not even keep the smirks off their faces. And I am told the reason they walked out is that they had to go to make an ad to get themselves some publicity on the football finals. If that is how important the health agreements are to the Labor premiers of Australia then I think we have got some real problems.

There is a lack of resources and funding within the health sector, and certainly the public health sector providers here would see that as a real catchcry—a lack of resources and lack of funding, but also just a lack of leadership in the health area. As recently as the end of August, CEOs of the state's major public hospitals had to meet to consider cancelling all elective surgery in major hospitals for up to two weeks, and public hospitals have been forced to meet winter demand approximately 100 beds short. Consequently, elective patients are having their surgery cancelled—some up to three times in a row—while waiting lists to see some specialists have blown out by up to 18 months.

I think we all see in our own communities the impact that the management of health in this state is currently having. There are some real problems. We have seen what has happened at Glenside in recent weeks with the escapes of potentially dangerous patients, and each time the escape has been investigated a serious lack of resources has been reported as the major contributory factor. There is not really any excuse for not having done more about that. A bit of a statement as to where health lies at the moment is the fact that in August you could not even get a hot meal at the Royal Adelaide Hospital, and the effect of that on both the over-worked nurses and the patients is certainly unfair.

Unfortunately, industrial disputes have not been confined to the health sector. We have had several others—notably the buses. The thing about the buses is that this was a major problem affecting South Australians on a daily basis, a basic government system used by many South Australians, and we had a minister who was saying, 'Not my job. Nothing to do with me. What role have I got in that? That's someone else's responsibility.' We had a minister who just walked away from his responsibility. In previous years there have been countless examples of ministers who would actually go in and help sort out disputes.

This minister was not only Minister for Industrial Relations but also the Minister for Transport, so to handball it he would have to handball it into the mirror! But still he would not act, and it was only when there was enormous public and media pressure that he got off his hands and held one meeting. After that he disappeared again, and we did not

see any more activity. It really makes a statement when Alex Gallagher, the secretary of the union, was out there criticising the minister for not intervening. That is how obvious it became that the minister was not living up to his responsibilities and was not doing his job.

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

**The Hon. R.G. KERIN:** The member for Davenport makes a very good point. After the rhetoric when the Minister for Transport just kept pointing back and saying that this was created by the last government, it is interesting to note that the minister could now take the buses back when the contracts run out. I bet he does not. He will continue on with the same system. The other telling point is that the last time we had a major bus strike it was not only a state-owned and run system but it was a Labor government as well. So the Labor government's record on industrial relations has already started a major nosedive.

During our term in government we had the best industrial relations record in Australia, but from what we have seen over the last twelve months in particular there is a risk we are going back to the bad old days. We need the minister to intervene and make sure that South Australians are looked after in all these issues. The same minister has a lot of questions to answer on WorkCover. We have asked a lot of questions on this subject since April but have not received anything like satisfactory responses. The minister has come back in here this afternoon to clarify a couple of issues from question time, one being whether or not he saw five names. He told parliament earlier in the year that he had seen those five names.

**Mr Hamilton-Smith:** He forgot.

**The Hon. R.G. KERIN:** He forgot, but he remembered again this afternoon and, to his credit, he came back and corrected it.

Today I asked about the June quarterly report for WorkCover—a very important piece of paper. Any minister responsible for WorkCover should have been chasing that on a daily basis for weeks. While he has been minister we have seen WorkCover blow out from an unfunded liability of \$83 million to over \$400 million. If I was the minister responsible for WorkCover, I would be vitally interested in trying to find out what that level was. He has had to go and check. The report is sitting in his office and has not been looked at. One thinks the minister would be chasing that report on a daily basis. We have a code of conduct for ministers in this state which says that, if they have responsibility for financial issues, they are to keep the house informed. We have not been able to get a figure since the end of March. We brought that figure to this house! We were given that information because some people are extremely concerned about what is going on in WorkCover.

**The Hon. M.R. Buckby:** He would normally meet with the CEO, but he hasn't appointed one to meet with.

**The Hon. R.G. KERIN:** That is true. There is a whole range of issues with WorkCover. Since late last year it has not had a CEO. We have a deteriorating system—there is no doubt about that. The Treasurer has ruled out any taxpayer bailout, but the way it is heading it has so many similarities with what happened with the State Bank. It is a state of denial issue. We have been asking serious questions and not playing games. It is a serious issue with WorkCover. We are talking of hundreds of millions of dollars lost, and no-one from the government seems to care. The Premier has to take a lot more leadership on this huge issue.

We talk about \$1 million here and \$1 million there as far as cuts go, but we have seen well over \$300 million disappear from WorkCover—maybe more, because we cannot get the figures—and it is a very serious issue and one for which the minister has to take a lot more responsibility. It is an important system for both employers and employees in this state and deserves a hell of a lot more attention from the minister and the government, and we will continue to push hard on the WorkCover issue because the government has to take enormous responsibility.

The minister keeps trying to point back at a rebate of \$20 million some years ago. At the time that was a responsible thing to do because WorkCover was performing at that stage. That was not where it ran into trouble. A couple of parliamentary committees are looking at issues with WorkCover, but the minister has a lot of questions to answer on who has made certain decisions, whether there has been influence on some of these decisions and whether they have been bad decisions. That will go further.

Another issue the government seems to want to raise continually is the issue of the low level waste repository. Briefly, South Australians ought to feel cheated on that. They have been misled terribly about what the low level radioactive waste repository is about. It is an absolute disgrace that we have had the Premier and the Minister for the Environment misrepresenting what the low level radioactive waste repository is all about. The terminology 'nuclear waste' is purely to mislead the public. They are talking about the responsible storage of what is currently stored in suburbs and towns around Australia. It is about responsibility. We have a government that is prepared to risk South Australia's clean and green image by tagging and misrepresenting what this repository is all about. The fact that they have said on several occasions that this risks us losing our clean and green image is absolute rubbish. It is playing politics and it really shows no regard whatsoever for the food and wine producers of this state. When you get the opportunity to explain to South Australians what the low level radioactive waste repository is all about, they are pretty disappointed that the government misled them. They have had a few helpers, but the government has misled them and misled them badly.

The Premier makes much of law and order on a whole range of issues, but one area where the government has tried to mislead us is its rhetoric about law and order versus what is actually happening, and we have lawyers who are expressing some genuine concerns about this. The Premier tries to say that lawyers are public enemies and so on, but that is misreading what the lawyers are actually saying. If you look at a lot of the statements that are made, it is about the lack of resources that are there. It is about the fact that some of the rhetoric really will not produce the right outcomes. There are some genuine concerns, which the government is ignoring, in respect of its direction with law and order: in fact it is nearly all rhetoric as is this 'tough on crime' scenario versus looking for real outcomes.

I think that what we have seen with law and order is that police numbers will be down over this Christmas period because there has been no recruiting. They have not run the courses at the right pace. We have seen the DPP's office, for instance, short on staff, and we have seen crime prevention programs closed down. In fact, there is a whole range of issues. When the government has had the opportunity to act in respect of law and order and show some commitment, there is no commitment. It is a political game. It is about headlines and about stunts. Certainly the list that we heard

yesterday in the opening speech yet again reiterates that the government is very much about rhetoric rather than action.

Economic development is another area in which rhetoric has well and truly taken over. What we have heard with economic development is nothing but rhetoric. The government set up the Economic Development Board and, yes, a framework has been brought down, but the framework is not the action item. The framework is more a discussion paper concerning what should happen as the next step before things really get going. One of the recommendations which is an absolute key within the Economic Development Board report is that there must be a state strategic plan. The state strategic plan is the action item that says what you do next. Without that, we have a department which is sitting there without any direction or leadership from the government.

The department was told at the time of the change of government, 'Wait, we want to change direction'. A lot of them were pulled off what they were doing, they were told to just wait around, sit tight and they would sooner or later have a new direction. Twenty months down the track and we are no closer to having any direction for those departments. We saw last year that all the money that would normally go into creating jobs in this state went back into Treasury. We saw that what was spent on regional development infrastructure was cut to about a tenth of what it had been in the last year of the Liberal government, and that is starting to bite.

What we are hearing now is rhetoric. We have heard the Premier's rhetoric several times when he has said, 'We are going to triple exports'. It is easy to stand there and say, 'We are going to triple exports.' The Liberal government did triple exports, but we worked hard at it. We had plans and we worked out which industries we were going to do it in. We got out and did the work and put the money in. We made it actually happen. We took exports in this state from \$3 billion to nearly \$10 billion. This is a really worrying concern, because it is that export money that has fuelled the property boom and investment within South Australia. Make no mistake: when you put an extra \$6 billion into a state like South Australia each year, it makes an enormous difference. We were growing exports at a rate of probably about \$1 billion a year. The report which measures trade was published about a week ago, and it contains some alarming views. One paragraph states:

The value of South Australian merchandise exports in original terms for the month of June 2003 was \$576 million. This was a decrease of 11.7 per cent from May 2003, and 27 per cent down on the June 2002 figure of \$796 million.

More importantly, after the work that was done to build the exports and the economy of this state, there is the following statement:

There has been a decrease of 8.9 per cent in the value of exports in the 12 months to June 2003 over the preceding 12 months.

That is alarming news not just for us but for the business sector of South Australia. We have come out of a period of enormous growth in exports—25 and 30 per cent on a couple of occasions. Food exports doubled over a couple of years, wine exports have gone through the roof, car exports have built and built, but what have we got in this first financial year of this government? All of a sudden, exports in this state have dipped down by 9 per cent. That is a very worrying statistic.

We have heard this rhetoric about tripling exports, but I have not heard the Premier or any minister say how they are going to do it. Which industries are they going to target, and in which areas are they going to build those industries? What

are the infrastructure needs and the labour needs? In some of the areas that we rebuilt we are now out of housing. We have market failure and not enough housing. The \$20 million program that we put in to get over that market failure and have the government do something, this government has taken out. Treasurer Foley took that back. That is part of that \$300 million.

There is absolutely no plan whatsoever. It is all rhetoric, because they say they are going to triple exports when they have not even given a thought to how. The Treasurer's attitude is that this is a problem for the private sector. Having sat around the cabinet table during the time when exports went right up, I can tell the Treasurer that government intervention and action is absolutely essential, but nothing will happen under this government because they are just not interested. It is not a priority for this government.

You look at the industry sectors that can actually build the exports and the economy of this state, but when you look around the cabinet table you see no champions. There is no one there to champion the growth of any of these industries. They just do not get it at the moment. As far as those export figures are concerned, I think we have some worrying times ahead. Thank goodness the economy has kept going reasonably well. Housing has played an enormous part in that, but a lot of it is the money that exports have brought in. The fact that we have had growth year upon year has fuelled this economy. The slowing down of exports will inevitably cost us dearly. After 20 months, this government is still in the planning stage. They are only there for four years—and I take it that it will only be for four years—they are now almost half way and we have no idea where they are going to take the economy.

The government faces some enormous challenges. We have heard a lot of rhetoric about the Murray. I have seen the communique from COAG, and I must say that there is a lot of work to do yet to ensure that the money that goes into the fund will produce the outcomes that South Australia wants. There is a lot of work to be done. At the moment it is rhetoric, and what really annoys me is that this government is not putting any extra money towards the Murray. The Treasurer is putting his hand in South Australians' pockets. The government is going to raise about \$100 million over the next five years from its levy and put in \$65 million. I take it the Treasurer will pocket the rest. The government will help its coffers, not the river; that problem has been put back to us.

As far as the health of the river is concerned, there are enormous issues ahead. The Natural Resource Management Bill will be debated in this place. I will just say to those members over the other side, if they will listen for a tick: there is enormous mistrust in regional South Australia about what this government is doing with natural resource management. People in regional South Australia do not trust this government. They see that what is happening with natural resource management is that the bureaucrats have got this minister exactly where they want him. The Natural Resource Management Bill is all about the centralisation of power—not even so much to the minister but to a few bureaucrats who have a few scores to settle with people across the state.

In relation to the other issues, I know that the Minister for Social Justice is well aware of the challenges to be faced in relation to child abuse. I say again to the Treasurer, 'Support the minister and give her some money, because money is what is needed to sort out the problem.' We are right there with you, minister: the Treasurer is being very mean to you. He should be giving you a lot more money, and we will

support your getting more money, because it is a very important issue. It is one that we are really with you on. The Treasurer has to loosen the purse strings.

There are a whole lot of other issues, such as industrial relations. We have a report on that gathering dust. We do not know what the government is going to do about industrial relations. I think the report is sitting there in that particular minister's office with a whole range of other reports and correspondence.

That minister also has to address certain issues to do with road funding and what we are to do with outback roads in particular. That is where our tourism industry will be enormously impacted. Our tourism operators are extremely concerned not just about this government's attitude to tourism but also about what it is doing to outback roads. We have terrific operators up there, and they are very concerned that people will just not go out there.

