

## HOUSE OF ASSEMBLY

Thursday 25 September 2003

The **SPEAKER (Hon. I.P. Lewis)** took the chair at 10.30 a.m. and read prayers.

### RANDOM DRUG TESTING

**Mr VENNING (Schubert):** I move:

That this house calls on the government to examine the feasibility of adopting random drug testing of drivers and, if feasible, to implement such testing in conjunction with random breath testing for excessive alcohol consumption.

I want to thank the government for allowing me to move this motion now, because I have to be absent from the house in a few minutes for a medical X-ray. I have moved this motion previously, but, despite what I viewed as reasonable bipartisan support, it unfortunately dropped off the *Notice Paper*. As I said yesterday, I am rather annoyed that matters such as this do not seem to get debated, because private members' time is completely bogged down with so many other motions of varying degrees of importance.

This is an important issue, which I hope the government will pick up very quickly and bring to fruition. More and more, we are becoming aware of how serious a problem recreational drug use is in our community. Recent reports suggest that drug use and being under the influence of drugs whilst driving is also becoming a major crisis and a large contributor to the road toll. There continues to be an horrific loss of life of young people on our roads. I believe that something must be done, and I am sure that a successful and reliable drug testing program would go a long way towards alleviating some of these problems.

Between tabling this motion and moving it today, the Road Safety Advisory Council (RSAC) released a paper entitled 'Reducing road trauma in South Australia: possible initiatives 2003-10', in which this very issue has been raised. In the section entitled 'Addressing specific problems', drug use features prominently. The RSAC recommends road safety initiatives to the Road Safety Ministerial Council, chaired by the Minister for Transport. I will address their key recommendations under this section. The key legislation and enforcement recommendation is: introduce a program of random testing (RDT). This is the crux of my motion, and it is obvious that many key people involved in road safety think along the same lines as this motion. Importantly, this motion gives the government a chance to act quickly in support of such efforts.

Thanks to many years of education and a lot of people losing their licences, the community now knows the dangers of drinking and driving, and the risk they take if they want to run the gauntlet. The effects of alcohol on driving are well noted, and many studies have been conducted into drugs and their effects on driving. These studies find that drugs, particularly marijuana—the most widely used and tested drug—has an effect on the subject's driving ability and reaction times. I understand that Swinburne University has recently conducted research into the comparative effect of drugs and alcohol on the driving ability of subjects. In its study, the volunteers both drink and smoke joints before taking part in the drivers' simulation. In a comprehensive study of the subjects' vital statistics, their reaction to sudden surprises—whether they drift across the road, and so on—are all noted. From this research statistics have been formulated

which suggest that people who smoke marijuana shortly before driving increase seven times their risk of being involved in a fatal road smash compared to those who are drug free.

In my research into this matter, I have been truly horrified at the problem that drugs and driving are becoming in our society. Some of these figures you would not believe. Blood tests of drivers who have been killed in road accidents in Victoria found that 30 per cent of drivers killed in road accidents tested positive to drugs other than alcohol. I could not believe that. I had that figure checked. This is according to the Victorian police minister. This is a frightening statistic. Almost one in three drivers killed in Victoria in recent years were found to have drugs in their system. Even though these drugs are illegal, many people do not conform to the law, and the taking of these illicit drugs continues to be a major problem in our society. The use and abuse of illegal and illicit drugs is something that we cannot ignore in the community. Despite the best efforts of the police to control the distribution of these substances they exist and are being abused. Unfortunately, the people who abuse these drugs have little or no fear of being caught while driving, especially at the moment.

Driving under the influence of either alcohol or drugs is illegal under the Road Traffic Act. However, at the moment we have no method of testing for driving under the influence of drugs, and this must be remedied. In our backyard a study was undertaken in the City Watch House in South Australia and at the Elizabeth Police Station into the presence of drugs in serious offenders. This was published in the Drugs: Youth Monitoring in Australia (DYMA) project 2002. In the year 2002, all the males arrested and processed at the Adelaide City Watch House, with either drink driving or traffic offences being their most serious offence, were tested with over 75 per cent of offenders found to have some form of drug other than alcohol in their system. I cannot believe that; that is an unbelievably scary result.

In Elizabeth, only 50 per cent of males arrested and processed for drink driving tested positive for drugs, but it rose to 85 per cent in traffic accidents. All these figures were staggering to me, and it shows that something must be done as soon as possible. I recognise that the study is limited, but it has been carried out under strict conditions and its results still bear some significance. The mining industry has for a long time understood the dangers of drug use and the control of heavy vehicles and driving in general, particularly underground. On many sites, they implement random drug testing to discourage their use and keep the accident level at a minimum. This policy has been successful on many sites, and it is an excellent test case for the wider community.

As with alcohol use and driving, we need to have a method of both discouraging and hopefully wiping out the practice of taking drugs and driving under their influence. To administer a random test similar to the current random breath testing system is the best method of control. Of course, the police will be able to target the times and places where this testing would be most appropriate, as they do currently with the RBT stations.

When I previously moved this motion, the availability of the technology for such testing created the biggest stumbling block. It now seems that this is no longer such an issue, with Victoria forging ahead with a system that it has thoroughly evaluated. I was extremely interested to see that the (Victorian) Bracks government has gone ahead with its program of random drug testing. I am sure that much of the hard work

may have already been done for us by the Victorians. Supporting this motion would send a strong message to those in the community that to hop behind the wheel under the influence of drugs puts at risk not only their life but the lives of all of us on the road. This is a step that must be taken to help keep our road toll down. When I previously moved this motion, I was of the opinion that the technology to do this testing was not available. Now, with Victoria's move, it seems so much closer.

As a country member of parliament, a member of the country community, a father, husband and family man, I am always fearful that a car coming down the road at 110 km/h has behind the wheel a person who does not have full control of that vehicle. It worries the life out of me that that person could be under the influence not necessarily of alcohol but of drugs. In relation to alcohol, you can usually pick the time of day when you have to take extra care, but with drugs it can be any time of the day, and this is particularly so with the amphetamines that pervade the community. According to an expert I asked last night, amphetamines are the biggest risk because they are cheap, easily available and made here in Adelaide.

I urge all members to support this motion. It is of vital importance to us all and a positive move to help curb our road toll, something to which we all aspire. With the speedy carriage of this motion, the parliament can apply some pressure for action on this important issue. I encourage all members to participate in this debate and urge their support for this significant motion.

**The Hon. R.B. SUCH (Fisher):** I support the thrust of the motion moved by the member for Schubert and commend him for it. My understanding is that the state government is already proceeding down this path. I understand that the Minister for Transport is actively pursuing this matter as part of his second package of road safety measures. If that is the case, I would be delighted to see it in practice because, as the member for Schubert indicated, we know from studies done in Victoria that a significant percentage of people being killed and injured on the roads and killing and injuring others are under the influence of illicit drugs. I believe that the technology is now available to provide accurate testing on a random basis, and I think that the sooner we have it in place the better.

I do not have the actual table in front of me, but I understand that, in terms of deaths and injuries, the statistics show that the effect of driving under the influence of illicit drugs—in Victoria, at least, where the studies have been done—show that those injuries and deaths are roughly equivalent to what is caused by people under the influence of alcohol. I commend this measure and am pleased that the member for Schubert has brought it to the house. If it is correct that the government is moving down this path, then it is to be applauded, and the sooner it is in place the better.

**Mrs GERAGHTY** secured the adjournment of the debate.

#### AUSTRALIAN BROADCASTING CORPORATION

**Ms CICCARELLO (Norwood):** I move:

That this house condemns the Howard government for its treatment of the Australian Broadcasting Corporation.

I rise to speak on the abhorrent treatment of the ABC by the Howard government. Members would be aware of some of the events of the past few months which have resulted in cuts

to programming and which have left many members of the community, especially children, lamenting the end of their favourite programs. The release of the federal budget earlier, in May of this year, revealed significant funding cuts to the ABC. Not long afterwards the minister responsible for the ABC, Senator Richard Alston, levelled a 68-point complaint against the ABC for biased reporting in relation to the war on Iraq. It became obvious that the Howard government's approach to the ABC would be to tie its wrists and gag it with funding cuts and try to discredit it through allegations of media bias.

Over the past month we have seen the results of this approach with the closure of multichannel television services, Fly TV and ABC Kids; the axing of *Behind the News*, the cadet journalist program for news and current affairs and school production programs; and cuts to the programming of *Foreign Correspondent* and live sports telecasts. The Howard government is intent on calling the ABC to heel, and it is doing it at the expense of our children. The decision of the ABC board to axe *Behind the News*—a program that has been the cornerstone of children's education in news and current affairs for the past 34 years—brought home to all of us the effect of the Howard government's ruthless stance with the ABC.

*Behind the News* was watched by 1.4 million students a week, with 83 per cent of 9 to 12-year-olds tuning in. It was the only show specifically designed to educate children on news and current affairs. It seems that Aunty either needs to be a bureau of propaganda for the Howard government or our children will pay the penalty. This is not just about *Behind the News*. I draw the attention of the house to a chronology of events which shows just how fixated the Howard government is on damaging the ABC. Due to the funding cuts in May's federal budget, the ABC's Managing Director, Russell Balding, announced that the digital multichannel television services, Fly TV and ABC Kids, would be closed. These services, aimed specifically at young children and teenagers, were closed due to the 'inability of the ABC to secure funding for content for these services in this year's federal budget.'

Two days later, Senator Alston reacted by levelling his allegations of biased reporting and anti-American sentiment in a 68-point complaint to Mr Balding. This complaint was referred to the ABC Complaints Review Executive, an office established to handle complaints, and 66 of the 68 points were rejected. The two which were upheld did not relate to partisan reporting, bias or anti-American sentiment; rather, to speculative reporting. Subsequently, the complaint was referred to the Independent Complaints Review Panel, an external body independent of the ABC, after Senator Alston made it clear that he was dissatisfied with the findings in the executive's report. I understand that this panel (comprising five recognised experts in the media industry) is yet to hand down its report.

Suffice it to say that, in the meantime, the Howard government continues to exert pressure on the ABC. As an act of conciliation, the board invited Senator Alston to its meeting in Ballarat where it put to him a number of funding issues. Specifically, the government has not yet provided the \$32.6 million that it promised the ABC in the last financial year; it has done little to capitalise on the \$190 million that it and the ABC has invested in digital television by not encouraging consumer take-up of the technology; and it has not committed to continuing its national interest initiatives funding past 2005. The Howard government has turned a cold

shoulder to the ABC, slashed funding, broken promises, and made allegations of bias. These are the petulant actions of a government uncomfortable when questioned in the public interest.