Basically, I think South Australia is starting to get rather impatient with this government. We have heard the rhetoric over and over again, but we are not seeing any action. More and more people are starting to wake up to that. So, we hope to see some action from this government. We hope to see some answers to questions. Overall, I suppose that what we do from here on in is live in hope that this government will actually start doing a few things and stop just talking about them, having reviews, and whatever else.

I again thank and congratulate the Lieutenant-Governor on his speech yesterday and for the work he does. He and our Governor, Marjorie Jackson-Nelson, are doing a terrific job for South Australians.

**Ms CHAPMAN (Bragg):** First, I acknowledge, in appreciation, the presentation yesterday by His Excellency Mr Bruno Krumin, who delivered Her Excellency's speech to us in the other place. I was quite looking forward to hearing, in the presentation, an extensive and expansive presentation in relation to education and children's services. After all, the Premier went to the election in February last year offering to be the 'education premier' for South Australia. He said that this would be an area of importance and priority for his government, but there we were, into the presentation yesterday of what is to be advanced for education during the forthcoming sitting of this parliament, and what we got was two sentences to reaffirm his government's apparent commitment to education and the importance of the state's giving children every opportunity to learn and to make the most of their potential. He told us:

Education and training are central to the future development of South Australia's economy and community. For this reason, education is one of the highest priorities of my government.

In the whole presentation to outline what is to happen in this next session he gave us two sentences. Those two sentences outline what he claims his government has done in the last 18 months. There was not one word in the presentation yesterday to outline one program, one proposed activity, one initiative or one direction his government is going to take education in during the next session.

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

**Ms CHAPMAN:** Having been profoundly disappointed by the lack of any contribution whatsoever from the government about what it might be doing in the next session in relation to education and children's services, I move to be further deeply disappointed in respect of anything in relation



to women. Given that it was this government that took some nine months before it announced who would comprise the Premier's Women's Council, it did not surprise me but, nevertheless, it was a further disappointment. But some things are happening in education, which continue to cause some concern. I propose to address those concerns tonight.

A pilot sex education program, which was commissioned by the state government and which was produced by an organisation called SHine (Sexual Health Information Networking Exchange), and paid for by all of us, has been introduced into 15 South Australian high schools this year. May I say at the outset that the Liberal Party is absolutely committed to sex education in schools. It is necessary, it is appropriate, and it is welcome. Indeed, even this program has a significant basis which is appropriate and which is welcomed by this government in updating and contemporising sex education for our schools.

However, in my capacity as shadow minister for education and children's services, I wish to address a number of serious concerns, and this is not so much in relation to content. But, as is the case with the Premier and the minister, I have received hundreds of letters from constituents, concerned parents and concerned people in South Australia in relation to this issue. There have been personal presentations and people have spoken on this issue, both publicly and at private meetings, and have identified the levels of disquiet, distress and general disenchantment with aspects of this program.

I do not propose to traverse or argue tonight those aspects of the program which are appropriate or accurate or which are claimed to be inaccurate or inappropriate; or the substantial omission of subject matter in this program, which is claimed to be negligent and erroneous in presenting a comprehensive sexual health and relationship education program for our children aged between 11 and 15, more specifically for students in years 8, 9 and 10, as the pilot is currently being administered.

I propose to point out some history in relation to two factors in this program, that is, the continued claim by this government that this is a program which has been at the behest of and with the support of parents and that there has been extensive consultation. Indeed, there is another aspect, namely, that there is and continues to be a comprehensive assessment and review of what is being currently carried out in our schools. Let me say that the material on the Department of Human Services' records and files tells us some history of this matter.

In 2000, the organisation SHine undertook consultation with parents, teachers and students; it was a recorded review or program which they described as, 'Having their say 2000'. Apparently, they interviewed 184 parents, 171 teachers and 415 students. They recorded and identified the important topics that each group identified. Let me put on the record what the parents said. The key most important topics of parents were: sexually transmitted infections; sexual intercourse, including abstinence; negotiating for personal safety; pregnancy and childbirth; and issues around unplanned pregnancy and abortion.

The topics which the students most wanted addressed included: being forced to have sex; being able to say yes or no to sex; becoming a parent when still at school; people having sex when using alcohol or drugs; sexual harassment; and harassment and violence. The teachers considered what needed to be in the program and what they considered to be important was: safe sex and risk taking behaviour; relationship and communication; contraception; sexual coercion and

rape; sexually transmitted infections; reproduction; and, at the end, same sex attracted youth issues.

I highlight that information, because the teachers in that survey raised what they considered to be the important matter—and it is an important matter—of same sex attracted youth issues which can appropriately be expanded to recognise multiple relationships in society so that there is a respect for and recognition of them. That is very important, because in July 2000 the Department of Health put a submission internally to its own finance committee seeking \$200 000 for a new initiative in relation to 'unplanned pregnancy in teenagers'. In 2001, the department did its own research as to whether there was a need for any program in relation to unplanned pregnancy in teenagers, and a senior project officer of the DHS reported on SHine 'champing at the bit for the dollars but Jill has been concerned to define the issues and nature of the "problem"'. They reported on research of literature, careful not to pathologise topic and lists—and these are important—and found the following six things irrespective of SHine's research:

- a) only six births to women less than 15 in '99, two thirds of teenage births aged 18-19 and 42% married or de-facto;
- b) not all young women at risk;
- c) comparisons to appropriate countries: Britain, Canada and New Zealand, have similar abortion and parenting statistics;
- d) largest number of abortions were in the 20-24 age group;
- e) unplanned pregnancies occur across all fertile age groups; and
- f) problems of unplanned pregnancy not unique to teenagers.

They recommended that funding be allocated only for a specific period. They say:

This seems to be especially important given that Kaisu—the person we now know to be the CEO of this organisation—is quite a savvy political player.

So what happened then was that, Kaisu, the CEO, suggested that a \$160 000 one-off payment was not enough; she wanted \$250 000 over four years. She wanted a commitment from the government for \$1 million for this program over four years. However, the Department of Human Services approved only \$160 000 as a one-off payment to do the preliminary work in relation to the material that would form the basis of this program. There had to be further reporting, and times and targets, etc., to satisfy that there would be appropriate expenditure and that this program would indeed reduce teenage pregnancy.

We proceed through the latter part of 2001, and it seems that with this limitation but with some promise of review we can come into early 2002, when there was a launch by SHine of a resource material 'Tell it like it is,' which was for the purpose of schoolchildren. This government then decided on whatever advice it may have had from the department that it would proceed to allow for a four year program; that is, it actually committed to a further \$750 000 over three years. By mid 2002, the Minister for Health provided a brief to advise her of the resource material 'Talk it like it is' and 'Teach it like it is,' which was then due to be published in September last year. By August, a steering committee had been established which comprised representatives of the Department of Health (formerly Human Services), a representative from the organisation SHine and a representative from the education department. Claims were made that the program was based on evidence in other countries, particularly western Europe and Scandinavia, and the proposed selection of schools by the end of September, training of teachers in term 4 and implementation in term 1.

La Trobe University was to be contacted to undertake evaluation and research. August comes along, and later that month the steering committee met again. It determined that the criteria for selecting the schools that will be in this trial are democratic indicators of disadvantage and enthusiasm to implement the program. It had to be considered whether it was desirable to put some schools in the project. By November, a launch date for March 2003 was set for the program. It was noted at that stage that the department's own records stated that there were ethical concerns about asking students younger than year 10 about sexual behaviour, and that needed to be resolved. It was resolved all right, because we now know that the survey questions include year 10s—that is, 14-year olds and 15-year olds—being asked questions in relation to their own sexual experience. It was a problem then and, I suggest, it is still a problem.

SHine was responsible for preparing the report. It had done the research, collated the material and provided the program, and La Trobe was to write an evaluation section of the report. By November, letters had gone out to the 15 schools that it had selected after an invitation to submit, and then it selected on the criteria that we now know. Very interestingly, by January, the ethics unit of the Department of Education and Children's Services declined to approve this program. Notwithstanding that, we now know that an ethics application had been sent to the human ethics committee of La Trobe University. But we know that, back in March, the La Trobe University ethics committee granted approval to proceed with the research it was doing conditional upon DECS providing it with a copy of permission.

So, they were both relying on each other's authority to proceed. That is a very interesting thing, because it was clearly not to in any way undertake any review of the content of the material that had been produced. By April, the Minister for Education was saying on radio that students had not yet started the course, but this is a program that was 'driven by parents in consultation with teachers'. That is complete nonsense. On the same day, Ms Gibson of SHine said on the ABC:

In 2000 we consulted with parents, teachers, students, about what sort of things they want in a relationships and sexual health program and the topics that they identified... have been built into the program.

Well, they have been, but so have a lot of others, I suggest. I was pleased to hear the Chief Executive of DECS announce on 24 April, 'The program is outstanding.' The Chief Executive further said:

I'm mindful of the fact that I do need to listen to the advice of parents... the advice of teachers and if modifications need to be made then they will be.

I was pleased to hear that because I thought, 'Well, that's fair.' We did not know all this history at the time, but that seemed fair. A few days later, when the question of the ethics approval of this program was questioned, he said on 5AA, in respect of the program:

This doesn't require an ethics committee. It is a curriculum and under the legislation and the authority that I'm provided as Chief Executive, I can... endorse curriculum and trial curriculum without going through an ethics committee.

So, we now know the truth of the matter. This program had been initiated, it was operating, the teachers had been trained, the students were out there, and it was not until May when the research unit at DECS granted the approval that the government now relies on, which is a retrospective approval of a

program that was already out there being taught to the teachers to be implemented.

Three trial schools were selected and three comparison schools (I will not name them, obviously, for the protection of the schools) for La Trobe University to, in fact, conduct a survey of an assessment of the overall evaluation of the program. That is a very different situation to evaluating the program itself.

I specifically referred to the minister on 28 July. She said, in relation to this program:

For the first time with sex education in public schools in South Australia, parents are asked to sign a consent form to have their children participate. Normally, it's an opt out situation where you have to sign a consent form to have your child not participate.

That is a fascinating statement, I suggest, because the minister well knew that you cannot opt in; you only have an opt out. If she did not, she clearly had not read the material which was being presented and which had been discussed, and she did not know her own education regulations. Regulation 110 of the education regulations 1997 specifically states that the right to withdraw a child from a program—and, in particular, a sex education program—comes with a written application. She knew that you cannot opt in; you only have an opt out. To the best of my knowledge, at no time has the minister promulgated any variation to those regulations to require this new procedure. In any event, we have a program that has not been evaluated, and La Trobe University has been called upon to provide advice and support for the evaluation of the program. But it is important to note that, as late as July this year, Professor John Salmond of La Trobe University stated:

La Trobe's involvement in the SHARE project is an evaluation and it is confined to certain aspects of the project only and this does not include reviewing the curriculum itself.

Interestingly, Mr Trevor Fletcher, Executive Director of Schools and Children's Services, in a letter dated 22 July 2003 in response to a concerned parent, states:

Your concerns and feedback will be passed on to the independent evaluators of the program.

I suggest to this parliament that, in fact, there are no independent evaluators. There is someone who has assisted in the presentation of the survey material and the consent letters in relation to whether or not this program has been successful. There is no independent evaluator of this program, and the opposition has repeatedly indicated that that is of concern to the community, and the government is clearly not listening. Members should bear in mind that SHine has a million dollar investment in this program in a contract with the government. Interestingly, as a result of very low feedback on its surveys (and that is the concern because you must actually have a reasonable number to evaluate), SHine notes:

Parliament sits in five weeks and the project will come up again. Support letters are being sought to assist with defending the program.

So what does it do? It goes off to the AMA. It gets the general practitioner chair to sign a letter to the minister stating that it supports the SHARE project conducted by AMA SA. Well, let me say that, in a letter to me dated 2 September, the current president of SHine SA states:

The purpose of the meeting—

that is the meeting between SHine and the general practitioners group—

was to ascertain that the medical aspects of sex education in schools were accurate. The AMA (SA) has not given endorsement of the program and only advised that the medical content is accurate.

So, in reality, we have a situation (as is recorded in the department's own documentation and the SHine departmental steering committee records) where a process adopted by the department has been defective, and the parents of these children (who are the guinea pigs in this trial), while consulted in a general way, have been bypassed. The department's own guidelines require full disclosure to parents, and 'informed consent means that they have been given an accurate and informative description in terms that they understand'. This program is notable, I suggest, for the secrecy surrounding it and for isolating and marginalising parents.

We have heard the concerns from the community. The teacher resource from which the curriculum was based was stamped 'not for distribution or citation'. Is this because it is clear that it does not stand up to public scrutiny? Parents did not know about the nature and content of the program until after it was introduced. They were asked to give consent to their children taking part without full knowledge of what the program contained. This program has also been promoted to schools and parents on the basis that the trial implementation will be 'thoroughly researched and evaluated' by the La Trobe University. However, we now know what La Trobe University says about that evaluation.

It is providing qualitative data for teachers' descriptions of the experience of the program and questionnaires to students. They are not and never have been instructed in any way to undertake a review or evaluation of the actual content of the program. The results, of course, of its evaluation are not expected until next year. This program will be trialled over three years, after which it is expected to expand to other schools. There has been no caveat that it will be expanded 'if successful', or 'if accepted by a majority of parents', just that it will be expanded to other schools. We know that, of course, there is a vested financial interest in SHine being able to deliver in that regard.

SHine states that the continuing high rates of sexually transmitted infections, unplanned pregnancies, harassment and sexual violence in SA indicate that young people do not have sufficient knowledge and awareness of sexual health and relationship issues. The government lauded this program and promoted it as the sexual equivalent of a drug harm minimisation program aimed at deterring teenage pregnancies and the abortion rate.

Statistics are quoted in which they say that 929 teenagers gave birth, 'some as young as 13'. I am informed by the medical practitioner in relation to this material that 'some' represents two people. Such figures distort the truth that the figures include those in the 16 to 18 age group and adults whose pregnancies may not be unwanted or unplanned. Indeed, the age distribution of teenage confinements in South Australia shows numbers increasing with age, with nearly 70 per cent of the young women giving birth between the ages of 18 and 19. Again, in relation to those figures, it is a large leap to say that these figures justify the sort of material proposed to 11 and 12-year old children. The SHine fact sheet on relationships and sexual health quotes international comparisons for pregnancy rates in teenagers, citing Australia's rate as being higher than some in Europe but, in fact, when you look at the comparison between the US, New Zealand, Canada, England and Wales, whose rates range between 83.6 in the US to 45.3 in Canada, then the rate in South Australia of 43.7 is actually not too bad.

The fact sheet goes on to state that one clear difference in the approach is that parents in Australia are allowed to

withdraw their child from sex education classes. I suggest to this house that it is outrageous to suggest that the group withdrawn by caring and concerned parents is in any way part of the teenage pregnancy rate. I am advised that evidence cited in local teenage pregnancy research points to factors such as poverty, family relationship breakdown, past sexual abuse and low self esteem. Indeed, recent South Australian research shows that this teenaged pregnancy group is well informed about contraception. This program is being presented as contemporary, updated and the world's first. Time has passed and I have had a chance to have a look at some of these programs, many of which were developed and date to the 1970s. I suggest that actually there is nothing new in these programs. I can say that there was an eruption of concern about this 20 years ago. At that time parents rejected it, and they are rejecting it again now. At that stage they were questioning whether this material was appropriate, accurate or even harmful, and they gave their decision.

I suggest to this house that the resource material produced by SHine states that gender is a social construct and that homosexual relationships are as valid as heterosexual relationships. The safe practices section presents anal intercourse as simply another option. Again, I do not propose to traverse those issues. I think it is important to deal with relationships and diversity of relationships in the community, but to introduce this—and I have had 20 years experience in dealing with legal matters, including child protection—aimed at such a young age group is potentially damaging and is being introduced without a professional review or assessment of its outcomes. There are issues in relation to suicide, adolescence, relationship breakdown and getting in too deep. Some tell me that, if you bombard children with too much explicit material in relation to this, you will cause identity confusion. Is it not extraordinary that, at a time when we make laws which prohibit having sexual relations with children under 17 years of age and which are stringent in relation to the literature we let them read, the films we let them see and the advertising they are exposed to, there is no similar restriction in relation to protecting children to ensure that they are not exposed to harmful material in this curriculum?

I have raised this concern with the Premier, and he has ignored the correspondence. I am pleased to say that at least the Minister for Social Justice has acknowledged a copy of that correspondence, but the Premier has not. In my letter to the Premier, now months old, I pointed out that teachers have just 15 hours training in respect of this program, and they are being expected to exercise commonsense and ensure that children are protected against any adverse effect. I suggest that this places an unfair and unreasonable burden on teachers and leaves them vulnerable to claims of damage in the future and even potential liability for prosecution. I state in this house my concern and the fact that there is a clear legal and moral obligation on the government, the department, SHine as the contracted agency providing this, principals, teachers and parents to act responsibly in this area and to ensure that we do not produce something that is even inadvertently harmful or destructive to children without its being properly assessed.

A classic example is offering to children the advice that condoms will give them 98 to 99 per cent protection against sexually transmitted diseases. Medical professionals tell me that that is a nonsense; the best they can say is that they might reduce the risk by 50 per cent. We must be careful about the information we present to children in this program. On what

basis has this program been approved? None. Has there been any evidence that a positive impact can be made on teenage pregnancy rates? I suggest, none. Claims of inaccurate information, inappropriate material and particularly damaging material need to be properly investigated and it is imperative, in my view, that this be scrutinised by independent developmental psychologists or ethics committees, those familiar with the needs of 11 to 15 year olds, because that is the key age group this is being introduced to. Children, of course, develop and mature at different rates, and in relation to a number of the programs that have been introduced people have submitted to me their concern that children who are intellectually challenged, who are developmentally immature and who may be victims of child sexual abuse themselves, are introduced to a program without this being carefully studied and scrutinised.

There are other factors in relation to introducing what may be dangerous or frightening to children at an age where it is simply too much, too soon. I call on the government, given that it has given no indication of any program that it is proposing to deal with or any direction that it is going to take in relation to education, at the very least to get this program off the table and properly assessed, and to identify in it what is retrievable and will be of benefit. There are clearly aspects which even I, as a parent of adult children, would have to endorse, and which I have had other professionals look at, to say that it is perfectly appropriate and excellent material to assist in the sexual education of our children. That needs to be salvaged, if possible, and implemented. After all, the taxpayers of South Australia have paid for this program.

On another day I will traverse the professional advice that I have had in relation to this program which, as I say, confirms that some of the content is excellent, that some of it is appropriate, but which has produced damning results in relation to other aspects of it. In my submission, it is appropriate for the government to remedy this and to get on with it urgently before we have another child protection issue and are calling for another royal commission in another 10 or 15 years because we did not clean this up properly now.

**Mr RAU (Enfield):** I also congratulate the Lieutenant-Governor on his speech and will direct some general remarks about policy issues in the state and in the country generally. I was recently invited to attend a book launch in Old Parliament House. The book was somewhat optimistically entitled *The Twilight of the Elites*. It was launched with great eloquence by the Foreign Minister, Mr Alexander Downer. I think it is fair to say that his natural place was in the centre, if not slightly to the left, of the political spectrum gathered in the Old Chamber that day. Playing somewhat to the crowd, Mr Downer launched an attack on what he described as 'left wing liberal bourgeois orthodoxy.' He decried the so-called post-modern world view, dominated as it is by concepts of relativity rather than truth. He decried the nasty invective that left wing liberals have often used to silence those who do not share their opinions.

He tore into the use of labels like racist, fascist, sexist and such like that have so often been a poor substitute for argument and debate. The 'left wing liberal bourgeois orthodoxy' described by Mr Downer is, to all intents and purposes, the same phenomenon as the author Professor David Flint described in his book as the elites. Others call them the politically correct: still others call them the chattering classes. Whatever you call them, there is no doubt that they are out there. I am proud to say that I have nothing but

utter contempt for those who resort to puerile ridicule and character assassination in preference to a rigorous intellectual task of mounting a reasoned argument. I must say that as I listened I found myself feeling considerable sympathy for some of the sentiments expressed by Mr Downer.

Mr Downer then turned his attention to the churches. He said that they have a right, indeed an obligation, to speak out on moral issues. The recent war in Iraq, he said, was one such legitimate case. He then came to the main point of his speech. The churches have a duty to get their facts straight before they express a moral view, Mr Downer said. Those who, as a matter of faith, seek truth, should guard it with honour if they are to preserve their moral pulpit. I must say that I was still in agreement with him. He then said that the truth about Iraq was that Saddam was a wicked man. He had murdered innocents; he had caused wars (the last one in 1991); and he had used poisonous gas on civilians, and so on. Mr Downer said that this was the truth and that it had been the reason for our involvement in the war. I repeat: this had been the reason for our involvement in the war. I was quite shocked. Mr Downer had, before my eyes, abruptly turned his back on the truth and suddenly plumbed the depths of cant and humbug.

Every Australian remembers the truth. We were told it repeatedly by Mr Downer and the Prime Minister before they committed our troops to war. It bears very little resemblance to the truth now. The truth then was that this tyrant of long-standing had an active weapons of mass destruction program. He may even have built, or be building, an atomic bomb using African uranium. He may use these weapons at any time. Even more shocking, he was in cahoots with Osama bin Laden and may soon pass these WMD's onto terrorists. The war has now been over for months, and what has been found? Nothing. The weapons of mass destruction argument was, at best, a case of wishful thinking. It was this fatuous truth that the churches and others did not accept. This is why they could not accept the need for war. The case for war had not been made out. This is a very different proposition to their asserting that Saddam was a great bloke.

The truth has now been demonstrated to be a cynical pretext. Mr Downer obviously finds the dissonance between his first truth and his current truth very distressing. Perhaps this is why he is so keen to set the churches up as straw men to knock down. The truth is that our federal government was determined to participate in toppling, by force, a foreign government, with or without UN sanction. It justified this to our people by an untruth.

Why it chose this course is open to speculation. Perhaps the truth was harder to share with us than a fantasy. The soft option was to deploy a weapons of mass destruction deception on the Australian people. The point that the truth advanced to sell the war was a phoney. That is the point. If there was a valid case for war, we certainly did not hear very much about it. So much for Mr Downer's interest in the truth. This federal government, along with many opinion makers, is very keen on the truth until it conflicts with their own agenda.

I would like to explore the concept of truth, if I may, in what passes for political debate in this country. I have chosen just a few examples to illustrate my point. The government of which Mr Downer is a senior member is now involved in quietly disseminating truths in relation to an Australian-US free trade agreement. The case for such an agreement has been advanced on the basis that this will produce a trade bonus for Australians. But what is the truth?

The state government has recently engaged consultants to consider the impact of a free trade agreement on South Australia. I received a copy of the issues paper on about 20 August. I promptly wrote a submission in response to this very important paper. I hope that somebody actually reads it. I was very disappointed that such a short time was provided for public consultation. In fact, I had a little over a week. I only hope that the paper was very broadly distributed so as to enable as many views as possible to be taken into account. The truth does not always come from the usual suspects.

In any event, South Australians have two interests in this so-called free trade agreement. The first is a broad national interest which we, as South Australians, share with all other Australians. The fact that this is a shared interest should not make our views any less relevant.

The second interest is a more narrow parochial one based on the impacts anticipated to fall disproportionately on South Australian industries or populations. I would like to address both matters. I refer, first, to the broad national impact. I am extremely concerned about the broad national impact of any free trade agreement with the US. At the risk of labouring the obvious, the United States is the world's only superpower. A comparison of the Australian and US economies is similar to comparing a mouse with an elephant.

The proposed free trade agreement would, amongst other things, seek to eliminate, to the extent possible, barriers to trade in goods and services and to harmonise regulatory schemes between the two economies. It would be naive in the extreme to assume that the United States would be altering regulatory schemes and internal arrangements in order to accommodate such an agreement with an insignificant economic partner such as Australia.

Obviously, if there is to be any adjustment, it will occur on our side of the ledger rather than theirs. This has particular implications for national sovereignty and cultural independence. Take for example health care. I do not know any Australian politician who would dare assert that the American public health system is one that we should seek to emulate. Nevertheless, it is inevitable that the pressures to accommodate American interests seeking to provide services in the health area would tend to drive our health system towards the US model. I appreciate that this would not happen overnight, but the tendency is one that I do not want to see at all.

To the extent that cultural identity is regarded as significant, and to my mind it is very significant, this agreement has the potential to virtually swamp what remains of Australian cultural heritage and values with what is euphemistically described as American popular culture. We suffer from the same mixed blessing as our Canadian cousins: we speak English. I do not want to labour this point too much other than to say that there are innumerable examples of where standards will inevitably be set by the American partner in the trading relationship, and these will act to the detriment of established Australian culture or values or consumers. This has a cost which it is not easy to render into dollars. It is, however, a substantial cost.

The various studies, which are summarised in a discussion paper provided by the state government's consultants, are at best equivocal as to the black letter economic value of the proposal. Some studies suggest a modest increase in overall national wealth as a result of trade. Others suggest otherwise. In any event, the actual dollar value is minimal in the whole scheme of things. It is also largely sector specific rather than of a general value to the Australian economy. Disproportionate value is obviously seen in politically sensitive sectors

such as dairying and sugar. This is a long way from the main game in our economy, or at least it should be.