South Australia has a special place in its heart for the ABC. Our local television and radio programs are enjoyed by thousands upon thousands of South Australians daily, and the studios at Collinswood have been the home for generations of staff committed to providing these programs. On the weekend I was in the Flinders Ranges to participate in Operation Flinders. Thanks to the ABC, we were able to listen to the football broadcast from Victoria. The ABC currently telecasts SANFL matches on weekends during the football season, supporting the local league which has suffered since the Crows and Port Power joined the AFL. It is great for those of us who have a passion for the local league to be able to enjoy the matches. The mighty Eagles are still in the competition as are West Adelaide and Central Districts. Unfortunately, Norwood is resting this year. It is the first time in many years that neither Norwood nor Port Adelaide are in the finals, but enough of these digressions.

Returning to the motion, the ABC continues to produce quality programs such as *Stateline* and ABC Adelaide radio for the specific benefit of South Australians. If the Howard government continues its abhorrent treatment of the ABC, we will surely see more forced programming axings and cuts. I would hope that other members in this house will join with me and support this motion.

**Mrs REDMOND** secured the adjournment of the debate.

#### AUSTRALIAN DANCE THEATRE

**Mr HAMILTON-SMITH (Waite):** I move:

That this house—

- (a) condemns the Premier as Minister for the Arts, for his decision to cut \$225 000 from the Australian Dance Theatre budget over the next two years; and
- (b) calls upon the Premier to consult, to reverse this funding decision, to develop and promulgate a 10-year strategic plan for the theatre and to adequately fund that plan.

This motion should not be necessary, and it should not be necessary because the Premier as Minister for the Arts should never have acted to cut \$225 000 from the budget of the Australian Dance Theatre over the next two years. He should have consulted with the ADT about its long-term future. He should have developed and promulgated a 10-year strategic plan for the theatre and then adequately funded that plan.

There have been concerns about arts funding across the board. Concerns were raised particularly by Tim Lloyd of the *Advertiser* on 11 February 2002 under the heading ‘Knives sharpen to slice funding for the arts’—indeed they have. This budget announced cuts of well over \$6 million to the arts over the next four years. On top of that, millions of dollars had been cut in the first two Labor budgets, mainly from Arts SA but also from health promotions funding and other art agencies. There have been some welcome new ideas such as a film festival, annual WOMADs and a couple of others, but those new ideas have been funded by cutting elsewhere in the arts budget. Of course, one of the prime targets for the Premier’s razor was the Australian Dance Theatre. That is why, with very little consultation—in fact, as I understand it, virtually no consultation—the ADT found that it was to lose \$75 000 in 2003-04, with a further massive cut of \$150 000 in 2004-05.

This constitutes a 26 per cent slice in the ADT’s budget. Not many organisations can survive with a 26 per cent cut and, indeed, it was confirmed that such a cut, if not reversed, would be likely to force closure of the company within two years. For that reason, I raised the matter with the Premier during budget estimates. He confirmed that, indeed, there was to be a cut of that magnitude for the ADT, but, on my insistence, he would look at it again. The Australian Dance Theatre receives \$925 000 overall from the budget. It simply would not be able to pay its 10 performers and its seven supporting staff if the reduction in the budget goes ahead. As I mentioned, there was no warning: it came like a bolt out of the blue. In fact, the Premier did not even notify the ADT of the decision. The notice was given in a letter signed by the CEO of Arts SA, Kathie Massey.

It seems that, whenever it is bad news, someone else gets to deliver it—certainly not the minister responsible for the arts. If it is bad news, let us flog it off to someone else. If it is good news, of course, there is the Premier, up on the stage, ready to blow the trumpet. It is little wonder that the CEO of Arts SA has tendered her resignation to the Premier, who is the Minister for the Arts. It is little surprise that she has quit 2½ years early, when the sort of job that she has been getting is to announce to the ADT that 26 per cent of its budget is to be cut and that the company may face closure. CEOs do not like to see their budgets and their plans and visions for the future within their portfolios slashed to ribbons, and that is exactly what this Premier has done.

This Premier is about as far removed from Don Dunstan as one could possibly get. If we look at the first few Dunstan budgets and the first few Rann budgets in regard to the arts, we can see that they are chalk and cheese. Parallels can be drawn between the Rann arts administration and the Dunstan arts administration but, I can assure members, they would be extremely unfavourable. There was no warning. The minister for good news, Mike Rann, did not want to deliver the bad news and, as I mentioned, Kathie Massey got the job.

Let us remember that the Australian Dance Theatre scooped the pool at the Australian Dance Awards, winning three of the eight categories. *The Age of Unbeauty* was an outstanding performance by the company. Garry Stewart received an award for outstanding achievement in choreography and the show’s star, Dean Walsh, was the outstanding male dancer. Despite the company’s national and international success, it is obviously not the right flavour for this government, it would seem, given the budget decision.

Of course, the achievements of the ADT go further. In February and March 2000 there was a sell-out season of its production *Birdbrain* at the Balcony Theatre for the 2000 Adelaide Festival. Invitations for performances in 2001 from the Joyce Theater in New York and the Galway Festival in Ireland from each respective program manager who attended *Birdbrain* during the 2000 Adelaide Festival augured well for the company. Subsequent invitations were also received from the Sydney Opera House, the Canberra Theatre Centre, the Queensland Performing Arts Centre, the new Seoul Arts Centre in Korea, the Harbourfront Centre in Toronto and the National Arts Centre in Ottawa. In collaboration with Country Arts SA, the Australian Dance Theatre also undertook a highly successful tour of regional South Australia, comprising roadshows and performances of its program *The Return of Plastic Space*. Centres visited were Mount Gambier, Renmark, Port Pirie and Whyalla.

This is a testament to the achievements of this company, yet we have the Premier making statements in parliament

along the lines of, 'Well, they don't seem to do very much. They don't seem to put on many local productions. They don't seem to be very important.' This is the tone and the tenor of the statements we get from the Premier both during questions from me in parliament and budget estimates. This is an internationally acclaimed South Australian-based dance theatre. Not only is it getting invitations from all around the world to go and show the world what South Australia can do, but it is also touring regional South Australia and putting on highly acclaimed productions and being invited interstate to perform—and the Premier says, 'They don't seem to do very much.' Here is a minister who is really on top of his portfolio—who loves his portfolio and is really up-to-date with the accomplishments of his lead agencies!

Two international tours were conducted for *Birdbrain* in 2001. The work was extremely well received on tour, commanding standing ovations. The company's season at the Joyce Theatre also elicited a glowing article and review in *The New York Times* by dance critic Jack Anderson. The Premier loves positive media, but he seems to have missed out on the fact that *The New York Times* is promoting South Australia through the ADT, and he says that it does not seem to be doing very much. The successful national tour of *Birdbrain*, at the venues I mentioned earlier, resulted also in standing ovations from around the country.

The Sydney Opera House expressed keen interest in developing an ongoing relationship with the ADT. Well, if the Premier is not careful, someone else will pinch the ADT. It may come as a surprise to the responsible minister, but everyone except him seems to think that the ADT is a priceless jewel. Well, we lost the Grand Prix, exports are down and companies are leaving the state. The government does not seem to care. Here is another example of a government that cannot see any value in its own infrastructure, in this case in the arts. I could go on heralding the praises and achievements of the ADT.

I could go over the details of how it scooped the pools at the Australian National Dance Awards in three categories, as I mentioned earlier. I could mention that the ADT won the Adelaide critics' Circle Award for Excellence by a Company with its production, *The Age of Unbeauty*. I could mention that, in each of the three years 2000-02, the ADT recorded a surplus operating result. I could remind the Premier of the problems that the ADT experienced with the departure of Meryl Tankard and that it is getting back on its feet as a nationally and internationally acclaimed arts body.

Of course, the ADT is planning to penetrate the UK and European markets further in 2003-04. It will perform for the Aldeburgh Festival at Snape Maltings, followed by performances at the prestigious Queen Elizabeth Hall, Southbank in central London. In October the company has been invited to perform at the Holland Dance Festival which, arguably, is the most important festival for dance in Europe. Armed with this persuasive engagement, its new European agent is currently seeking to confirm additional performances and create a wider tour in Holland.

I am trying to make the point to the house that South Australia has, in the form of the ADT, a priceless arts asset. It has been built up over many years. It is nationally and internationally acclaimed, and the Premier says that it does not seem to do very much and he cuts its budget by 26 per cent. The opposition understands that, in response to the wide-ranging criticism of this decision that he personally has made, there has been some sort of a backflip, and that he may be looking for a way to back-pedal out of this cut of

\$225 000. But, as far as I am aware, as shadow spokesperson for the arts, no announcement has been made to the parliament.

If the Premier has decided to reduce the funding cut from 26 per cent over the next two years to a lesser amount, it would be very nice and very appropriate for him to come in here and tell the house because, at the moment, the house understands that there has been a 26 per cent cut in the ADT's budget. The Premier is the responsible minister, and I therefore ask: will he do the right thing and come in and advise the house of his future plans for the ADT, and not only in respect of the budget cut that he has made? If he has backflipped, he should have the courage to come in and say so; but, also, could he please tell us of his 10-year vision for the Australian Dance Theatre.

Could he also not take it out on the ADT. Could he also not blame the ADT or the Friends of the ADT for raising their concern. Could he not blame arts agencies when they uphold their beliefs, when they stand up for their companies, when supporters and patrons of companies raise issues of concern in this open and accountable democracy. Could he please not take the axe to the organisations, individuals and the people who stood up for what they believe in.

The intimidation and bullying that is going on within the arts community—and do not try to deny it is going on—needs to stop. Friends and supporters of arts groups have the right to be heard. The media and the parliament have a right, in an open and accountable democracy, to know what is going on. Threats that if you go to the media or raise concerns there will be further cuts in store for you are simply not on.

I call on the Premier, through this motion, to reinstate the funding in full, uphold the ADT, put down a future vision for the company and fund it in the long term. If you do not, we will risk losing this precious jewel that has been built up so carefully. It is a testament to what can be achieved in South Australia through the arts, and it is something of which all South Australians should be proud. It was a stupid budget decision. We understand that it has been partly reversed. Come in here and tell people about the backflip—what you have done—and consider the future of the ADT.

**Ms BREUER (Giles):** I rise to condemn this motion, because again we hear the scandal mongering comments from the member opposite. I would like to read to the house an article from my local paper of 11 June 2003 headed 'Middleback will not be closed', in which it was stated that Middleback Theatre will not be closed, despite rumours suggesting that it would close due to a lack of funding. It states:

Country Arts SA Executive Officer, Mr Ken Lloyd, says that a lot of rubbish has been peddled and you could call it alarmist.

This rubbish was peddled by the member opposite when he claimed that a \$7.2 million upgrading program for four country theatres, including the Middleback, was cancelled in last year's budget. He said that without the money one or more of the theatres, including the Middleback Theatre, would be shut. He said also that urgent investment was needed for disabled access and essential workplace safety measures.

**Mr HAMILTON-SMITH:** I rise on a point of order, Mr Acting Speaker. My point of order relates to relevance, as the motion has to do with the Australian Dance Theatre. The member is addressing a completely separate matter which is that of the Middleback Theatre. I ask for you, sir, to rule on relevance.

**The ACTING SPEAKER (Mr Snelling):** The member for Giles was but 30 seconds into her speech, so I will allow her to continue her remarks.

**Ms BREUER:** Thank you, Mr Acting Speaker. This is totally relevant to the motion, because I am talking about the accuracy of the remarks of the member opposite. If they are as inaccurate as the statements he made earlier this year, inciting the fear that he put into the Whyalla community that the Middleback Theatre would be closed, I think we need to totally disregard this motion that he has brought before us today.

Mr Ken Lloyd, Country Arts Chief Executive, said it was a load of rubbish that the member was peddling. That is exactly what the story proved to be. The member opposite stood up on many occasions in this place and said the same things, but they were totally inaccurate comments. Mr Lloyd said—and I have confirmed this with him on a number of occasions since—

**Mr HAMILTON-SMITH:** I rise on a further point of order, sir. I refer to standing orders in regard to relevance.

**The ACTING SPEAKER:** I have ruled.

**Mr HAMILTON-SMITH:** You have ruled, Mr Acting Speaker, and the member is now well into her address. If she wishes to move a motion on the subject that she is discussing—

**The ACTING SPEAKER:** Order! The member for Waite will resume his seat. I am familiar with the standing order. I do not need the member for Waite to remind me of it. If the member for Waite reflects on the chair, I will have no hesitation in having him named. The member for Giles is but in the early stages of her speech. I would, however, ask that she tie what she is saying into the motion, which, on looking at the motion, is fairly specific.

**Ms BREUER:** Thank you, Mr Acting Speaker. What I am saying is totally relevant. I believe that the member opposite is once again scandal mongering with the comments he is making about the ADT. He called on the Premier to come in here and tell us what the story was. When he made these comments about the Middleback Theatre in Whyalla closing he also called on the Premier as Minister for the Arts to then commit the former liberal government's funding for capital upgrade at the four theatres. He is great on calling on the Premier as Minister for the Arts to come in here and make statements which support the scandal-mongering comments that he is making.

In Whyalla, we now know that the Middleback Theatre is not going to close. We know that we have been given \$500 000 to upgrade that theatre, to carry out work to upgrade the occupational health and safety aspects and to upgrade facilities for disabled people. We are very happy about this. But I was very concerned at the time that *The Whyalla News* reported on this item by using the headline 'The Middleback will not be closed.' I believe that that headline was a bit scandalous as well, but it is in line with the way that *The Whyalla News* reports articles. They took a statement from the member opposite, played it up, and put fear into our community. My office got a number of calls saying: 'Is that right? Is the Middleback Theatre about to close?' We were horrified at what he had done in our community. There was absolutely no question of the theatre closing—nothing could be further from the truth.

I believe that the member for Waite must have his statements questioned. He has a great habit of doing this in this place. This shadow minister believes he knows all there is to know about the arts, yet he had not even communicated

with the Country Arts manager about those issues of funding in country theatres. It is scandal-mongering at its worst. I think the dreadful statements that he has just made cannot go unchallenged and I certainly will not be supporting his motion.

**Ms CICCARELLO** secured the adjournment of the debate.

## LIVE MUSIC

**Mr HAMILTON-SMITH (Waite):** I move:

That this house:

(a) condemns the Premier as Minister for the Arts, to direct the Minister Assisting the Premier in the Arts and the Minister for Industrial Relations to take immediate action to review WorkCover legislation to ensure that it protects musicians and live music venues from unnecessary penalties, red tape and expense associated with the engagement of musicians; and

(b) calls upon the government to develop new measures to promote safe and profitable employment opportunities for live musicians in these venues and review all relevant laws and regulations to ensure that a vibrant live music scene thrives in South Australia.

Mr Speaker, it should not be necessary to move this motion. It has been 18 months, and the government has done nothing to solve this problem. The only entity whose opinion we do not know on this subject is the Premier as Minister for the Arts in this government.

Before I go into the argument let me make some comments regarding the earlier contribution in regard to the Middleback Theatre, made by my colleague opposite, who clearly has no knowledge of what is going on in her electorate and no knowledge of the state of the Middleback Theatre.

**Ms BREUER:** I rise on a point of order, Mr Speaker. The Middleback Theatre has absolutely no relevance to this motion and I would ask that you rule that way.

*Members interjecting:*

**The ACTING SPEAKER:** The member for Giles did somewhat invite this. I will grant the member for Waite some latitude but I think the member has made his point. The member for Waite will return to the motion.

**Mr HAMILTON-SMITH:** Thank you, Mr Acting Speaker. It is relevant because this motion is about occupational health and safety. It is about WorkCover. And if the member for Giles were a good local member she would know that there are some very serious problems at the Middleback Theatre with occupational health and safety, and she would know that there is a bill for hundreds of thousands of dollars to be spent to make the Middleback Theatre safe and usable. Yet she has the hide—and this *Hansard* will go widely throughout her electorate—to stand up here in ignorance and claim that those problems do not exist at the Middleback Theatre. I ask her whether she has written to the Premier about those problems. I suspect that she has not, and here is a member not doing her job in the local area.

**The ACTING SPEAKER:** Order! The member for Waite has made his point.

**Mr HAMILTON-SMITH:** Thank you, Mr Acting Speaker. I will move on. There are a number of points of view about this issue of WorkCover and live music. We know from questions in parliament this week that WorkCover is in crisis as a result of the mismanagement of this government. We know that in excess of \$400 million—well in excess of \$400 million—is lying there in unfunded liabilities. WorkCover is being ruined by this government through its financial mismanagement. So, what is the government doing?

It is pursuing hotels to pay WorkCover fees for live musicians.

There are a number of points of view concerning musicians to be considered. Bands turn up at live music venues such as hotels and other locations, either with an ABN, as a company, as a formed entity, or they turn up as individual musicians with no ABN or without status as a company or a proprietary limited entity. In the case where a band is a proprietary limited and has an ABN, like a tradesman, a carpenter, an electrician—like any other entity performing a service for a hotel—they are engaged as a company and they generally provide for their own indemnity insurance.

The problem is when live musicians turn up without the protection of being a proprietary limited. When live musicians turn up to perform, when they are hired by a venue as a contractor, how are they covered for occupational health and safety? For years it has been the practice that hotels are not required to pay WorkCover for these live musicians. Now WorkCover is insisting that hotels pay a premium for such musicians, even casual, one-night performers at a hotel or other venue. So, hotels must now pay a WorkCover premium as if the fee for that band or that musician was a wage.

The musicians do not see it that way. They do not see themselves as employees of the hotel, like a cook, cleaner or waiter. They see themselves as providing a service, as a band. There are five or six people; they see themselves as a contractor coming in and providing a service. The net effect of this decision by WorkCover to scoop money out of the hotels and venues to pay for these bands as if they were employees is that the hotels have stopped hiring them. They are going to recorded music and DJs, so bands are losing work right around the state. It is a major problem for the live music industry.

This matter has been raised in parliament. It was raised in the other place on 15 October last year by my former colleague the Hon. Diana Laidlaw and it was also raised in the other place on 20 February in the form of questions. It was raised again in the other place on 1 April by my former colleague the Hon. Diana Laidlaw. I note that there has been a degree of support from minor parties in regard to this issue. The issue of WorkCover and live music was also raised in the other place on 15 May by my colleague the Hon. Angus Redford, who has done an outstanding job for the live music industry right across the board.

This is not a new issue. Rallies have been held outside Parliament House. Members of the live music industry and the hotels have stood together on the steps of this building and appealed to the Rann Labor government and the Minister for the Arts—the Premier—to do something about this problem, and absolutely nothing has happened. The live music industry is very concerned about this. I have received comments along the lines that the WorkCover issue is now being regarded as the final straw on top of the pokies super tax introduced by this government and proposed no smoking bans, and it will virtually close down live music in hotels. The live music industry is very worried.

I note media reports on 5 May where a Mr Brian Devy, Industrial Relations Manager for the Australian Hotels Association, raised a range of concerns, in particular that these regulations from WorkCover that have appeared to be dormant regulations, until about 1998-1999, have suddenly burst to life with WorkCover serving notice on the industry that it was going to target a random selection of hotel venues. The previous government had legislation prepared to solve this problem. There was an election, a change of govern-

ments—that legislation that we, the former government, prepared has been put aside and nothing has been done.

I note contributions in the media on that same date by Mr Antony Circosta, the manager of a band called Chunky Custard, where he explained the point of view of companies that had a proprietary limited status and how they provided for their own insurance. Also from live musicians on ABC Radio on the same date saying that something needs to be done about this. Of course, we know that nothing has been done. The Australian Hotels Association's Mr John Lewis claimed on 2 April, on radio, that one venue had already decided to stop hiring live bands until the issue was resolved and that others were closing down their live music operations. He said:

Well at the moment it's really an unworkable situation. At the moment the hoteliers are responsible for the administration of WorkCover in relation to musicians and entertainers in venues. However, our view is that musicians and entertainers should be treated like any other subcontractor.

That was on ABC 591. On 5AA there was another quote:

If you are a juggler in a hotel you're an employee, but if you're a mime artist you're not.

There were other quotes on radio that day. The Australian Hotels Association has called on the government to take action. In their letter they state:

It seems incongruous to the AHA that live music venues, including the Austral, the Governor Hindmarsh, the Prince Albert, the Grace Emily, the Exeter, the Bridgewater and the Crown and Anchor, which were instrumental in realising live music initiatives, will not benefit at all from the revised funding arrangements.

He is talking about the funding arrangements put in place as a result of the Live Music Fund which the Liberal Party forced the government to provide when we moved amendments to the Poker Machine's Revenues act in the other place so that they had to establish this \$500 000 fund. The Premier and the Treasurer tried to steal the money, they tried to take the money away to give it to WOMAD or the Adelaide Symphony Orchestra or some other arts body, but we forced them to give it to the live music industry. But none of it has flowed through to this problem of WorkCover and live music, as far as we are aware. WorkCover's point of view is, 'Well, too bad, the hotels have to pay.' There is a very important issue here, as anyone who has been an employer would know. I know there are not many on the other side who have ever been an employer, and they do not understand the point of view of an employers, by and large.

*Members interjecting:*

**Mr HAMILTON-SMITH:** There might be a couple, but not many. But the problem is that, if these people are employees for the purposes of WorkCover, I guess there is a credible argument that they are employees for the purposes of superannuation, and they are probably an employee for the purposes of group tax. So, the hotel hires a live band for a one night gig and, all of a sudden, are they going to have to pay group tax, superannuation and WorkCover on the whole lot? If you want to put the live music industry out of business, this is a good way to do it.