It is also worth bearing in mind that an agreement of this type may create a large degree of trade substitution as opposed to an increase in trade in a net sense. This trade substitution will only make Australia more dependent on the vagaries of the American economy. It is by no means clear that Australia's having all its economic eggs in the American basket is to its long-term advantage. There are many good reasons why we should also have very good linkages with Asian economies, and in particular those of China and Japan.

In summary, it is difficult to see what the economic justification for the indecent enthusiasm for pursuing this agreement is. If the agreement were being pursued on the basis that it was in some way going to enhance bilateral defence arrangements or assist in our long-term security, that should be the focus of the argument. Hitherto it has not been. Therefore, on the merits of the argument as presented, the truth is that the proposition is at best equivocal if not contraindicated.

I now turn to some areas of more specific relevance to South Australia. Of the four leading South Australian sectors described in the discussion paper, grains and resources have limited upside potential from the free trade agreement. All the potential upside lies in the wine market, which currently has to deal with a 5 per cent US tariff, and the motor vehicle and automotive parts industry, which has variable tariff barriers at the US point of entry.

In the scheme of things, a 5 per cent US tariff on our wine is probably likely to be of much less significance to our potential to grow our market there than decent marketing skills, a good product and a competitively valued Australian dollar. Any suggestion that the removal of a 5 per cent tariff will produce a bonanza for our wine industry is wishful thinking. It is but one of a multiple of variables to be considered.

Similar remarks could be made about motor vehicles and automotive parts, with the exception that it must be borne in mind that the American parent companies of some of the major producers in Australia may well decide that it is better to produce product in the United States and ship it here rather than the other way around. There seems to be a very naive belief that somehow Australian based production will be preserved for some intrinsic reason by management, which is perhaps in Detroit.

It should be borne in mind that, whilst Mitsubishi and General Motors are possibly not the automotive manufacturers that are most concerned about the impact of a free trade treaty, the component suppliers who supply them also supply Ford and Toyota. Whilst these plants, that is, Ford and Toyota, are not in South Australia, the components industries are. In my opinion, it is highly speculative to suggest that there is any upside guaranteed for the South Australian automotive industry in a free trade agreement with the United States. I add, as an aside, that I assume that they, being the United States, would want to have the existing car tariff applicable to American produced vehicles coming into our market removed as a part of any agreement.

In summary, there is nothing in the discussion paper which indicates that there is an overwhelming benefit likely to accrue to Australia or, particularly, to South Australia from entering into such an agreement. All I can see is a series of potentially serious threats to our sovereignty, economy and culture. I repeat that it would be naive in the extreme to believe that the United States intends to enter into an

agreement such as this in order to become some sort of sugar daddy for Australia, or South Australia in particular. I have a strong suspicion that the sentence on page 15 of the discussion paper really sums up the whole matter. It states:

Building on Australia's already close ties with the United States appears to be a significant factor in the Australian government's pursuit of the agreement.

It seems to me that this is the only point. As such, it should be openly argued as the main focus, and that is the truth, if you like (to get back to Mr Downer's word), not left to trail in the wake of a spurious trade-based argument. We need to hear the truth about this agreement. What we are getting is more untruth. The weapon of mass deception is being rolled out again. Unless this agreement can be demonstrated to be of value to us, it should not be embraced. Nothing in the discussion paper, or anything else that I have read, is anything like conclusive evidence of a benefit either to the Australian economy as a whole or to South Australia in particular.

This brings me to another example of the federal government's failing to deal with the truth. The national competition policy has, since 1996, been driven by the current federal government. This policy sees Canberra-based academic busybodies poking their noses into the core functions and businesses of states. The unelected theoreticians who dictate the economic agenda in this country are holding a financial gun to the heads of state governments by threats to cut funding. They are supported in this perversion of the federal compact by a lap-dog federal treasurer. The discussion paper prepared by the Allen Consulting Group in relation to the potential impact of the proposed Australia-US Free Trade Agreement on South Australia has exposed an appalling absurdity, and I quote from page 11:

It is likely that South Australia has a significant interest in the multilateral single desk for barley, wheat and other agricultural goods not being disturbed by the Australia-[US] Free Trade Agreement. . . it would seem rash to allow the scope for use of single desk marketing arrangements to be compromised in the hurry to establish [such an agreement].

Page 16 of the document indicates that, amongst other things, South Australia is keen to see that the commonwealth government should ensure that special consideration is given *inter alia* to:

. . . the wheat and barley single desks and the government's ability to continue to determine policy in this area.

If the federal government were a person, it would be in Glenside. When the federal government and the state governments are dealing with issues arising from free trade proposals, there is a willingness to strongly defend barley and wheat single desks. At the same time, autocratic eggheads in the National Competition Council are busily trying to ruin the barley board's single desk. Are they in the pay of the US free trade negotiators, or are they just plain stupid? Either way, they are doing the American trade mission's work for them and white-anting our farmers in the process. The idiocy of this is breathtaking. Mr Costello should explain this manifest stupidity to our farmers. Is Mr Costello going to defend the single desk against his own bureaucracy or is he going to sell our farmers out to the Americans and the grain merchants? Let us have some truth. If we are to pursue a free trade agreement, the benefits of which I consider to be highly dubious, surely we should be doing so on the basis that we hold all our own bargaining chips in our hands. We should not sacrifice them in advance to satisfy our own economic thought police.

I return to the main point of these remarks. The Mr Downers of this world—who, at times, quite correctly, attack the behaviour of the chattering classes—would do well to focus their great yearning for truth on themselves. They are every bit as intellectually sloppy in their economic and foreign policy orthodoxy as are the chattering classes—whom they deplore—with their social libertarianism. Although no clear dividing line exists, it seems to me that the chattering classes generally occupy the ramparts of social policy and the new right generally occupies the ramparts of economic policy. Both need to be turned out. Neither represents the views of the population at large. Both need to confront the truth. Both are an 'elite', in Professor Flint's terms. At a state level, we are reminded of this each day. If you can stomach it, look at the huge mess economic orthodoxy has made of our electricity market. Gas and water policy will be full of the same nasty surprises, too. Did the people ask for this? I do not think so.

At a federal level, the Liberals and their acquiescent National Party lackeys are still trying to sell the remainder of Telstra. The original sale was not based on the consent of the people but on a squalid deal with a defrauder of the political process and public funds. Did the people ask for this? I do not think so. The National Party has caved in totally to the economic eggheads who control the government. It has sold out our farming and regional communities time and again. Rural and regional Australia is again being taken for granted—perhaps this is because Pauline is now safely behind bars; I do not know.

Of course, let us not forget Dr Nelson's plan to Americanise our universities, denying opportunities to all but the wealthy. Most worrying of all is the relentless white-anting of Medicare and the public health system. Do the people want this? I do not think so. The fact is that, for all the economic theory about left-wing orthodoxy, political correctness also has the Liberal and National parties by the throat. They prefer economic orthodoxy to representing the interests of even their own supporters, let alone the rest of us. They seek to deflect attention onto the silly social agenda pushed by the chattering classes in the belief that their own blind obsession with economic orthodoxy will, in the process, be ignored. Sadly, this tactic has generally been very effective.

The time is approaching when a change in the economic fortunes of this country will expose the foolishness of uncritical acceptance of neoclassical, global economic theory. We are living in a fool's paradise funded by other people's money. We spend more than we save; we borrow more than we can repay; and we are on a monumental government-sanctioned credit binge. The government is prevented, by its ideology, from taking any steps to limit the explosion in credit. We are squandering the inheritance of future generations so that we can live it up now. A time is coming when we will have to relearn painfully the lessons of the past. Markets have no conscience. Markets have no compassion. Markets do not care about communities. That said, I accept that there is, of course, some truth in Mr Downer's critique of the chattering classes.

In our society, there are many for whom the vast changes of the last few decades have been an unqualified success. These people include the educated, the motivated, the confident, the articulate, the mobile, the wealthy and the optimistic. Deregulation and deconstruction of our social institutions over recent decades has given them unprecedented opportunities. These people tend to live and work in a

global world. They congregate in global cities, such as Sydney.

There are, however, also those who have not prospered in this environment—those who have been left behind; those without skills; the aged; the uneducated; those without resources; those about ambition; and those without hope. These are the people for whom ‘community’ once guaranteed meaning and now offers nothing.

In more caring times, these people were less evident if not less common. Secure jobs in unskilled or semiskilled work still existed. The mentally ill were cared for by the state rather than shoved out to fend for themselves underneath a blanket of platitudes. Society was less accepting of aberrant behaviour; conformity was far harder to shake off; and the cult of the victim was yet to emerge. The ‘left behind’, as I call them, are not just by-products of economic reform. They are also a product of our social culture. They suffer from the double whammy: right wing economic orthodoxy destroying economic certainties and the chattering classes’ libertarian agenda destroying social certainties and self-respect. There has been no radical rethink of how these people can be practically assisted or integrated back into the mainstream of society. There has been a distinct lack of truth here as well.

The government welfare model today is still essentially an improvisation on a 1960’s welfare state, albeit with some especially glaring failures, such as mental health. This model is rooted in 1960’s left politics. It has a lot to say about rights. Sadly, for some this is also a sacred place; still more dare not desecrate it for fear of persecution. I will take the risk. It is a place of pilgrimage for woolly thinkers. It is the holy of holies for the Church of Perpetual Victimhood. Mr Downer’s critique makes its greatest impact here.

The time has come to view this problem afresh. It is time to begin again and to be open to the uncomfortable truths that will emerge. It is time to view the problem through a paradigm of mutual obligations between the individual and society. The central and often hitherto absent notion of individual responsibility must be introduced into the equation. The concept of a safety net provided by society can never be a policy of guarantee or indemnity. It requires the active commitment of both society and the individual who seeks to be part of it. Those who take because it is their right have no notion of responsibility. They must accept responsibility if they wish to be sustained by the community.

A fine example of breaking this mould can be found in the Charles Perkins Memorial Narration given by Mr Noel Pearson at the University of Sydney on 5 October 2001. His narration entitled ‘On the human right to misery, mass incarceration and early death’ makes very interesting reading. Mr Pearson, of course, was speaking largely in the context of Aboriginal issues, but his language has a more general application, and I quote:

To simplify the policy contrast; the Australian Labor Party will be strong and correct in their policies in favour of the rights of Aboriginal people—particularly land rights and native title—and they will be weak and wrong in relation to the breakdown of responsibility in Aboriginal society occasioned by passive welfare dependency, substance abuse and now resulting criminal justice predicaments. The Coalition will better understand the problems of responsibility but will be apathetic and wrong in relation to the rights of Aboriginal people; they advocate further diminution of Native Title property rights of Aboriginal Australians. I marvel that neither side of this indulgent political divide in Australian politics can see that what is needed is for the rights favoured by the ALP to be added to the responsibilities that are understood by the Coalition. But the major parties will insist on their indulgences despite the fact that the cost of their policy and political failure will be disproportionately

borne by the black vulnerable; the children, the women and the elderly.

Mr Pearson goes on to make the point that the prevailing analysis is that substance abuse and addiction are, in fact, symptoms of underlying social and personal problems. In particular, they are said to be caused by—and I quote him again—‘immense ingrained trauma, trans-generational grief, racism, dispossession, unemployment, poverty’, and so on. Mr Pearson believes this theory to be entirely wrong, and he characterises substance abuse as a ‘psycho-socially contagious epidemic and not a simple indicator or function of the level of social and personal problems in a community’. Mr Pearson identifies five factors for the outbreak of substance abuse:

1. The substance is available.
2. Spare time.
3. Money.
4. The example of others in the immediate environment.
5. A permissive social ideology.

Mr Pearson asserts that the so-called ‘symptom theory’ produces the thinking which underpins most of what influential Australians say and do. Examples are cited in his narration which I will not repeat here. I will not go on quoting too much more of Mr Pearson, but I think you get the flavour of what he is having to say. He then says (and this is the last quote from Mr Pearson):

What our people need more urgently than an expansion of the health care system is an immediate dismantling of the passive welfare paradigm and an end to a permissive thinking about grog and drug policy, because it is those factors that generate the endless flow of Aboriginal injuries, neglected children, and unnecessary sick people to the clinics.

I am very pleased that Mr Pearson has had the insight and the courage to make these remarks. They are, of course, highly relevant to the whole issue of welfare dependency and welfare-based misery in our society. Whilst the state government is not in a position to direct the broad welfare policy mix, it does have substantial influence and control over elements of it. Public housing is one such element.

After nearly two years in this parliament I believe that the public housing paradigm traditionally employed by this state is wrong. It suffers from all of the conceptual failings identified by Mr Pearson in his well considered remarks. It suffers from a concept of ‘symptom theory’, as identified by him, and embraces the status of victimhood and enshrines it as a central plank of entitlement. It has a lot to say about rights and very little to do about enforcing responsibility. Until the system of state-based welfare is philosophically adjusted to embrace a broader concept of responsibility for one’s own actions, our society will continue to decay. Our poor, our elderly and our underprivileged will continue to suffer meaningless lives afflicted by crime and drug abuse. A great public debate needs to take place.