WorkCover's point of view, according to an information sheet which it has circulated to the industry, is that, 'Well, that's not our problem.' It is not WorkCover's problem, but it sure is a problem for employers. The net result of all this is that you put employees or workers out of work. That is the net result. We are putting live bands out of work by this silly nonsense of requiring hotels to pay WorkCover for what is essentially a service provided by a sub-contractor—a live

music band. WorkCover has provided some information on how the rates are paid. Essentially, I understand it to be a rate of about 2.8 per cent of the amount paid for the band. That is a substantial amount of money. The Musicians Union of Australia has a different point of view. It is happy with the current arrangement. It wants the hotels to have to pay and it does not seem to recognise the damage being done to employment within the live music industry as a consequence of this decision. The Musicians Union needs to get together with the live music industry, the hotels and other venues and jointly agree on a position that they can take to the government. At the moment, clearly the Musicians Union is influencing the government to do absolutely nothing. The net result is less work for live musicians. This is a serious problem.

The Minister assisting the Minister in the Arts put out a media release on 17 June this year talking about new initiatives for the live music scene and how it would spend the \$500 000 that the Liberal Party and the Independents made the government provide from poker machine revenue. Not included in the new initiatives is there any mention of the problem of red tape and WorkCover fees that is costing us jobs in the live music industry. There needs to be new initiatives. The minister responsible for WorkCover put out a press release on 10 May talking about the proposed new WorkCover legislation. Again, it talks about average levy setting processes, but there is nothing in the new WorkCover legislation to solve the problem. We need to invigorate the live music industry.

The motion calls on the government to look at the situation and come up with a solution. The government, and the Premier as the responsible minister, must look at the problem, come up with a solution, introduce the necessary legislation or take the appropriate steps, but make sure that we finish up with more jobs for live musicians, more jobs for bands, less red tape and more sense in the WorkCover approach to this issue. WorkCover is in chaos and the government is in the process of ruining it. Here is another dimension to the problem. Get on to it quickly and help live musicians out of the hole they are in at present.

Time expired.

**Mrs GERAGHTY** secured the adjournment of the debate.

#### **COSSEY, Mr W.**

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

That this house recognises the outstanding contribution made by Bill Cossey to public administration in South Australia and in particular his service to the Institute of Public Administration Australia.

When I indicated to a couple of my former colleagues from the Public Service that I would like to move a motion recognising the contribution of Bill Cossey, I was overwhelmed by messages of support and a willingness to contribute to my background research material on this debate. The themes that came through were consistent. Bill Cossey inspires people to do their best. He is committed to the notion of public administration and serving the community in an excellent manner. He sees public administration as a noble profession and one that he has chosen deliberately as a way in which to serve the community, and all his actions indicate that he loves it and is committed to it.

The messages contained the common theme of him inspiring others to do their best and to go beyond what they

thought was possible. I will start by drawing on the remarks of the South Australian Division of the Institute of Public Administration in nominating Bill Cossey for endorsement as a national fellow of the institute in 2002. This award, as expected, was bestowed on him. The remarks are as follows:

A statement of Bill's outstanding contribution to the practice and study of public administration and to IPA's supporting this nomination is attached, as is his curriculum vitae.

Bill has had a distinguished career at executive level in the public sector. He is seen as a public sector leader in South Australia and has contributed to many areas beyond the scope of his immediate responsibilities. In addition, he has made a substantial long-term commitment to IPAA (SA Division) as a member, Councillor and President of the Institute in this state. The South Australian division of IPAA is proud that, over the past years, it has become one of the most vibrant in Australia, as measured by its membership base, professional program and financial strength.

Bill has always been a strong supporter of this division leading by example, by leading discussions on planning sessions on the future directions of the Institute, by officially chairing conferences and functions, addressing meetings and generally assisting in every way he can to fulfil our mission to help people in public service achieve outstanding performance in providing service to the community of South Australia with the resources available to them.

Bill has not simply been a figurehead president. He has been an active and generous hands-on contributor.

The submission was commended to the national division, as one would certainly expect it to be.

To place some of his formal achievements on the record, William Raymond Cossey was born in 1948. He holds a BSc. from the University of Adelaide, with his major subject being pure mathematics and mathematical statistics. He is a Fellow of the Australian Institute of Management. He has family commitments to his daughters, to his son and to his wife Kathy which I understand he has fulfilled in the same outstanding way that he has fulfilled his professional commitments.

Bill's personal interests are listed as all sports and theatre. In relation to his community and other roles, the Minister for Social Justice has just pointed out to me that he is now Chair of the Roma Mitchell Trust, which assists children and young people who have been in care. He is Chair of the Music Broadcasting Society of South Australia; Director of Tennis SA; President of the Institute of Public Administration; Director, Savings and Loan Credit Union; Councillor, University of South Australia; and Councillor, Australian Institute of Public Administration. Bill was the former national treasurer, Australian Human Resources Institute; a former board member, Adelaide Festival of Arts; and former director, Adelaide Convention and Tourism Authority. Already we can see the breadth of his contribution to public life.

The Public Service position from which I expect Mr Cossey will retire is that of State Courts Administrator. Bill holds this position at the moment but has announced that he will retire at the end of this year. For a brief period, he held the position of Chief Executive of the Department of Education, Training and Employment, when he stepped in to fill a vacant position while a new chief executive was appointed. I have had many responses from the Department of Education about the contribution that he made in just that brief period of three months.

Old cynics and sceptics who normally do not believe that anybody other than an educator can possibly fulfil a leadership role in the Department of Education had to reconsider their position when they immediately saw that Bill Cossey had lifted the morale that had plummeted to rock bottom under the previous administration and was inspiring educators

to take on their responsibilities as educators once again and to take steps that they believed were in the best interests of the children. Bill encouraged and supported educational leaders in just that brief period of three months.

He had previously been the deputy chief executive, Department of Industry and Trade, responsible for coordination across the newly established industry, trade and tourism portfolio, which incorporated the Economic Development Authority, the SA Tourism Commission, the Department of Recreation and Sport, the Office of Local Government, the Racing Industry Development Authority, the Adelaide Entertainment Centre and the Adelaide Convention Centre. That is certainly a range of challenges. He held the positions of Chief Executive Officer of the Adelaide Festival Centre Trust; Chief Executive Officer of the State Services Department; Chief Executive Officer of the Office of Business and Regional Development; and Director and Chief Executive of the Office of Government Management Board (and it was in that role that I had the pleasure and the privilege of working with Bill many years ago). He is Senior Consultant for PA Consulting Services; Director of Support Services at the South Australian Department of Correctional Services; Principal Management Services Officer for the review of government management and operations in the South Australian Department of Premier and Cabinet; and Chief Management Services Officer for the South Australian Public Service Board. Back in April 1979 to March 1980 he participated in the Australian Government Officer Exchange Scheme. Before that, he was a systems consultant for the South Australian Public Service Board, and started his career holding various positions in the South Australian Engineering and Water Supply Department.

Looking at that list, there would hardly be a public servant in South Australia who had not had some association with Bill Cossey throughout his illustrious career. The reactions to his retirement that I have heard indicate that every person who has had contact with Bill has had a positive experience.

The motion refers particularly to his role as the President of the Institute of Public Administration Australia, and it is interesting to know what he considered important in that role. I will quote some of his president's report to the recent annual general meeting. I referred earlier to the fact that the South Australian division is an exceptionally active division, showing a lot of leadership in the public sector and contributing greatly to excellence in public administration. Bill Cossey mentions as one of the achievements of this year the continuing:

... relationship with the Bob Hawke Prime Ministerial Centre of the University of South Australia, assisted greatly by the efforts of Elizabeth Ho, Director of the Centre and a Councillor of IPAA SA Division. This relationship has led to the agreement between the Institute, the Hawke Centre and the University of South Australia for twice-yearly economic briefings to be given by Professor Richard Blandy of the university. These briefings continue to be a success attracting excellent audiences from the public and private sectors and much media interest.

The Council of the Institute continued to review all aspects of its governance arrangements. At the time of writing this report a number of proposals to streamline and strengthen the Institute's governance arrangements have been compiled into a new Constitution to be considered at a Special General Meeting—

I mention that because it is typical of Bill's quest for continuous improvement. He does not believe that we can rest on what we have achieved: there is always a better way of doing something, and he is showing that leadership in IPAA. His report continues:

The standing of the Institute in South Australia has been enhanced in the past year by requests from two organisations to develop relationships. First is with the South Australian Government's Thinkers in Residence Program whereby the Institute will present seminars that feature each of the Thinkers in Residence during their time in the state. The second is with the Local Government Association which has requested the development of a Memorandum of Understanding for cooperation on professional development activities.

And Bill states:

I look forward to mutually successful outcomes to the Institute and our partners from these relationships.

Those two initiatives again show the leadership role that Bill Cossey has had in providing excellence in public administration in South Australia.

I also read from a staff profile of five years ago that somebody has sent me, and this shows a different side of Bill. It states:

Bill Cossey's favourite colour is green and he prefers rock and roll to rap or country. He loves sport (tennis and the Crows), fine food and wine. He dislikes gardening, shopping and fast food at Football Park. He really dislikes doctors who check his cholesterol. A father of three, Bill... has lived in Adelaide all his life, except for 1979, when he was sent to the USA by the SA government on an exchange programme for managers. Instead, he has travelled extensively within the public service, first as a computer programmer but then at various posts in the Premier's Department—

and this repeats some of the achievements I have already mentioned. It states that it is:

not surprising that Bill is the State President of the Australian Institute of Public Administration. But he's also the Chair of the Music Broadcasting Society, a member of the board of the National Trust and Tennis SA. These days, this self-proclaimed No. 1 gipsy of the public service has moved into Level 5, in the AMC, as the Chair of the Fines Enforcement Implementation Board. You know you've found his office by the bowl of chocolates on his office coffee table.

Certainly, that bowl of chocolates was always there when anybody had a little bit of a crisis and found it necessary to talk to Bill to get them through; the whole healing process was aided by Bill's bowl of chocolates.

I will conclude with the words of one of the many people whom Bill mentors. I am told that he gives up nearly every morning to have a breakfast meeting with the up and coming public servants he is mentoring. Christa Christaki really summarised what many said when she wrote:

When my Director asked me whom I would like as a mentor my immediate response was 'Bill Cossey', thinking it unlikely as I said it, given Bill's workload and commitments. Bill not only said yes but telephoned me on the morning he returned from leave to say he had just received the message and could we meet to discuss our expectations of a mentoring relationship. I was stunned that Bill took the time to telephone me when he must have had a million other things to do—but that's exactly what makes Bill so unique and special—he genuinely cares about people and puts people first.

My respect for and admiration of Bill and his approach to work and to life has continued to grow. Bill has generously shared his vast wealth of experience and knowledge of the public sector with me. Over and over again his perceptive insights and analysis of situations have helped me to consider issues from another point of view. I believe that I am a more effective public servant as a result of Bill's advice and support. Bill has many qualities which have made him unique as a chief executive in the public sector and a leader in every respect of the word. For me, however, none have been more important than the way he treats people—with respect, with affirmation, with decency and with utmost commitment to the dignity of the individual. He has affirmed for me that exemplary people management, that treating people with respect and decency, are the most important aspects of leadership. And Bill demonstrates this, not through words, but his actions.

I have been extraordinarily privileged to have Bill as a mentor. His support has been invaluable in helping me to develop to my



highest potential. There is a common saying that 'no-one is irreplaceable'. I agreed with that view until I met Bill. Bill is irreplaceable.

**Mrs REDMOND** secured the adjournment of the debate.

**PICKARD, Mr G.**

**The Hon. D.C. KOTZ (Newland):** I move:

That this house congratulates Gordon Pickard of Fairmont Homes for his timely financial support to enable the soccer community to establish a South Australian soccer team and automatic entry into the National Soccer League and maintaining the rightful profile of South Australian soccer nationally.

Members will be aware that South Australia had been proudly represented on a national level by Adelaide City Force, a club formed in 1946, since the inception of the national league in 1977. Indeed, Adelaide City was until this year one of just a handful of NSL teams which had been with the national competition since the beginning more than 25 years ago, and during the past quarter of a century the club was one of the most successful in Australia. However, this year a combination of financial pressure and unnecessary venue hardships imposed upon the club by this state government spelt the end of a proud tradition and the demise of an integral part of South Australia's sporting history.

Sadly, Adelaide City (or Adelaide City Force, as the club was known as from 1999) this year withdrew from the National Soccer League and left the NSL with the potential of not having a South Australian team for the first time. But from the ashes arose a new team, thanks to the generosity of Adelaide builder and developer, Gordon Pickard AM, in conjunction with the South Australian Soccer Federation. I would like to first read from an open letter from Gordon Pickard concerning the new Adelaide United soccer team, which was published in *The Advertiser* of 22 September. The letter was also endorsed by Adelaide United President, Basil Scarsella. The letter states, as follows:

Only one decade ago South Australia was the soccer hub of Australia with two successful NSL teams and a conveyor belt that consistently produced players of the highest international calibre. Recently, we have become divided and as a result the world game has failed to reach its potential here. A few weeks ago we face the unthinkable prospect of having no South Australian team at all in the NSL for the first time.

As a patriotic South Australian and a keen sports patron, this was unacceptable. When the SA Soccer Foundation asked me to underwrite \$1.5 million to finance a team in the NSL, I jumped at the chance. Then they told me that the league kicks off in five weeks. No problem, we'll do it. We are delighted to say that we are already winning. South Australia is blessed with first-class soccer talent, high-calibre coaches, efficient administrators and some of the most knowledgeable and passionate soccer people in the country. Hindmarsh Stadium is the country's best soccer stadium by far.

Mr Pickard goes on to say:

We believe it's time to act and put aside egos, differing opinions and national allegiances to celebrate the world game together as South Australians, no matter where we originally came from. Adelaide United is owned and run by soccer people for soccer people.

So, it came to pass that, with the financial backing of Mr Pickard, a new Adelaide team literally rose from the ashes of the Adelaide City Force and is set to take its place and represent South Australia in the national league. It would have been a great shame and an amazing disappointment to all South Australian soccer fans if, for the first time, South Australia was not represented on a national level. I am sure that all members feel as I do: a gratitude to a true sports fan who was willing to put his financial resources into what we

all hope will again prove to the nation just what a powerhouse South Australian soccer can be.

I sincerely hope all the former Adelaide City Force fans will take the new club to heart and present a united force—and I certainly do not intend a pun in that comment—as South Australia again attempts to become a powerhouse on the national soccer team.

It seems that the club has set off on its journey on the right foot with the appointment of former Adelaide great, John Kosmina as coach. Kosmina, who started his playing career with Adelaide Palonia, also played for both Adelaide NSL clubs (West Adelaide Sharks and Adelaide City) before moving to Sydney City. Kosmina's career progressed with the Socceroos before coaching NSL clubs Newcastle United and Brisbane Strikers.

The formation of the Adelaide United Football Club has also been a source of delight for former Adelaide City Force players, who are expected to form the backbone of the squad for the new team. Veteran Aurelio Vidmar said in newspaper reports that he 'couldn't believe the news when it was announced'. He went on to say:

I didn't think this was possible, it's hard to believe it has happened. It's good for the players, the fans and the game. Adelaide should always have a team in the NSL.

Midfielder Goran Lazanovski had contemplated moving interstate to continue his NSL career. He said, also in newspaper reports:

It's hard to build a team from scratch and people will expect the team to be a success. But to pull this off in such a brief period is amazing—I'm stunned.

Adelaide United has already tasted success—in a trial hit-out against the South Australian state team. A crowd of some 1 500 at Modbury's Golden Grove Reserve watched as United won 2-1.

We can only hope that Adelaide United takes its best form into the first official National Soccer League club match against Brisbane Strikers at Hindmarsh Stadium on Friday 17 October. I certainly urge all soccer fans to support Adelaide United in its National Soccer League debut season. I am sure that, with the cooperation and support of the entire Adelaide soccer community, the team's long-term viability and success will be assured.

However, while I am excited about the future of South Australian soccer and of Adelaide United, I would like to take this opportunity to both lament the loss of Adelaide City Force and commend the club on the way in which it represented the state on the national soccer scene for the past 25 years. Adelaide City were NSL champions in 1986, 1991-92 and 1993-94, and finished runners-up in 1992-93 and 1994-95. The club was also the breeding ground for many of Australia's top international players.

I wish to thank the club, its players, its administrators and its supporters for the professional and passionate way they advanced the cause of both soccer and South Australia in their long and proud history. I hope that they continue their love of soccer with Adelaide United and will experience similar successes. It will be interesting to see what support Adelaide United is offered by the state government, considering the inaction on the part of the Minister for Recreation and Sport over the issue of the Hindmarsh Soccer Stadium, and a long-term equitable agreement for Adelaide City Force to utilise Hindmarsh Stadium as its home ground.

Had this state government recognised the importance of Adelaide City Force to the national competition and attempted to provide some respite from crippling costs associated

with the government's refusal to negotiate a fair and long-term deal for the club to be based at Hindmarsh Stadium, Adelaide City Force may still be a potent force in the national soccer league. However, this was not the case. On 27 March this year, during a period when Adelaide City Force still had a viable future in the NSL, I asked the Minister for Recreation and Sport why he had refused to extend for a further two years the agreement with Adelaide City Force soccer club beyond the end of this soccer season, as an extension of this agreement would enable the club to claim Hindmarsh stadium as its home ground and, therefore, derive economic stability through future planning. I also asked the minister whether he would assure the house that he would extend this agreement immediately. He replied:

The answer to the last part of the question is no.

He never answered the first question. As we all know, it is now too late.

South Australia is just fortunate that we have a community-minded citizen to pick up and run with our sporting future when the state government drops the ball. Gordon Pickard and his Fairmont Homes group have long had a special commitment to South Australia's charities, sporting clubs and associations. Between 1981 and 1996, Fairmont Homes donated over \$2 million to Telethon as the builder of its lottery homes. In 2002, Mr Pickard was awarded recognition in the Australia Day Honours by receiving the Member of the Order of Australia for service to the South Australian community as a benefactor to a broad range of charitable and youth sporting organisations and to the building industry.

I applaud the faith and passion Gordon Pickard has shown in the future of South Australian soccer at a national level, and I certainly wish Adelaide United all the best for the future. Perhaps the last word is best left to Mr Pickard himself, who said in an article in *The Advertiser* of 13 September:

I've got the money, I've got the drive. But I don't want to own it. This is a team for the future.

I am sure all members of this house will join me in congratulating the formation of the new team and the support that I am offering through this motion to Gordon Pickard for his timely intervention to ensure that we continue to have a soccer team, purely South Australian, represented in the national league.

**Ms BEDFORD (Florey):** Much is known about Mr Gordon Pickard's humble beginnings in South Australia from the time of his arrival in Adelaide in 1948, beginning as a carpenter and rising to become CEO of his own company, Fairmont Homes. Of course, the success of that company has enabled him to be philanthropic in many ways in South Australia. Fairmont Homes has built approximately 14 000 homes over the time that it has been in operation, and between the 1980s and the 1990s it donated Telethon homes worth about \$2 million to South Australian charities.

Much, too, is known about his love of soccer, which has led him to be perhaps the single most important factor in the formation of the Adelaide United team, the phoenix, it could be said, of the National Soccer League. I think it is important to note here, following from the comments from our first speaker, that many people I speak to who are involved in soccer are very happy to see a composite team arrive in the league, where all fans in Adelaide can be united behind the team.

I would also like to put on the record the support that Mr Pickard has given to women's sport, particularly his sponsorship of the Adelaide Lightning basketball team but also the Callisthenics Association of South Australia which, through the Pickard Foundation, has benefited from Mr Pickard's generosity.

The work of the Pickard Foundation is largely unknown, and I would like to let the house know a few of the things with which it has been involved. For the Women's and Children's Hospital it purchased monitoring equipment for children with juvenile diabetes. The Bone Growth Foundation has benefited through research into bone plate cartilage and the purchase of 'fit bone' devices. Port Lincoln Blue Light has had a trailer donated for its discos. Worldskills has had competitions for apprentices, which has an obvious link to Mr Pickard's building trade. The 12th National Junior Games for the Disabled has received support for swimming events, and the Royal Society for the Blind has benefited from sight-impaired equipment for loan centres and the sponsorship of the Young Business Leaders program.

The Autism Association of South Australia has benefited, and the Royal Flying Doctor has received support for an aeroplane. The Smith Family has had scholarships and, through Windmill Performing Arts, the foundation has provided disadvantaged and under-privileged children the opportunity to be exposed to the theatre. Flinders Medical Centre has benefited from renal dialysis machines; the Royal District Nursing Society with syringe drivers for home nursing care; and the Queen Elizabeth Hospital with research into liver regeneration.

The Pickard Foundation supplied the fireworks for Carols by Candlelight. Operation Flinders benefited from team support for young people at risk and the Dialysis Escape Line from transportation for patients who are reliant on dialysis. Surf Life Saving clubs, the Red Cross, the State Library through the redevelopment of a Mortlock Library bay, and the Cora Barclay Centre, with the supply of equipment for hearing-impaired children, all have benefited from the Pickard Foundation.

Mr Pickard is also involved in that other code of football through the One Day in September luncheon on AFL Grand Final day on 27 September where, included in the celebrations of the Grand Final game, he will be providing some of the entertainment and award presentations for the fashion and charity auction. He is also involved in the Christmas golf day at the Grange Golf Club, this year on 8 December, which will put together teams for fundraising and, through his association with the Windmill Performing Arts, he will be providing tickets for the next school holidays that begin tomorrow, 26 September, for children to see *The Snow Queen*, one of Hans Christian Andersen's best known fairy tales. So, the involvement of the Pickard Foundation is quite wide, and Mr Pickard is ably supported in that venture by many other well-known business people here in Adelaide.