Mr Pearson can speak from the heart about the misery of his people and its causes. He at least can do so without fear of character assassination by the chattering classes. Even they would not dare to call him a racist. The acid test is this: would they also permit Mr Pearson to question the validity of cherished feminist dogma such as affirmative action programs if he chose to do so? Would they permit me to say what Mr Pearson has had to say? Is it always to be that only the victim or, worse, the self-styled spokesman for the victim, has the right to be heard on social and moral questions? Is it always to be that only the expert has the right to be heard on economic or diplomatic questions?

I conclude, Mr Acting Speaker, in deference to your interest in American matters, by misquoting from Dr Martin Luther King's famous 28 August 1963 speech to the civil rights march on Washington, almost 40 years ago today, as follows:

I have a dream, that my two little children will one day live in a nation where they will not be judged by whether they conform with the prevailing orthodoxy, but by the content of their character.

Mr Downer has it half right. I look forward with interest to his continuing quest for truth.

*Mr Brindal interjecting:*

**The ACTING SPEAKER (Mr Koutsantonis):** Before I call on the member for Morphett, I point out that the member for Unley wandered in 25 minutes into the speech by the member for Enfield and then proceeded to interject. The chamber was completely silent until he graced us with his presence. I ask him to listen to the member for Morphett in complete silence.

**Dr McFETRIDGE (Morphett):** I listened with great interest to the member for Enfield, and I look forward to reading his speech tomorrow in *Hansard*. As the member for Unley said, he could become a member of the Left wing of the Liberal Party. The member for Enfield has always made a very positive contribution to this place, and I hope that members of the government recognise his intellect and ability. The member for Enfield will perhaps move from this place into the federal government, particularly with his interest in international issues. However, it will be a sad loss for this place. I congratulate him on his speech.

I congratulate the Lieutenant-Governor on the delivery of his speech yesterday on behalf of his government. The issues that His Excellency raised in his speech certainly were ones that should be considered by the members of the opposition.

The member for Enfield talked about the weapons of mass destruction, and in this place I have referred to the WMDs, but we know that they are the Premier's ways and means of distracting the people. The deceptions and deceit that has been carried on here is something that I hope will change. I hope the way Tony Blair's government in England is being forced to reassess its culture of spin will rub off over here.

Headlines from British newspapers state, 'Culture of spin is now out of control'. In August the newspapers stated 'New Labour made spin an art form after dire years in opposition'. In *The Sunday Times* it stated 'Blair on borrowed time'. Another thing we have seen—and, unfortunately, it happens on both sides of government—is that you tend to employ people you know will do a good job. In the case of Tony Blair and the Rann government, we have seen cronyism go to the nth degree. Looking at the British papers again—and we know Mr Rann models himself on his friend, Mr Blair—we see that it states, 'Crony fury as Cherie's pal gets top job'. Cronyism rules again! It is so important that this Premier decides whom he wants to be. Does he want to be his own man or Tony's man? I hope he wants to be his own man because this state has been handed to him on a silver platter after the past eight years of Liberal work and he does not realise how lucky he is.

Gordon Brown, the Chancellor of the Exchequer in England, has just delivered a \$41 billion debt. It is the highest debt since records were kept in England. It is £1 100 for every man, woman and child in Britain. If this government—the Premier and the Treasurer—do not take note of the gift they have been given by the previous Liberal government,

they will rue the day they accepted the responsibility of being in government in this place.

I turn my attention to the speech that was delivered on behalf of the government by the Lieutenant-Governor and some of the highlights of that speech, going through the various portfolio areas. Social justice and social inclusion to tackle some of the most pressing social issues is a government priority. We are hearing about priorities and initiatives, that there will be inquiries, examinations and reviews. This government has 134 reviews on the go. We need to have some action, not rhetoric and not spin. We need to have some direction and leadership, but we are not seeing that at the moment.

In relation to the areas of social inclusion that affect the electorate of Morphett, we all rue the decisions that were made by this government over the Cora Barclay Centre, and how the bullying and belligerence of this government were very distressing to everyone in this state. That rubbed off in my own electorate at the Ballara Park Kindergarten where they are also teaching young deaf children to speak. They have been affected by the cutbacks of this government. Suffer the little children to come unto me—that is not what this government is on about.

We know that a report is being produced in relation to the dastardly acts that have gone on in the Anglican Church. Yesterday in this place I asked the Premier to seek from the Catholic Archbishop a copy of the report that the Catholic Church is doing into paedophilia. As yet I have not received it. I hope when the report is finished I will be able to have a look at a copy of it. I have 13 families who have contacted me who have been affected by this grub, this rock spider who has been put in jail for 10 years.

I will speak more about the law and order that this government professes to have every handle on a bit later. I will expose the fact that it is just more rhetoric: the perceptions and the reality are just so far apart. The one good thing that I see in the government's social inclusion policies in which I hope to participate is the setting up of an Aboriginal Lands Parliamentary Standing Committee. This committee will inquire into issues affecting Aboriginal people such as health, housing, education, economic development, employment and training.

I have spoken in this place before about the fact that last year I went up to the Aboriginal lands to Fregon, Indulkana, Mimili, Umawa and Ernabella. I saw the fourth world conditions there. The people there deserve better from us as a parliament. I would love to be part of a standing committee that would help these people to move forward and overcome their difficulties, because they have severe problems. Without bipartisan endeavours the Aboriginal people of the Anangu Pitjantjatjara lands will be left the way they have been for many years. They deserve better and we should give them better, and I hope that I can be part of giving them a better outcome.

Low income housing is also a concern. We have some supported accommodation in the electorate of Morphett and I am really concerned about the way in which the government has been very frugal if not quite mean in some of the expenditure on low income housing. I hope that there is a change in attitude, because they are some of the more vulnerable people of our society. It is not just children being affected by paedophiles but also other intellectually handicapped people: people who need our support—not our sympathy—and our encouragement and our help.



I look forward to seeing what the Minister for Social Justice is able to bring forward from the various reports that have been produced. It is everyone's responsibility to reduce homelessness in South Australia is one report that was released recently by the Social Inclusion Board, headed by Monsignor David Cappo. It is very important that we do not just leave this report collecting dust on the shelf. The problems in the health area were no more evident to me than when I was up in the Anangu Pitjantjatjara lands. I refer to an article in the *Border Watch* entitled 'Health crisis. SE hospitals suffer budget cuts'. We know that the health budget is a bottomless pit. We know that the health minister has a thankless task, and we know that the ability to procure funds from our federal colleagues can be very difficult. It is a job that will not go away. What we need to do is take hold of the Generational Health Review and not just pour money into it; we need to look very carefully at reorganising the whole of the health sector.

We need to look at waiting times in accident/emergency; not just put money into it but reorganise. We need to get more nurses, not nurses from overseas who cannot speak English—as I am hearing—and not doctors who cannot communicate with their patients. We need to encourage local medical and nursing students by offering them not just hurdles to climb over when they want to retrain or financial hardship when they want to go to university but bursaries and scholarships and encouraging them. The majority of the 100 or so medical students who are coming into universities in South Australia are not fee-paying students from overseas who, once they finish their course, take off back overseas, but even if they are local students they are being poached by New South Wales or Queensland where they are being paid far more than they are here.

It is a thankless task. The Minister for Health is faced with a monumental job, but that is no reason for the opposition to say, 'You just go and do your best.' Our job here is to critically examine what is happening; not to oppose but to encourage good outcomes for the people of South Australia. That is what this parliament should always be about.

I am concerned about the Health and Community Services Complaints Bill which went through this place in the last session. My Rotary club puts on many functions. We do a lot of community service through sales from barbecues and helping people around the place, but I am concerned that the Health and Community Services Complaints Bill still has the propensity to leave them out on a limb if someone complains about them. I hope that is not the case; I hope that is a misunderstanding. The health minister shakes her head to indicate that I am wrong. I hope that is the case.

I am looking forward to examining the Medical Practices Bill, and I am playing a large part in examining the Veterinary Practices Bill and presenting it to this chamber in the not too distant future. It is imperative that we protect the patients of the medical profession so that they are given the very best treatment. Australia, particularly South Australia, has one of the highest standards of health care of any country in the world. The people of South Australia do not know how lucky they are. It is important that the Medical Practices Bill not only brings about change; it must be a revolution in allowing the medical profession to develop within itself and also to examine and regulate itself without too much outside interference. At the same time, there is no point in any self-regulation not being worthwhile.

One area that I will raise in this house which was raised not under health but under innovation and technology is

genetic manipulation and, more importantly, gene patenting. I will hold a seminar for members of parliament tomorrow in this place to outline the severe dangers in not taking note of the ever-increasing curse of gene patenting. Organisations and businesses are obtaining genetic knowledge. They are able to patent a genetic function of a particular gene and then limit accessibility to that gene. A classic example of this is the patenting of the genes associated with breast cancer. The company that patented those genes has limited testing to people who are willing to pay \$5 000. Where is the social justice in that?

The member for Enfield talked about financial responsibilities. Whilst he did not use the term, I know he was talking about the triple bottom line. With the triple bottom line we not only take in the financial bottom line but look at the social and economic bottom lines. Some people say that they add the quadruple bottom line in politics.

I think that one of the most important things we have to consider in this place, if we are to be truly socially inclusive and ensure social equity, is making sure that the most vulnerable and poorest in our society are able to access all the advantages that living in South Australia offers. The opportunity to undertake genetic testing—even if it is just to allay the fear that you have inherited some gene that will cause cancer, particularly breast cancer—is something we should be very careful about; we should protect that right. I hope that the private member's bill on the public availability of genetic testing I will be introducing is something this house considers favourably.

I should also include one disturbing point about the South Australian Dental Service which I have been made aware of in the last couple of weeks. I had the opportunity to speak to people in England about their dental service. It was held up to me as a model of a public dental service, but it is an absolute disaster. Our service is much better, although I say 'much better' carefully, because it is certainly not perfect. Public dental service waiting lists were out to about 30 months. However, I am told they are now out to about 34 months and, by the end of the financial year, they will be out to about 40 months. This is of great concern to me. The need to put money into the dental service to employ paediatric dentists and paediatric anaesthetists and provide tutors and lecturers for our dental students is something that will become more of a burden for universities and the government.

Once again, there is a real need to examine the way in which we are funding our universities and tertiary institutions so that universities are not able to squirrel away money they are getting in fees to use for other projects and they use that money to help offset the cost of educating students. Maintaining health standards in this state is a very important part of our future, and I will be more than happy to contribute in this place in a constructive way to ensure that that does proceed. There is some rhetoric there, but I hope there is some substance as well.

In relation to education, there is a lot of rhetoric and a lot of spin. Once again, I find it very disappointing that real increases in education spending were not achieved. There are some fantastic schools in the electorate of Morphett, Brighton Secondary School and Paringa Park Primary being two of them. Both those schools have problems we could solve very quickly. Paringa Park celebrates 50 years in November this year. The buildings that were constructed in 1953 are still there, and they are absolutely disgusting.

We heard one of the members in this place speak about the terrible toilets in one of the schools in her electorate. At Paringa Park Primary School, the toilets are not just terrible but an absolute health hazard. The buildings are on the point of being condemned. There have been numerous patch-ups, and the money being wasted patching up these buildings is something this government should be doing something about. There is no point saying, 'You didn't do anything about it.'

I should make the point that this government is almost two years into its term. The blame game should be something you put behind you. Sure, we look back at what previous governments did, but we do not have to agree with what they did. As a new member in this place, I do not agree with everything the previous Liberal government did. I think that perhaps there were some things we could have done slightly differently and opportunities were missed. However, there is no reason for this government to look back to lay the blame. They are now in government and here to govern this state. They have been handed a state with a healthy and booming economy. They should be able to keep this economy cooking along and stimulated so that the income they receive from taxes and other revenues can be spent on health, education and, hopefully, law and order—all the things promised by the Premier during the election.

We are yet to see real changes in some areas. There have been a lot of talks, summits and reviews, but we are still waiting for the actual substance in these areas. It is disappointing that the children of Paringa Park school are not getting better. Certainly, the teachers are first-class and dedicated. I took three groups of children from Paringa Park school through this place not long ago. They are delightful young children, and I am proud to have them as children of my constituents.

Brighton Secondary School students earlier this year had to delay a trip to China because of the SARS outbreak. The Minister for Education and Children's Services promised that 100 per cent funding would be there to ensure the trip could go ahead. I am getting messages that a little nitpicking is now going on. I asked the Minister for Education and Children's Services to ensure that the young adults of Brighton Secondary School who are going to China in November are fully funded by this government, as promised in her ministerial statement and her statements at the airport and to me, so that they do not have to worry about fundraising or the parents' dipping into their pockets again. It is very important.