In seconding this motion, I commend Mr Pickard and his assistance for the promotion of soccer and the foundation of the Adelaide United Soccer Club. I know that the new board, including Mr Mickey Dye (who is involved with the Modbury Jets) will be right behind the coach John Kosmina and players under the captaincy of Aurelio Vidmar and club President Basil Scarsella. I urge all soccer fans living in Adelaide to get behind the new team. With the combined talents of the pool of soccer players here in South Australia, I know that we are going to have a real chance in the 2004 season.

**Ms RANKINE (Wright):** I also would like to make a few brief comments about Mr Gordon Pickard and the generosity that he has shown the people of South Australia, in particular the northern suburbs. We have heard from the member for Newland and the member for Florey about his contributions to sporting activities here in South Australia. They are indeed very generous contributions, and I know that his support is welcomed by all. One of the things we need to get right here in South Australia before our young ones can become involved in sport is those very important early years of a child's life that very much determine their life outcome. I want to put on the record again today my appreciation for the actions of Mr Gordon Pickard and the Pickard Foundation in that regard.

The member for Newland talked about bungs and messes made by this government. If I were her, I would be loath to refer to those. She prompted me to rise to my feet today to speak about the predicament that her government caused for the Salisbury Campus Childcare Centre. If we want to talk about messes and bungs, this was one of the best. No consideration or care was given by the former government to the future of the Salisbury Campus Childcare Centre. This is indicative of how the previous government treated—

**The Hon. D.C. KOTZ:** I rise on a point of order, Mr Speaker. My point of order relates to relevance. Childcare centres in Salisbury have nothing to do with Gordon Pickard and the Soccer Federation.

**The SPEAKER:** Order! I am sure they have very little connection with the Soccer Federation, but I am equally sure that Mr Pickard has committed himself to supporting childcare centres.

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

**The SPEAKER:** Order! The member for Wright has the call. She will, of course, either propose an amendment to the house or address herself to the motion that is before the chamber.

**Ms RANKINE:** I am talking about the generosity that Mr Pickard has shown not only to our sporting organisations but also more specifically to a childcare centre in the northern suburbs which caters for over 50 children in that area, many of whom have disabilities. During the school holidays, there is a large influx of children with disabilities attending this centre's holiday programs. I know this embarrasses the member for Newland, and she might well be embarrassed, but I am more than happy to praise Mr Pickard not only for his contribution to sporting organisations but for taking on a responsibility that should have been that of the previous government, but they bungled this issue because they did not care about it. As I said, it is indicative of their treatment of the people of the northern suburbs during their two terms of government.

Many thousands of dollars of taxpayers' money has gone into the Salisbury Campus Childcare Centre. In recent years, a lot of money has been put into major upgrades of facilities for the young disabled children attending the centre. I was actively involved in having the access road to the car park sealed so that parents could get the wheelchairs used by their children in and out of the centre. When the former Liberal government allowed that site to be sold, no protection was put in place for this valuable community resource. The sale of this site was very controversial. Members in this place know the history of what occurred. The initial approval for this site—

**Mr BRINDAL:** I rise on a point of order, Mr Speaker. I was inspired by your ruling to listen to the honourable member's contribution. She is now talking about the sale of the site by the Liberal government and the failure of a previous Liberal government in respect of this site.

*Ms Rankine interjecting:*

**The SPEAKER:** Order! Whilst the chair acknowledges that it is not necessarily a font of all knowledge and wisdom, the Chair would be pleased to hear the point of order without the assistance of the member for Wright.

**Mr BRINDAL:** Sir, you have guided the house before on developing an argument, but I wonder about relevance. The honourable member's argument may well develop, but I cannot see where it is going. So, I raise the point of relevance.

**The SPEAKER:** Order! I uphold the point of order. The member for Wright will have to address the substance of the motion or propose an amendment to it which might enable her to canvass those matters which, in her view, are relevant, in part, to the generosity—indeed, the philanthropic nature—of Mr Gordon Pickard.

**Ms RANKINE:** Thank you, sir. I was just simply attempting to paint a picture so that people had an understanding of the scope of Mr Pickard's generosity.

**The SPEAKER:** That does not go to the member's subjective belief about the negativity of the Liberal Party in government.

**Ms RANKINE:** Certainly, sir. If the government had not been so mean spirited, Mr Pickard would not have taken on this responsibility.

**The SPEAKER:** I invite the member to address the motion.

**Ms RANKINE:** Thank you, sir. Mr Pickard visited to the Salisbury Childcare Centre a few weeks ago and met with parents. He saw this amazing resource and very valuable facility which was clearly under threat. Its lease was due to expire in 2006. Indeed, when his company bought that site, as a result of actions by the previous government—and they cannot be denied—his companies were reluctant to take on the responsibility for that particular centre and, indeed, initially indicated that the centre would need to be relocated. They then suggested that the centre would have to pay commercial rent for the site, which would have meant a rent of approximately \$80 000 a year. For a community childcare centre that would have been the death knell: it would have been akin to bulldozers' knocking down that centre.

The parents of the centre and I appealed to Mr Pickard. He visited the centre and showed an extraordinary act of both corporate and community spirit by offering the centre a 15-year lease of that site for \$2 a year. He also offered to upgrade the exterior of the centre, and I understand that currently they are discussing the provision of additional land for expansion because we know that child-care places in the northern suburbs are at critical levels. The centre will be one of the—

**The SPEAKER:** Order! The honourable member has canvassed enough of that matter now. The philanthropic nature of Mr Pickard is acknowledged by everyone and the honourable member, but to debate the subject matter of any one particular act of his generosity to the exclusion of attention altogether of the other matter to which the motion substantially addresses itself is not orderly. The honourable member must bring herself back to the subject of the motion or simply conclude her remarks.

**Ms RANKINE:** Thank you, sir; thank you for your guidance. I apologise if I have strayed in my enthusiasm to

support this centre and in my gratitude for the generosity of both Mr Pickard and the Pickard Foundation. We look forward to bigger and better things for that childcare centre, and I thank you very much for your indulgence.

**Mrs GERAGHTY (Torrens):** The government is very pleased that South Australia will continue to maintain its proud tradition of having a team in the National Soccer League. Gordon Pickard must be congratulated, along with a number of others, including the South Australian Soccer Federation, that are supporting his initiative. He must also be congratulated for his timely response to the situation when Adelaide City Force was unable to commit its team for this season. The formation of Adelaide United had to happen very quickly, but it appears to have been done in a very professional way and with a great deal of enthusiasm and support from many quarters, not the least being from a number of sponsors who have come in behind Gordon Pickard's generous commitment to underwrite the finances for the team.

Gordon must again be congratulated for the team of administrators he has gathered together led by Basil Scarsella and, indeed, the appointment of John Kosmina as the coach. I know that they are all happy with the squad at this stage and are continuing to work hard to finalise all the details prior to the first game on 17 October. The government has ensured that Gordon's team has had the full cooperation of the Office for Recreation and Sport in finalising the arrangements for Adelaide United to play its home games at the Hindmarsh Soccer Stadium.

I am advised that agreements have been reached to the satisfaction of all parties and, indeed, we will see the first game played at Hindmarsh on 17 October. I understand that the minister recently met with Gordon Pickard and Basil Scarsella and personally congratulated them on the formation of the team and for the enthusiasm and professionalism with which they have achieved this result for soccer in South Australia. They were able to convey that they have high expectations that the South Australian public will get behind the team and that we will see very strong support, in terms of crowd numbers, right from the first game. Again, I would like to express my congratulations and the government's congratulations and our very best wishes to Gordon Pickard and his team for the wonderful job so far, and convey our best wishes to Adelaide United for its inaugural season in the NSL.

**Ms CICCARELLO (Norwood):** I would also like to add my congratulations and gratitude to Gordon Pickard for his generosity, and I certainly hope that this augurs very well for the newly formed Adelaide United soccer team. I recently attended the finals of the local competition, the Premier Cup, where my team, the Adelaide Blue Eagles, won yet again. A lot of people were present at the soccer on that evening. I spoke to many of them, and there generally seemed to be enormous enthusiasm about the prospect of this new team which, hopefully, will be able to bring together the soccer community of South Australia.

I hope that we can emulate the success of Perth Glory in Western Australia, because I think that it has been used as a benchmark of how the success of a soccer team can be gauged. The team certainly has been able to get the support of the corporate world in Western Australia behind it, and we hope that the same thing will happen here in South Australia. I am sure that that will happen, because the general manager of the new team is Sam Ciccarello (to whom, I am glad to say, I am related). Sam was very successful in his endeavours

with the Grand Prix, the Sydney Olympics and many other exercises, and I know that he is working extremely hard at the moment to get everything together. Basil Scarsella as the President of the club and Gordon as the patron, I think, augurs very well for the team.

Just a personal aside about Gordon Pickard. I first met him in, I think, 1983 or 1984, when I was involved with the coordinating Italian committee and organising the Italian festival, which is now Carnevale. It was always very difficult to secure sponsorship for this event, because it was in the early years and many people in the community had not yet been exposed to it. A friend of mine, Vic Migliaccio, who has been involved in soccer for years, knew Gordon Pickard. I had heard of Gordon, and I asked Vic whether he could introduce me to him. He teed up an appointment, and we went to see Gordon and I sat down and explained what I was there for. Gordon said, 'How much do you want?', which quite took me by surprise, and I said, 'Oh, \$5 000', just plucking a number out of the air (which was certainly what I needed). He said, 'Fine' and got his secretary to write out a cheque. He was convinced at the time that the festival was a good thing and that it deserved support. He was certainly very generous immediately.

Gordon also has been very supportive of our local SANFL football. In fact, the Norwood Football Club also has been a benefactor of Gordon's generosity, because he has often put up either \$10 000, \$15 000 or \$20 000 matches between Norwood and Port Adelaide and also Norwood and Glenelg—and I can say that most of the time Norwood has won: so, it has been a very good investment. Certainly, I commend the motion, and the member for Newland for initiating this motion. I believe that many people in all walks of life in South Australia have been the beneficiaries of Mr Pickard's generosity.

Motion carried.

**The SPEAKER:** May I say to the house that I, too, am mindful of the generosity of Gordon Pickard and his family. His son is no less so and no less competent as a business person. I am pleased that there is someone of competence, substance and capacity who has taken an interest in soccer in South Australia. I am sure that his involvement in the team and in the sport will mean that it is raised to an even higher level of conduct of its affairs and the integrity of its decisions and the way that it relates to the rest of the community in which it functions, and will probably result in an accelerated growth of support and participation in the sport in the fairly short term.

I commend all members for the remarks they have made encouraging an outstanding South Australian, such as Mr Pickard is, for having done this. It is in our interests to encourage such people to do so. We all know that we have too few head offices of businesses of substance in this state now, and to not take every opportunity to recognise success where ever we find it in the business community and applaud and encourage it would be to ensure that we are less than successful, and it may even result in our demise. There is no better place in which to encourage activity than through the portals of parliament.

#### MURRAY, JUSTICE KEMERI

**Ms CHAPMAN (Bragg):** I move:

That this house congratulates the Honourable Justice Kemerl Murray, currently the longest serving judge in Australia, on

celebrating 30 years on the bench.

Her Honour was in private legal practice between 1955 and 1973. She was then appointed a judge of the District Court of South Australia in April 1973, and she was the second female judge to be appointed to a court in Australia. As is no doubt well known to the house, the late Dame Roma Mitchell was the first. Justice Murray was appointed as a judge of the Family Court in 1976 and, in 1982, she was appointed Judge Administrator of that court for the State of South Australia. It is a tribute to Her Honour that she now is the longest-serving judge in Australia and we, as South Australians, I trust, are privileged to have her hold this position nationally.

There is no doubt that almost all of her years of service as a member of the judiciary have been in the challenging jurisdiction of family law and, in particular, in serving in the Family Court of Australia as Judge Administrator, as a trial judge both in South Australia and in other jurisdictions around Australia and in serving on the Full Court of the Family Court of Australia. Her experience in relation to that work has been extremely diverse and it has been over this very long and sustained period. I particularly commend her because, unquestionably, in this jurisdiction she deals with litigants (as are her colleagues in this jurisdiction) who once had great affection for each other but who are now going through a period in which there is much pain and distress. This heightens the depth of skills that are required of the judiciary to manage and provide just and equitable outcomes for the litigants, and it is certainly an additional skill that is required when these circumstances prevail, that is, over and above having experience and competence in administering the law.

Justice Murray has complemented her career on the judiciary by service to South Australia and, in some areas, to Australia, in many other fields. She was a member of the Flinders University Council from 1974-76: some members will know that that was during a period after which the Flinders University was born in this state to create the then second university for South Australians. In recognition, I suggest, she was made a companion of that university for her services in 1997.

A number of other organisations, of which she has either been the chair or a member of management boards or councils include: board member of the Salvation Army from 2002; chair of the Commonwealth Club of Australia from 1998-99; governor of the Medical Foundation of the University of Adelaide since 1988; and chair of the Anglican Commission on Women's Issues from 1986-92. She also served the Institute for the Study of Learning Difficulties from 1984-88 and on the Media Council of Australia from 1995-96.

In paying tribute to Her Honour today, may I also acknowledge the work that she has done—I suggest tirelessly over that time—in providing a great example both to younger practitioners who have followed and some of whom have aspired and achieved a high office in the judiciary, both male and female. Her dedication, as is evidenced by her commitment to other institutions, in particular the application and opportunity for those following to have an education, follows in the footsteps of the late Dame Roma Mitchell, and is something of which Her Honour can be justly proud. Certainly, those who have received the benefit of her support, advice and leadership—myself included—acknowledge that, and thank her for that outstanding contribution.

I will now commend Her Honour's judicial work. Certainly over that period of time, in particular in the Family Court, her Honour has served both as a trial judge and as a member of the Full Court of the Family Court in many important decisions that have been delivered over that time. One case was that of Ferraro and Ferraro in 1992.

The decision of the Full Court of the Family Court influenced the social development of the community and the social attitudes that were prevailing at that time. It recognised most particularly the contribution made by women, although on occasions men exclusively, as homemaker and parent. It needed to be recognised as a very strong contribution and that the quality of that contribution should not be diminished simply by other skills being brought to the household in the development of the asset base of a couple.

This is not to say that it is the authority for the assets of a partnership being treated as automatically equally distributed between parties. But it does place on the authoritative record the premise that the role of and contribution made by a party in a marital situation as homemaker and parent is extremely significant and that that contribution must be recognised as such.

Equally, Her Honour's work during the 1980s and 1990s in particular, in dealing with the troubling issue of managing cases where claims of child sexual abuse particularly and child abuse generally, also attracted attention as trial judge and member of the Full Court. These are very difficult issues to deal with, and Her Honour has dealt with these matters not just in South Australia. These are issues that reached the South Australian judiciary's attention probably before most other states in Australia, and the ensuing litigation resulted in some pioneering judgments that have served as a precedent for other states to follow. Her Honour also served as the chair of the state government's Committee on Child Abuse in 1975, in addition to her own legal work and prior to being appointed to the local and district court, and this complemented her work in dealing with this issue. Her Honour was also a member of the Family and Child Welfare Standing Committee of the Australian Council of Social Service in 1975 and, again, I do not doubt that this stood her in good stead in terms of being prepared for this difficult area.

Another area that Justice Murray championed on behalf of South Australia was to secure the present building for the Federal Courts in South Australia. I am aware of Her Honour's commitment over at least two decades to ensure that there is a new Family Court premises here in South Australia and, hopefully, that will be achieved early in 2005, when the dedicated Federal Courts building currently under construction in Angas Street is expected to be opened. This achievement is a great tribute to the work that Her Honour has done in putting submissions to numerous federal attorneys-general over time, through the Law Council of Australia and through representations as a member of the Family Court judiciary, working with the Chief Justice of the Federal Court here in South Australia. We in South Australia had to wait our turn, even though there had been moves to build a dedicated building for this purpose well over 10 years ago. For reasons I will not explore today, Brisbane and Melbourne jumped the queue, and we have had to wait a very long time for this to be achieved. Her Honour's commitment to ensuring that we receive the benefits of having such a dedicated building, located on the site of the old police headquarters near Victoria Square, is a great tribute to her and to her tenacity in pursuing this issue.

I do hope that, in due course, Her Honour will receive appropriate recognition for the work that she has done in this area, that ultimately she will be able to enjoy her retirement in the full knowledge that her work has come to fruition, and that she enjoys the accolades that, I am sure, will be heaped upon her. While the decision is for others to make, I nevertheless place on record my personal view that appropriate recognition of Her Honour's service to litigants and families, and to the Australian community, over some 30 years of service could be achieved by having some section of the building named after her. In due course, she will leave an outstanding legacy of contribution, which I trust many will aspire to follow. I thank Her Honour for that contribution. I congratulate her on being currently the longest serving judge in Australia. That is a fine achievement of which she can be duly proud.

**Ms BEDFORD (Florey):** As I rise to support the member for Bragg's motion congratulating Justice Kemerl Murray on attaining the status of the longest serving judge in Australia, it leads me to contemplate why, so many decades after women started graduating from law schools in more or less equal numbers to men, we still have a concerning under-representation of women on our benches today. I note that the member for Bragg will bring a motion shortly to congratulate our government on promoting three women to the bench.

**Ms Thompson:** Four.

**Ms BEDFORD:** Four? Even better. If time permits we will speak on that today. It is often said that, for a woman to succeed in a traditional area, she has to be better than her male counterparts, and Justice Murray is such a woman and a role model for so many in so many ways. Her brilliant career includes many highlights, notable amongst them that she was the second female appointed to the court in Australia after our other trailblazer in South Australia, Dame Roma Mitchell.

As has already been said, Justice Murray was appointed to the District Court on 19 April 1973 in the area of family law. Guardianship was also one of her interests. In February 1976, she was the second judge appointed to the Adelaide registry of the Family Court of Australia. Her career in law began when she had to choose between law and medicine, and I believe that she was influenced by her dislike of physics and maths and decided to pursue her life's work through the law. However, I presume she would have applied herself in whatever area she chose to follow, with the same success.

She entered private practice in 1955 and was a partner in the Adelaide firm of Giles Magery and Lloyd between 1956 and 1973, when she took up the first of her judicial appointments. At that time, she was the mother of two young children and she was able to pursue her career because of the support of her husband and a vast family network. Many women are forced to make choices between career and family life when they are not so fortunate in that support.

Radical changes to federal legislation saw family law alter dramatically in 1976. It is not perhaps well known that South Australia had the first family court prior to that time within the state District Court, where three judges shared the workload. Key aspects of our South Australian model became part of the Family Court of Australia, perhaps the most important of which was the inclusion of social workers for children caught up in the processes of separation and divorce.

My association with Justice Murray began through my work with the Migrant Women's Lobby Group. At that time, Justice Murray was a member of the South Australian

Multicultural Forum, and she was doing a great deal of work for the minority groups within the ethnic community and the great challenges and problems they faced in their dealings with the Family Court. She is also involved in the domestic violence area, which is a huge problem and an area of concern for us all. I understand that her Murray Report was instrumental in the establishment of the first domestic violence unit in South Australia.

On a happier note, I crossed paths with Justice Murray through her association with the Florey Foundation at the Adelaide University, where she is a governor. So it is with great pleasure that I support the motion and wish Justice Murray many more happy years on the bench in service to South Australia.

**Ms THOMPSON (Reynell):** I rise to contribute briefly to this debate and to do so in a manner that goes outside the main subject of the motion, which commends Justice Kemerl Murray on her contribution to the bench. I am not able to make any comment on that issue. Fortunately, I have had nothing to do with the Family Court whatsoever, although constituents sometimes raise issues about such matters, but none of them involve Justice Murray. However, I had the pleasure of working with her for many years on the council of the Flinders University of South Australia. I did not catch whether the member for Bragg mentioned the years that she was involved on the council, but I was there from 1983 to 1993. As best I recall, she was there for the whole of that period. I think the member is indicating to me that, indeed, that recollection is correct and that she continued on for some time afterwards.

During that period, I was Chair of the Equal Opportunity Committee at Flinders. During some of the period, Justice Murray was a member of the Equal Opportunity Board of the South Australian Equal Opportunity Commission. Therefore, we were able to compare notes on the work that we were doing, in very different areas, to challenge people's thinking about the natural order of events. Both of us shared a commitment which was that people did not usually intentionally harm when they discriminated, but that, nevertheless, harm was done. It was important that we make that statement and assist people to develop a better understanding of how we can be an equitable and just society.

I was very grateful for the support that Justice Murray showed during various debates at Flinders council as Chair of the Equal Opportunity Commission. I was introducing measures to the committee that were not always understood at that time by the university community. I think that they are now almost universally embraced by university communities and, certainly, they are official policy in universities around Australia and, indeed, through much of the world. Flinders University was somewhat pioneering in a number of the measures it undertook and Justice Murray's support was very influential in having those measures supported by the council.

Justice Murray had great respect from the academic community and members of the council and, therefore, played an important leadership role in that context. I remember talking with her about a particular case where she, on the Equal Opportunity Board, had had to make a decision about whether or not an exemption would be given. She declined the exemption on this occasion and I hasten to commend her decision. I found that she was very ready to engage in debate with me about why I thought this was the correct decision. I thought that for somebody so eminent to welcome the opinion and views of somebody not nearly so eminent nor nearly so

trained was a symbol of the fact that she was ever open to new ideas and to the notion that she could learn from those around her despite her considerable experience and eminence. With those few remarks, confined within the context in which I had experience with Justice Kemerl Murray, I am very pleased to support the motion.

Motion carried.