I am not sure whether the Minister for Recreation, Sport and Racing has been procrastinating, delaying or obfuscating funding for the state volleyball centre at Brighton Secondary School, but I would love to see the centre proceeded with. He should be encouraged to facilitate funding for that centre, whether through private investors or the school itself. I am worried about his handballing it back to the original public servant who would not return emails or phone calls and who would not communicate. The minister himself needs to take control and make decisions in order to give the state, not just Brighton Secondary School, a fantastic facility—a new state volleyball centre. Brighton Secondary School has a tremendous track record in volleyball without a world-class centre. Members can imagine what it could do with a world-class centre.

The electorate of Morphet used to be demographically one of the oldest in Australia. We still have many older people living in Morphet. Unfortunately, they are victims of media madness—the perceptions and reality—when it comes to law and order. There is a difference between feeling safe

and actually being safe. We do not want rhetoric from this government: we want some action. We want more police officers. We need more police on the beat. We need more of a deterrent, other than longer gaol terms, longer sentences, more prisons and less parole. Some real crime prevention measures need to be put back into local government. We need graffiti funding put back in there.

We need more police on the beat. The chances of getting caught are higher with more police on the beat; therefore, one is less likely to commit the crime. That is not just me saying that; that is what criminologists will tell you. Just having a long gaol sentence is not a deterrent: it is the high chance of getting caught which is the deterrent. The prisons are overflowing, and the government has promised longer gaol terms and less parole, but I do not know where this government will put prisoners. I am hearing whispers that the government is about to change the regulations on home detention. I hope this does not mean that this will be de facto parole—rather than going on parole, you go on home detention. That is shifting the deckchairs on the prison *Titanic*.

It is very important that the State Disaster Act, as outlined in the Governor's speech, is looked at. There is nowhere more important than Glenelg North, where we had devastating floods recently. I was very concerned that the first notice that came out to residents was from the Red Cross. I would have preferred the first notice to come out from one of the government instrumentalities, rather than the Red Cross. There is a big gap there. It is good to see that the government is looking at the State Disaster Plan, because it needs to deliver as promptly as the MFS, SES and FAYS did at Glenelg North. They did an absolutely magnificent job.

I heard the member for Colton say that he will move a motion to congratulate the MFS, SES and FAYS, and I will be more than happy to speak to that motion because they did an absolutely magnificent job. The stories I am hearing about the consequences of the Glenelg flooding are absolutely disastrous. I will not speak about them in my reply because some are very private and very disturbing, but there have been some separations moving toward divorce and some heart attacks. A number of homes have been knocked over. It is very important that we not only develop a prompt response plan for any disaster in South Australia but also that they continue on with that. I ask that the ministers involved in looking after the people at Glenelg North continue to make sure that they are compensated as quickly as possible with as little stress as possible.

I will move on to a couple of other areas. With regard to transport, obviously people know that I am very keen to see that wonderful project announced by the state government. It is a follow-on from the Liberal announcement of upgrading the Glenelg tram line. I was very fortunate to be overseas looking at new trams, and I am very excited about our potential to restore an extensive light rail system in South Australia. I hope to work in a bipartisan way with the Minister for Transport. I have pages and pages of information and hundreds of photographs that will hopefully encourage the minister and his government to expand our light rail system and to grasp the opportunity and not just add another nine new trams on the Glenelg line. The new trams we will get there will be fantastic and an absolute eye opener. Instead of two million people, we will probably get four or five million people travelling on them each year.

Three million people a year travel to the Bay for the wonderful experience of going to the Bay, and they do so

because it is fantastic. I get sick to death of these people saying that you cannot see the sea when you go down to the Bay. Let me tell the house the facts. If you went down Cross Road to Unley Road, you could see the sea until then; thereafter, you could not do so. Now, if you go down Anzac Highway, you cannot see the sea. When you go to the bottom of Anzac Highway at Morphett Road, you take a right-hand turn of about 30 degrees, and then head directly towards the sea down Anzac Highway. However, you could never see the sea. What you could see as you went over the Sturt Creek for about 50 yards was a glimpse of the horizon. You could see the open space. Do you think in 10 or 20 years' time our kids will care about that? They will see the Holdfast Shores development and they will say, 'Man, we are almost down the Bay. We are going to the Bay. Everybody still loves going to the Bay.'

I have nine questions here about the development of the Holdfast Shores stage 2B project which I do not, unfortunately, have time to read out. I will read question 2, as follows:

The original master plan for the Holdfast Shores project, signed by state government, the consortium and the council—

this is Holdfast Bay Council—

in October 1997 did not include a separate apartment building on the site of the surf club. The proposed nine storey building exceeds the footprint originally agreed for the hotel. How can the government therefore argue that its proposal is consistent with the master plan?

There are another eight questions I will be more than happy to pass on to Minister Weatherill and to ask questions of him. I do not want to have to take on Minister Weatherill in a fight over the future of the open space at Holdfast Shores. I know he is a reasonable and ambitious person who wants to prove a point in this place. I encourage him to put all his enthusiasm and all his drive into this place but not to do it down at Holdfast Shores. The people of South Australia said so in the consultation process that he set up. They said, 'We do not want more high rise at Holdfast Shores.' Sure, a plan came out months ago that both the council and I, the member for Morphett, looked at and said, 'We don't want 17 storeys there but, if we need to have another apartment block there to make it all go ahead, we could cope with that.' However, that was when there was no other alternative. Only fools and dead people do not change their minds. When you are given a better alternative, you obviously move on from there. If Minister Weatherill tries to allude to the fact that the council and I are in favour of another high rise there, he is wrong, wrong, wrong! The last thing I want in Holdfast Bay is another high rise.

There are proposals for another 12 storey building behind the Grand, behind Jetty Road, in Colley Terrace. There are proposals for another 190 apartments on Anzac Highway. There are proposals to knock over a motel on Adelphi Terrace and build apartments there. There are proposals to build another 18 apartments on the south Esplanade. Some of them are absolutely atrocious developments, but some are good quality owner-occupied apartments, and that is what we need. As the hotels association said, we do not need more serviced apartments: we need owner-occupied, good quality, low-rise residential apartments, not tower blocks that are just dog boxes. We need good quality apartments. We need to make the Bay what it is—and that is the icon for South Australia. The Bay is something that needs to be protected.

I wish Minister Weatherill the best in his deliberations, but I ask him to speak to me in a bipartisan way and I ask him to speak to the council in a bipartisan way, and we will move forward. He will get a bloody nose if he takes on the surf

club, the Holdfast Bay council and me. That is not what is required in this place, because the bipartisan approach that we need to run this state is something that can be achieved—no more spin, no more rhetoric, no more dodging and diversions, no more ways and means of mass destruction, and no more media Mike. We need to have a good quality Labor government in here, not just a government that proposes to be a left wing Liberal government. It wishes it could be, but it is not. Let us see whether it is socially responsible. Let us have some leadership. Let us see what this Premier and his cabinet can do.

**The Hon. R.B. SUCH (Fisher):** At the outset, I acknowledge the great work being done by Her Excellency the Governor and by the Lieutenant-Governor. We are fortunate to have someone such as our Governor. Not only is she great in that role in an official capacity but I think that, as a human being, and with her human qualities, she also sets a very good example for the rest of the community. I have the privilege of visiting Government House probably more frequently than most members—taking bills over, and so on—and it is great to have a Governor there who delights in the progress of her children and takes pleasure in showing you family photographs and things such as that, which demonstrates that she is just a wonderful human being.

During the opening ceremony yesterday I was interested to see that, once again, we acknowledged that we are on Kaurna land. I do not have a strong problem with that, but I was told recently by an Aboriginal person living in Adelaide who is not of the Kaurna tribe that they found it somewhat tedious that we seem to have this ceremony at every function. Everyone who knows anything about traditional Aboriginal culture would know that the western concept of ownership of land is completely alien. So, that is a bit of a paradox in itself.

The other aspect is the traditional dancing (and this was not performed yesterday). That is fine but, in many ways, it stereotypes Aboriginal people. There is certainly a place for traditional dancing, but we should be showcasing Aboriginal people doing other things in the world of music. I think that maybe it is time we reconsidered and rethought those two standard approaches to official functions.

The speech yesterday by the Lieutenant-Governor on behalf of the government had a very strong law and order focus, and I will come to that in a moment. In a general sense, I have some concerns about South Australia and where we are heading, because I think that we are in danger of becoming the 'can't do' state. I am keen to see us become the 'can do' state—not doing anything regardless of the consequences, but being an innovative, creative, thinking state, one that lives off its brains, essentially, because we are not blessed with the same amount of resources as are some other states such as Western Australia, Queensland and so on. So, we have to live off our natural ability; our natural thinking processes. I would like to see our public service, in particular, reinvigorated, and I commend the Premier for coming up with the concept of the thinkers in residence. But I think that it has to go beyond that. We must get some new blood, some new thinkers and some new ideas to give young people an opportunity to reinvigorate the Public Service. That is not a reflection on those in the Public Service at the moment but acknowledges the fact that if we are not careful we can become somewhat sleepy in this state and lose direction and focus. I think that the same thing applies in local government. We need to reinvigorate, and we really need to be a state setting an example. We can be the innovators in a range of areas.

I agree with the thoughts of the thinker in residence who suggested that we not continue with this SA Great process, because I think it has reached its used-by date. If you are great, other people know it. You do not have to tell other people. So, are you doing it simply to make yourself feel good? I think that it is time we moved on from that. In regard to the general aspect of members and people being in public office, I believe that we must be careful that we do not create a situation where people do not want to be in public office.

Because we have so many trip wires and restrictions that are unnecessary and over the top people do not want to be in the public arena; they do not want to be in public office in a situation where they can be caught out on any minor matter. I am not saying that there should not be accountability, there should be, but a balance must be found. If one looks at the history of this state, very few bad people have been in public office; in fact, quite the contrary. I disagree with many members in this chamber and in another place in terms of their philosophy, policies and so on, but I would have to say that, in my experience in this place, I have not come across too many people who are not dedicated and committed to serving the public.

That highlights the issue of what has happened to Pauline Hanson. I did not agree with a lot of what she put forward. Some of it was silly, some of it was not spelt out in terms of how it could be applied, but I think to be putting someone in prison for what she is alleged have done (and the court in Queensland found that she had done it but which, no doubt, is now subject to appeal) is grossly excessive, and to deny her bail is incomprehensible. What threat will she pose to the community if she is allowed out on bail? I just find it rather bizarre.

I think the warning bells are ringing. Sure, we need accountability and responsibility for people in public office, but let us not put ourselves in a situation where we cannot do much or we cannot do anything because we will not want to do anything because we are scared that we are going to do something that is wrong. That would be unfortunate. As I said earlier, the speech by the Governor's deputy focused on law and order, and I do not have a problem with that. I believe that we have been deficient in that respect but, once again, we need to get a balance and a focus on early intervention and steering people out of a life of crime or going into criminal behaviour.

We have many families who are dysfunctional, we have people suffering from mental illnesses and we have people with personality disorders, a range of problems. Again, I would like to see the government balance its current focus on the punishment side with greater emphasis on the intervention side. I do not mean crime prevention where you are painting out graffiti because, in my mind, that is not crime prevention at all: I mean innovative programs targeting families under stress, reinforcing good values in schools and in the community and respect for people, property and one's self, those sorts of things.

I do not believe that creating more of the old-style prison is the way to go. If we are going to incarcerate people let us have them in a situation where they are going to be doing productive work, where they will learn something and where they will get training and education. There is little value in putting people in cages unless they represent a real and ongoing threat to the community. You are not going to achieve anything except use up their life (which in many cases is deserved), and they will contribute little to the wider community. I think that we could be using people in prison

much more creatively and extensively in work programs outside the prison, particularly with those prisoners who can be trusted, and many of them can be. They can be properly supervised and, in some cases, they can wear electronic bracelets, and so on. Some of that work has been done, and I have already publicly acknowledged the commitment of the Hon. Terry Roberts in that respect.

We have suffered as a community in recent times and will pay over time for what I see as this phoney property bubble. It has been pushed by a minority who have a vested interest in seeing house and unit prices rise, but for most people it is really economic foam and froth. It benefits local government, if it wants to increase the rates in a particular way, and it benefits state and federal governments in a macro sense, but it is driven by self-interest and, unless they happen to be a speculator or in a lucky situation, there is no benefit to the average person in this phoney, nonsensical property bubble. It is a con.

When you realise that half the money being spent in the property market is going into investment properties which it is hoped will be rented out—and we know that that is just not feasible—you can see that this whole bubble will come to an end, probably sooner rather than later. The people who pay the price will not be people like me but our children and grandchildren and those on low incomes who do not take part in the capital gain which our system generously allows and promotes. So, let us have none of this nonsense about the property boom being a great thing for everyone; it is great for a select few. Let us see public housing expanded in innovative ways, because many people cannot afford to be in the property market now. They are shut out because of the prices.

The question of Aboriginal people in our community is an issue I feel very strongly about, and I was pleased to hear the comments from the member for Morphet. I recently travelled to Western Australia by road and stopped at Ceduna, and one would have to say that the situation in which Aboriginal people find themselves is very sad and distressing. I think that years ago they were killed by various means and now they are being killed by a form of 'welfare-cide'—a situation where Aboriginal people do not have control over their own destiny. Unless they own the problems they will not own the solutions, and we must have more direct involvement by Aboriginal people. Whilst in a way it is good that a parliamentary committee is looking at Aboriginal problems, I think Aboriginal people have been studied and analysed to a point where we know and can count the hairs on their heads. What we need is some action, more by Aboriginal people assisted by the total community, for Aboriginal people to take control of their own destiny, and the sooner that happens the better.

Transport is another issue that is always close to my heart. The Minister for Transport would readily acknowledge that when it comes to transport matters I am the MP from hell, because I write to him many times a week, but I am pleased to say that he and his officers respond in a thoughtful and constructive way. I do not claim that I have any monopoly on wisdom or ideas, but I believe it is the role of MPs not only to represent their constituents but also to try to advance society in ways that include putting forward new ideas. Time will not allow me to go into all of them, but I will mention briefly some of the issues I have raised with the minister, and I thank him for his attention in responding. One was the question of road access and egress during bushfires in the Adelaide Hills—a very serious matter.

**The Hon. I.F. Evans:** What was the response to that one?

**The Hon. R.B. SUCH:** I am happy to give it to the member for Davenport. It is quite a lengthy answer but, in short, he believes the issue is under control. I am not so confident about that, but I am happy to give a copy of the letter to the member for Davenport. I also raised with him the question of why we cannot have more left turn lanes in South Australia. He acknowledges that they are important, but it is too costly to retro-fit them. We have lot of situations where people are held up because a car wants to turn to the left. It may not be the biggest issue in the world, but it is still an important one.

In South Australia we have a situation where people who use a commercial vehicle for private use are severely penalised, and that is very unfair when you look at the anomalies in the situation. Someone getting around in a little ute might be paying a lot more than someone getting around in a big four-wheel drive. The minister was supportive in relation to the issue of a gateway to the Fleurieu, which has been a hobbyhorse of mine for a while. As people come up from Darlington to enter the Fleurieu Peninsula and, in particular, the City of Onkaparinga, it has not been all that attractive, and I am pleased that the minister has acknowledged, in conjunction with the City of Marion and the City of Onkaparinga, that something can and will be done.

I have been lobbying the minister hard on this issue of driver training and, in particular, using modern computer simulation to help train new drivers, to supplement the hands-on approach. I am not saying it is an alternative. I think we have been lagging a bit here in South Australia. The NRMA provides free of charge a CD-ROM to anyone over there who wants it, which can help people learn about wet weather techniques, night driving, country driving, and so on. We could do more in relation to that with computer simulation, which is really a variation on the Game Boy type of technology that already exists. In fact, we have several companies in South Australia, ironically, that are developing computer simulation for training long-distance train drivers, earth movers and pilots of jumbo jets, and I think we could help reduce the road toll by some low-cost computer simulation that could be available particularly to young people, although not just to them.

In relation to Black Road, to which a lot of people give a plural—it has nothing to do with Aboriginal people: its name is Black Road—the minister responded this week by saying that the department is keen to move forward. They are not his exact words but that is the thrust of his argument. I want to see this matter under way quickly but with proper provision, where appropriate, for traffic lights and/or roundabouts. I am sure that the member for Davenport would also like to see the matter resolved. Our area does not ask for much and it does not get much, but one of the things that people want is the Black Road situation improved. I have been arguing that it is better to do it properly, even if it is staged over a period of time, rather than do a Mickey Mouse job and come back in a few years.

I would like to change direction a bit in terms of the matter that was raised by the member for Bragg, who is passionate about sex education in schools. I think I was more passionate about sex when I was at school than I am now, and it is probably the impact of ageing taking its toll! The mind is keen but the body is weak. I must say I have been very disappointed in the approach of the member for Bragg, because she is obviously an intelligent, capable person. I think she has been unfortunately sidetracked in relation to the share program that has been developed by SHine in conjunc-

tion with La Trobe University. One of the concerns that has been raised, and this was more by a member in the upper house, was that young people would be involved with particular activity cards that could involve touching and so on.

From my recent inquiries, not one school has used those activity cards, so we have had all this hullabaloo about possible touching and not one school has used them. The reason is that teachers have a range of resource material and have to use their judgment as to whether it is appropriate to use those sorts of things. Teachers are professional people who make that judgment, and the program itself says that no topic is to be introduced unless it is appropriate, handled sensitively and so on. I think the other thing that one has to be concerned about is the degree of what I would see as homophobia, which I suspect has triggered the hostility of a lot of people to this program.

This program does not advocate sexuality or homosexuality: it is about information awareness and it is about relationships. It talks about love, care, and all that sort of thing. It is not simply about body parts. It is not simply about sexual activity or about people's plumbing. It is a very comprehensive program. I should have thought that people who are concerned about abortion and teenage pregnancies would welcome this sort of program, because young people need to be informed and aware and make the right choices. I just cannot comprehend how people can suggest that it encourages child abuse.

We are talking about high school students. Some people are on the wrong track, suggesting that students in year 8 are aged 11. If anyone can find many year 8s who are 11, I will go home! If a student starts school at age five and spends seven years in primary school, that makes them about 12. If they start at six, that will make them 13. There has been a misunderstanding. South Australia, unlike Victoria and New South Wales, has a seven-year span in primary school, not six years. So, there is confusion in terms of the starting point for this program.

To my knowledge, there has not been one complaint from a parent who has a child in the program. The people who are complaining are those who, for ideological or religious reasons, do not have children in the program. That is their right, but I have not had one complaint from the people whose children are doing the SHARE program, who have to sign them in, and I get people from all over the state contacting me about every issue under the sun.

I emphasise again that this program is not simply about sexual behaviour and sexual awareness. It focuses on drug taking and on the consumption of alcohol. It warns young people about getting into a situation where they could be raped or molested. Surely this is the sort of thing about which, in an appropriate setting and at an appropriate time, young people should be aware. As I indicated, it talks about the difference between love and romance and people trying to get your knickers off. It is a very sound, sensible program, and I make that judgment having been involved in training teachers for many years. I helped to develop some of the curricula in our primary schools, so I have some understanding of what is involved.

I make a plea to the member for Bragg and others not to be influenced too much by people who, for whatever reason, are concerned about a minor mention of topics such as homosexuality, lesbianism, and so on. In the context of a program of hundreds of pages, those topics barely rate much of a mention.

One of the issues that needs to be addressed, not just for young boys but also for young girls, is that during their teen years there is often a lot of confusion about their own sexuality. We know that all of us have elements of maleness and femaleness; we have differing degrees of it. We also know that approximately one-quarter of young men who kill themselves do so because they are uncertain and unsure about their own sexuality, and that is shocking.

I will not name it, but last year in one of Adelaide's prestigious schools a boy hanged himself because he was tormented by other students of the age of 16, nearly 17, who sent SMS messages saying, 'You're a poofter. You haven't got a girlfriend. You're gay.' The consequence for that lad, who could not cope with it, was that he hanged himself. Do we want that sort of thing to continue? No. Ignorance is not a good thing, and we need to be tolerant of people. This idea that homosexuals and lesbians are people who need to be treated is a nonsense. They do not choose to be homosexual; they do not choose to be lesbian. There is no evidence whatsoever which suggests that. Let us get some balance into the way that program is treated.

I switch now to a different topic, that of water conservation. Indeed, we might need a cold shower after talking about the previous topic. We have gone a long way in regard to water conservation in this state, but we still have a long way to go. We still have developers in this state, believe it or not, who encourage people in new subdivisions to plant lawn to the kerb. Do not mind the fact that the council might want to put in a footpath. They are encouraging people to plant lawn down to the kerb in a Mediterranean climate. I think it is too late now in regard to the situation on North Terrace. Some people wanted only exotic plants—and there is nothing wrong with exotics: I have a lot of fruit trees, as just one example. However, we could have showcased on North Terrace some native plants that do not use much water. We could have used grasses, reeds and other plants so that we looked a little different to every place in the world.

We heard nonsense about eucalypts that drop limbs: some do, but there are over 700 varieties to choose from. There are also over 700 acacias to choose from, and then there are all the other species. So we had a highjacked hysterical reaction to the suggestion by the consultants that we plant some native trees on North Terrace. My goodness, let us not be too innovative in South Australia! Do not do anything different so that tourists can see what they will not see in their own homeland. In regard to water conservation, we are starting to move forward, but we have a long way to go.

In regard to the Flinders Medical Centre, I have provided some information to the minister, who has taken it on board to look at sympathetically, in relation to the critical care beds there, and that situation needs some consideration. This information has been provided to me by people who are not party political but who genuinely care about the health and welfare of others. I have been given information which I have relayed to the minister which points out that some of the equipment that was authorised under Minister Dean Brown still has not been provided and that people are being sent prematurely to other wards, putting them at risk. For the first time, Flinders Medical Centre has had to send patients prematurely to wards which are not equipped to look after patients if something goes wrong.

The crisis in critical care was predicted two years ago by the Australian and New Zealand Intensive Care Society. The unit at Flinders Medical Centre has a capacity of 24 beds; this can be stretched to 30 and, currently, it has 32 patients. There

is a lack of key drugs. One drug called Xigris is not available but is available in private hospitals. I do not want to turn this into a political saga because we are talking about people's lives, but the people who speak to me are not party political and they tell me that something needs to be done to improve things.

It is pleasing that we are making some progress in relation to mental health, but we need more support for people in the community. It is fine to have people in the community, but they need support to ensure that, where necessary, they get their medication, and so on.

In regard to education, I wrote to the minister last week saying that the government needs to address the issue of the materials and service fee because by December the legislation will need to be modified. My view is that a school's governing council should be able to set the fees and charges, and poor schools should be supplemented by a direct grant from the government. In my area there are some schools where the parents want to pay more but, because of the current nonsense about compulsory/ voluntary, with some opting out of the voluntary, all the children lose out. So, I make a plea to the minister to resolve this issue quickly so that our schools can set their fees for next year well in advance and it is not left to the last minute.

I mention my hobby horse of technology high schools, and I know the member for Napier shares my passion. We need to move forward on this—not to resurrect the old technical high schools but to establish new era technology high schools in all areas of advanced computing, robotics and so on. That could be part of South Australia becoming a smart state. Last Friday I met with very senior people in Telstra who said they would be happy to support this sort of thing. Obviously, they cannot support every high school because it would not be feasible, but we could get support from industry and corporations such as Telstra for advanced electronics and things such as that in a couple of showcase technology high schools, at least in the north and the south.

In regard to education, I hope that the SHIP program for students of high intellectual potential in Aberfoyle Park High School (which is supported through the Hub Primary School) continues to be supported by the state government. They have now changed the name of the SHIP program to IGNITE, which would not have been my choice but is the choice of those involved. We need to encourage the gifted and talented as well as those who maybe are not quite so gifted and talented.

Outside school hours care is grossly deficient in my area. I have written to Larry Anthony many times, who says that it will be reviewed. However, we suffer postcode discrimination because they average out the well off with the not so well off; I would like to see that changed. I would like to address many other issues, but time is against me. I have been pushing the community road watch, Dob in a Driver. I believe that the police are about to commit to the program, following the New Zealand example, and I am delighted.

I have encouraged the city council to introduce Flower Day again, or a flower festival, in the squares and terraces of Adelaide during spring, and I am hopeful that the mayor will move down that path. Finally, I believe that South Australia has tremendous potential and that we need to maximise our intellectual capability.

**Mr MEIER (Goyder):** I am pleased to speak to the Address in Reply. I would like to compliment His Excellency the Lieutenant-Governor, Mr Bruno Kruminis, on his address

to parliament yesterday. I believe that it is the first time he has delivered the address to parliament, and it was certainly greatly appreciated.

I also extend my best wishes to Her Excellency Marjorie Jackson-Nelson and say that it is wonderful to have her as Governor. She is continuing to do a great job for South Australia and is certainly getting around the state in a way that is quite remarkable—spectacular even. She is always on the go, and that only helps South Australia.

I notice that the address—and obviously it reflects the government's program—states, amongst other things, that the government wants to see a state in which children are given every available opportunity to learn and to make the most of their potential. I can only compliment the government on that, but it concerns me, when I look at the amount of money that has been allocated, say, to education and I see that as a percentage of the budget. Whereas under the Liberals' last budget in 2001-03 the actual spending was in excess of 25 per cent of the total state budget, in the 2003-04 Labor budget the figure has come down to just over 24 per cent.

So, we have had a solid 1 per cent reduction in spending on education; in fact, the estimated result from the 2002-03 budget was in excess of 1 per cent less. It is all very well to have words highlighting that children are to be given every available opportunity to learn to make the most of their potential and to say that the government will continue to work on education and training essential to the future development of the South Australian economy and community and that education is one of the highest priorities of the government. However, I would have thought that that would have been backed up with action; in other words, by the amount of money provided to education. I simply say to the citizens of the state: just be very careful that you are not blinded by words. Actions always speak louder than words.

I also note that in the Lieutenant-Governor's speech it says that the government wants to see a community in which people feel safe in their homes and on the streets. Again, that is a motherhood statement—we certainly want people to feel safe in their homes and on the streets. Therefore, it is extremely disappointing that in the 18 months of this government—and I think that will definitely extend out to two years—not one extra police officer has been budgeted for. No extra police. So I am not quite sure how the government is proposing to make people feel safer in their homes and on the streets if it is not actually putting additional resources into such things as policing. Again, it is all very well to have words but I would have hoped that there would be action in that particular respect.

I well recall a New South Wales election when the then Liberal government was defeated and the then Labor opposition campaigned on law and order in a similar way to how this government is highlighting safety and order in the community. The then Labor opposition campaigned on law and order and indicated how it felt that it was unsafe to live in Sydney and New South Wales. In fact, it won that election and law and order was considered to be one of the big issues. It was rather ironic then that some months later, when the then new Labor government had to handle preparations for the Sydney Olympics, the question was asked of the minister in charge of the Olympics: what was he going to do about public safety, and what was he going to do about the problem of law and order on Sydney streets? The minister's answer was: 'Oh, come on—Sydney would have to be one of the safest places in the world, why should we even have a worry about this? Other people in other parts of the world would

welcome the fact that they are coming to one of the safest cities in the world.' How things can turn in a matter of a few months.

The third thing that I noted from the Lieutenant-Governor's speech was the fact that the government wants to see sustained economic growth, more exports and growing job opportunities for South Australians. Again, I can only say: hear, hear. But I do have serious concerns when I note that it wants to see sustained economic growth, yet what has actually happened in relation to economic development? Certainly, the government set up the Economic Development Board and we have had an investigation carried out as to the economic ingredients of the state. The government has also set up a timetable or framework that it indicates it will follow for future economic development, but if you have a look at that there are no specifics. In fact, the way I read it I do not think much is going to be done until at least 2005. That is two years away and, in fact, since we lost government it will be 3½ years, and you cannot just let things continue on as they have. There is no direction. It is easy for this government to come into office and ascertain where the economic growth might be. Again, the Lieutenant-Governor highlighted the following:

The government has accepted the recommendation that the state should aim to near triple our exports to reach \$25 billion by 2013.

It is wonderful to have such an aim. The previous Liberal government achieved a tripling of exports but it did not come about naturally or without any hard work. We had specific funds allocated to regional development. We had specific funds allocated to attracting industry into this state and to encouraging people to export. We had programs such as Food for the Future and through a multitude of regional and metropolitan programs we got the results and it has been fantastic. When the Liberal government took over back in 1993 it inherited an economy that was far from healthy. In our first two to three, even four, years in government not a lot happened other than stabilisation of the situation and beginning the turn from a decline to an upturn and that took the better part of three to four years.

I well remember that at the election in 1997 the Liberal government did not get a lot of accolades. People said, 'I do not know that you have done a huge amount,' yet we had stopped the downward trend in the economy, had levelled it out and in some areas it was starting to go up. However, when we were returned to government in the next four years there was a massive increase. Exports tripled during that time. The economy literally raced ahead. Our manufacturing arm went from strength to strength, employment continued to rise and unemployment continued to decline. We took the unemployment figures from shortly before we inherited government in 1993 at about 12 per cent unemployment to about 7 per cent when we left office—a massive turnaround. We really set the train in motion, but it took three or four years to get the train moving. It is now moving at a great pace and is moving up and this government inherited it. That upward trend will not continue unless the government does its positive part towards maintaining the upward trend.

*Mr Brindal interjecting:*

**Mr MEIER:** It is interesting to hear the member for Unley interject and say that he bets the government does not take positive action to continue the economic trend that the previous Liberal Government set in train, and I agree with him 100 per cent.

**Mr Brindal:** They do not support the country.

**Mr MEIER:** I know that only too well. I look at all the projects in my electorate and all, without exception, are a continuation of projects initiated when we were in government and I am extremely worried about what new projects are in the pipeline. There are not any! The only thing that has happened is a reduction in the speed limits where we have bettered the road services or maintained and bettered them.

**Mr Brindal:** Now I suppose they are fining all your electors.

**Mr MEIER:** Yes, I had a very irate elector the other day who had been picked up in a new 100 kilometre zone doing 115 kilometres and he was far from happy. That may go to court, but I will not get side-tracked by that. The momentum is still there. It took us the better part of four years to slow down the economic decline and I suggest that without momentum it will continue going up for the better part of four years without the government doing anything. I may be over-optimistic there.

If we look at figures released recently, in terms of international trade we see that the value of South Australian merchandise exports in original terms for June 2003 was \$576.6 million—a decrease of 11.7 per cent from May 2003 and 27.6 per cent down on the June 2002 figure of \$796 million. There has been a decrease of 8.9 per cent in the value of exports in the 12 months to June 2003. The value of South Australian merchandise imports in original terms for June 2003 was \$403.6 million. This was a decrease of 18.8 per cent from \$497.3 million recorded in May 2003 and 2.7 per cent higher than the June 2002 figure of \$393.1 million. Overall, the value of imports in the 12 months to June 2003 was 6.7 per cent higher than the value in the previous 12 months, namely \$5 730.3 million, compared to \$5 346.8 million.

We could argue that to some extent this is because of the drought, and there is no doubt that that is part of the reason. However, the estimate of new motor vehicle sales fell by some 13 per cent in July from the previous month. So, it is not all positive news. I would hope that the government is looking very carefully at such statistics. I was very concerned when the Treasurer made it clear that this government would not be offering incentives to companies to come into South Australia, and I got the impression that it would not be offering incentives for them to expand.

I can tell the house that if a company had to choose where to locate they would tend to go where the majority of the markets are, and that is, of course, to the eastern states. I think we can learn a lesson from Sir Thomas Playford, the great former premier of South Australia pictured opposite me in the chamber, who went to get General Motors to locate in South Australia. Sir Thomas used incentives, and he certainly used the argument of South Australia's being a central state, and that if they located in South Australia they had ease of access to all other markets in Australia. He won them over with his argument.

Thankfully, South Australia has remained the key centre for General Motors Holdens today. We are lucky to have them, and what a wonderful company it is, expanding as much as it is, and exporting. We are also very lucky to have Mitsubishi likewise exporting in increasing numbers. However, these things do not come by accident. Therefore, I hope again that the government will not rely on its words that it will look to see what the previous government did and take stock of the fact that, if you cut the regional development infrastructure by the better part of 90 per cent, you will not have the same assistance and help that was there in the

preceding four to eight years. The government has to get a direction; it has to look to the future; and its proposed tripling of exports will not come about by accident.

We hear so much about health. The Lieutenant-Governor's speech indicated that the government will continue working on the major task of reforming and improving South Australia's public health system. We certainly have heard about, and some of us have read about, the Generational Health Review. At the same time, we see in one of the well-recognised rural papers, *The Border Watch*, a headline last week entitled 'Health crisis—SE hospitals suffer budget cuts'. This article by Frank Morello states:

Medical services are likely to be cut at hospitals across the region following yesterday's release of the draft regional health service budget. In what health chiefs have described as a 'disappointing budget', the State Government has underfunded the region by \$1.5 million.

At a time when, as it was stated in the Governor's speech, the government says it is going to improve South Australia's public health system, how can they do it when they make cuts of \$1.5 million? What I am really concerned about is: even if the government turned around tomorrow and decided to put an extra \$1.5 million into the South-East region—and I guess that is the only way they can overcome it—what about all the other regions? I suspect that in my region the Wakefield Regional Health Service will also experience the same sort of funding cut.

In health there has been a percentage reduction of the better part of half a per cent plus from the time of the Liberals to now. That sort of thing cannot continue indefinitely. If the government should put extra money into the South-East region, it will have to find millions of dollars of extra money for other regional hospitals, too. I can tell you that I will be leading the charge on that.

So many other things were said by the Lieutenant-Governor on behalf of the government. I will make more comments on those matters from time to time, particularly as some of the legislation is introduced. I thank the Lieutenant-Governor, Bruno Kruminis, for his address to parliament, and I have pleasure in supporting the Address in Reply.

**Mrs GERAGHTY** secured the adjournment of the debate.

#### SESSIONAL COMMITTEES

The Legislative Council notified its appointment of sessional committees.

#### ADJOURNMENT DEBATE

**The Hon. J.D. HILL (Minister for Environment and Conservation):** I move:

That the house do now adjourn.

**Dr McFETRIDGE (Morphett):** I am proud not only to be the member for Morphett and to represent the people of Morphett but also to have a say in the future of the broader population of South Australia. As we know, the electorate of Morphett is named after Sir John Morphett, one of the founding fathers of this state.

I live in the electorate of Morphett in the suburb of Glenelg. Everyone knows that Glenelg is the birth place of South Australia. In 1836, *The Buffalo* landed 173 passengers there. By 1850, Glenelg was established as a thriving seaport town. The settlers of Adelaide would come to Glenelg on foot, horseback or aboard buggies to stroll along the water's



edge and enjoy the ambience of Glenelg and the alfresco dining that was already there in the 1850s.

In 1873, a railway line (replaced in 1929 by an electric tram) was opened between Adelaide and Glenelg, bringing vast numbers of visitors to the seaside to watch yachting competitions, stroll along the jetty or enjoy family holidays in Glenelg's many boarding houses. Today, Glenelg remains faithful to its holiday heritage, with its beaches, cafes, retailers, entertainment venues and grand mansions attracting millions of visitors each year. On any weekend, according to the Jetty Road Main Street Board, 48 000 people visit the Bay, and in any one year over three million visitors come to the Bay.

The future of Glenelg is something about which we need to be very aware. The Holdfast Shores development has been going on for a number of years now and has attracted some unfair criticism. It has been a catalyst for much of the development around the coast of South Australia. Holdfast Bay council has endorsed a new development proposal for the Glenelg foreshore. It is a win-win development for finishing off the Holdfast Shores development.

Mayor Ken Rollond said that the proposal preserves public open space on the foreshore for future generations of South Australians to enjoy and removes the need for future high-rise apartment developments blocking Colley Reserve from the beach. The City of Holdfast Bay would like to ask the government a number of questions concerning Holdfast Shores Stage 2B. 'To be or not to be', is the question many are asking. The questions are as follows:

1. When will the government's proposal for Holdfast Shores Stage 2B be unveiled to the public?

2. The original master plan for the Holdfast Shores project, signed by the state government, the consortium and the council in October 1997, did not include a separate apartment building on the surf club site. The proposed nine-storey building exceeds the footprint originally agreed for the hotel. How can the government therefore argue that its proposal is consistent with the master plan?

3. What other changes have been made to the original master plan in the course of the first two stages?

4. Why were sufficient funds not generated from Stages 1 and 2A to fund Stage 2B as originally promised? Why did the

government sell the Ramada Plaza Hotel site to the developers so that all profits went to private pockets rather than being available to fund Stage 2B?

5. What guarantee can the government give that the nine-storey apartments will generate sufficient profits to pay for the new entertainment precinct, plus the public infrastructure development costs, without additional funds being required from the government or the City of Holdfast Bay?

6. The government's plan will remove properties which generate income for the council—Scampis Restaurant, Magic Mountain and the Colley Terrace car park—a total foregone income of approximately \$500 000 per year. Will the government compensate the council so that it does not have to increase rates to cover this lost income?

7. How much public land will be converted into private ownership under the government's proposal?

8. Council owns the Magic Mountain footprint. If the government does not gain council consent for its development, does it intend to compulsorily acquire the property?

These are questions that the Minister for Urban Development and Planning (Hon. Jay Weatherill) must answer. He needs to reconsider his position on this proposal. The future of Holdfast Shores is something that we have to get right now. We have to get it right not only for the people of Glenelg but for the people of South Australia. I urge the government to reconsider its position. I ask the Premier and the Minister for Government Enterprises to ask the Minister for Urban Development and Planning to reconsider his position. This is not a stand-off at the OK Corral; this is determining the future of Holdfast Shores, the wonderful development at Glenelg, the icon of beachside developments in South Australia.

I am very lucky to live in that area, and I consider it a privilege to represent the people of Morphett. I will do everything within my power to make sure that the people of Morphett and the people of South Australia get what they deserve.

Motion carried.

At 9.55 p.m. the house adjourned until Wednesday 17 September at 2 p.m.