## JUDICIARY, APPOINTMENTS

**Ms CHAPMAN (Bragg):** I move:

That this house congratulate the government on the appointments of Ann Vanstone QC, Trish Kelly QC, Maria Panagiotidis and Penny Eldridge, to greatly enhance representation of women in the South Australian judiciary.

It is not often that I rise to congratulate the government on certain conduct and actions which they take, but on this occasion it is important. Although a number of vacancies had accumulated, at this time, I think the government showed great wisdom in recognising the importance of having a balance on the judiciary. As the shadow minister for the status of women I therefore have pleasure in recognising this act on their part and for which we ought to pay a tribute. The four women concerned have had universal acclaim amongst the legal profession in relation to their appointments.

I wish to recognise for the record those who have been appointed. District Court Judge Ann Vanstone was recently appointed to the Supreme Court, replacing Justice Lander, who was elevated some months earlier to the Federal Court of Australia. Judge Vanstone has extensive experience in criminal, administrative and family law, as well as commercial matters in South Australia, Victoria and Western Australia. She was admitted to practice in 1978 and has served as a deputy crown prosecutor in South Australia, associate director of public prosecutions, and senior council assisting the royal commissioner in the use of executive power in Western Australia in 1995. She was appointed to the District Court of South Australia in 1999. In recognition of her excellent skills as a barrister she was appointed queens counsel in 1994.

Patricia Kelly QC has been appointed to the District Court of South Australia. The vacancy was created by Judge Vanstone, and I am pleased to see that Justice Kelly has been appointed to this important position. Her Honour brings extensive experience in private and public practice across many jurisdictions, having worked in South Australia, the Northern Territory and Queensland, as well as at the federal level, since being first admitted to practice in 1974. It should also be noted that she was appointed queens counsel in 2002 in recognition of her excellent skills as a barrister.

Her important other work includes senior legal officer with the Equal Opportunity Commission, the Crown Solicitor's Office and the Crown Prosecutor's Office. Her work is well known with the Aboriginal and Torres Strait Islanders and she has had experience in a number of areas across the legal spectrum. She also has had vast experience, as I mentioned in recognising the Honourable Justice Kemerl Murray, in prosecuting child sex offences and has been instrumental in the introduction of trained social workers to assist victims throughout the entire legal process.

It is fair to say that in this area, whilst the judiciary has had to deal with these difficult matters, as has the legal profession, certainly other professions, including medical and police officers involved in these cases, have also had to learn very quickly over the past two decades, and Ms Kelly has

been most helpful in enabling victims, particularly child victims, to experience minimum distress during the process of any prosecution or litigation involving a disclosure made by them. I am pleased also to have been involved in developing the processes by which children are protected from multiple interviewing and techniques which can ultimately destroy obtaining just outcomes for children in these circumstances.

Maria Panagiotidis and Penny Eldridge are both practitioners with whom I have had the pleasure of being in practice and of knowing personally. Mrs Eldridge was admitted to practice in 1977 and spent 10 years as a senior associate with Minter Ellison before becoming managing solicitor in the Crown Solicitor's Office. This was a welcome appointment and was applauded by many in the legal profession.

Ms Panagiotidis was admitted to practice in 1982. It starts to be a bit of a worry when people are admitted after yourself in the legal profession, because you feel as though people are passing you by. After starting out in the Crown Solicitor's Office, Ms Panagiotidis ultimately returned to become a managing solicitor.

I congratulate the government on the appointment of both Ms Eldridge and Ms Panagiotidis. They have been appointed stipendiary magistrates due the retirement of the Kevin Rogers and David Curry. We welcome them to these appointments. I say sincerely that it is important for all governments to put their money where their mouth is to ensure that there is a balance of representation in the judiciary.

The community comprises a population of women that exceeds 50 per cent, and it is important that we therefore have people serving both in this parliament and in the judiciary who reflect this percentage. I wholeheartedly congratulate the government on putting its money where its mouth is.

**The Hon. S.W. KEY (Minister for Social Justice):** I would like to also join this debate, and I thank the member for Bragg for moving the motion. Like many of us in this place, she acknowledges the importance of these appointments. I am particularly pleased to congratulate Justice Ann Vanstone, Judge Patricia Kelly, Ms Penelope Eldridge and Ms Maria Panagiotidis. I am aware of the fact that Ms Panagiotidis's name may not be spelled correctly on the *Notice Paper*, but we will check that. I congratulate those women on their appointments to the South Australian judiciary.

I would also like to take these congratulations one step further and acknowledge Ms Karen Bartel on her elevation to the position of Deputy President of the South Australian Industrial Commission. I know that a number of members in this place know Ms Bartel not only for her excellent advocacy as a trade union official but also for her very positive role in the Industrial Commission, first of all as a commissioner and now as a deputy president.

In addition, I would like to acknowledge Ms Leonie Farrell on her appointment as an industrial magistrate in the Industrial Court. Having come from the industrial arena as an advocate, I think it is really good to see both Ms Farrell and Ms Bartel in these positions today. I am only sad that they have been a long time coming. Except for Helen Parsons, very few women have played a prominent role in relation to appointments in the Industrial Commission. I recall that it is not that long ago that Karen Bartel and I were the only women trade union advocates in the South Australian

commission. So, it is good to see that women are now being recognised. However, there is still a long way to go.

The latest appointments will mean that the bench will now have two women justices in the Supreme Court; two women judges in the District Court, eight women magistrates in the Magistrates Court; and one woman judge, one woman industrial magistrate and one woman deputy president in the Industrial Court and Commission. This brings to 17 per cent the percentage of female members in the South Australian courts and tribunals—an increase of over 4 per cent.

I agree with the point made by the member for Bragg that we really do need to have people in these positions who reflect the community. Obviously, gender is an issue, but there is also the issue of the diversity of people who make up the South Australian community. This is certainly a first step in the right direction to ensuring that positions of these sort do not remain elusive and available only to men—and, I would say, white Anglo-Saxon men at that.

It is also important to acknowledge that there are a number of women in our legal system, and it is important that our leadership and decision-making structures acknowledge that women play a very significant role in that system and, again, should be in positions of decision making and at senior levels. We need to bring balance to our leadership structures if we are to ensure that the different life experiences of women and men are understood and properly considered in drafting laws, in policy making and in the administration of justice and governance in this state.

In saying this, I also emphasise my support for the application of merit in the selections to senior positions. I have never opposed this principle, and it is clearly the case in these appointments that the women were outstanding candidates. However, I think we need to consider changes to our systems that will enable women and men to participate more equally in all workplaces, including in leadership roles. To introduce changes that take into account the different needs of women in the workplace has nothing to do with special treatment. Rather, I am talking about the steps that will need to be taken to ensure that both men and women, particularly parents, can participate equally in our society. This means that we will have to make changes to hours and recognise the importance of child care and parental leave in order to support parents to make this a reality rather than speaking platitudes or rhetoric. We need to actually address these issues head on and make changes.

As a society, we often talk about our commitment to equality and, as the Minister for Social Justice, this is something which I am not only committed to but which I also talk about. I argue that this means we must provide the structures and systems to help people in all their diversity to be involved in the processes of shaping our society. As Elizabeth Evatt AO noted in the Mitchell Oration that she delivered in September 1994:

Whether the issues concern constitutional interpretation or child care, economic development or hospital services, the widest possible range of human experience should be brought to bear in issues that affect us all.

This is the philosophy that I hold very dear, and I know a number of people in this place would say that we need to balance not only judicial issues but also, and just as importantly, the issues of child care and access and equity.

So, it is with great pleasure that I support the motion of the member for Bragg and recognise the fact that there are a number of us in this place who feel very strongly and may be accused of making those comments and adding to the rhetoric

about equal opportunity. However, I know there is also a sincere view in this place that we need to have the practical measures to go along with that. I think the appointment of these eminent women will start that recognition and also that practical reality.

**Mr RAU (Enfield):** I rise with much pleasure to support this motion. I do so not because these people are women—in fact, to my mind, that is completely irrelevant—but because they are, indeed, great legal practitioners. I know three of the four of them personally—and I do not make any comment about the last of the four mentioned in the motion, Penny Eldridge, because I do not know her. I know Justice Vanstone, Trish Kelly and Maria Panagiotidis. In fact, Maria was in my year at university. All of them are excellent individuals and very capable lawyers.

Justice Vanstone, who has already been mentioned by the member for Bragg, is a well-known and well-respected criminal lawyer in particular, who I believe did an excellent job in the District Court. Although one could argue or debate the niceties of appointing people through the court structure from the District Court to the Supreme Court for some time, that is a rather esoteric argument for this occasion. I believe that Ann Vanstone will make an excellent contribution in the Supreme Court, and I wish her well.

Again, Trish Kelly—what an excellent appointment! She has had an excellent career and been a great contributor in the state DPP's office, and she was working with the federal DPP until recent times. She is an excellent person, with balance and humility, and she will bring a great deal of strength to the District Court, which is a very important court in our court structure. Maria Panagiotidis is well known to me as a person who has had great experience in all areas of the law, and she will make a very good magistrate. She is a person with great commonsense and is well suited to the role she will be asked to perform.

I say again that the importance of this to me is not whether these people are masculine, feminine or neuter. That does not move me one jot, but the fact is that they are excellent practitioners, deserving of appointment on merit. I believe that they will be a credit to the profession and to the judiciary, and I would like to see appointments like this, which I regard as being transparently on merit, being the sort of appointments we see into the future. From where I look at these things, one appointment on merit is worth 100 on the basis of some predetermined formula. In my opinion, these women have clearly been appointed on merit. We are very lucky indeed in this state to have a pool of women in the judiciary and in legal practice from whom we can draw this sort of quality. I do not think there is anything more I need to say about it. They are there on merit and, in my book, merit wins every time. Good luck to them.

**Ms THOMPSON (Reynell):** I would also like to thank the member for Bragg for bringing this motion before the house. I do not have personal experience of the eminent women who have been recognised today, other than Judge Trish Kelly, with whom I worked in the Equal Opportunity Commission many years ago, but I want to comment briefly on the issue of the meritorious appointment of these women and the fact that women sometimes have a different way of achieving merit from that of their male colleagues.

In the instance of Judge Trish Kelly, her period in the Equal Opportunity Commission was not an experience shared by many of her male colleagues, but it was very valuable in



shaping paralegal practice in our community. One of the qualities I noticed about Judge Kelly during that time was her respect for other people's contributions and her ability to engage in vigorous debate with positive outcomes. I think we have the opportunity to conclude this matter today, so I do not want to extend my comments other than to say that my experience of Judge Kelly is that she has a remarkable mind and a great sense of humour; and I expect that she will work with compassion and wisdom in her new role and be a great enhancement to the bench.

Motion carried.

*[Sitting suspended from 1 to 2 p.m.]*

#### MOUNT LOFTY RANGES CATCHMENT AREA

A petition signed by 297 residents of South Australia, requesting the house to urge the government to immediately put in place a moratorium on all ground and surface water development in the eastern Mount Lofty Ranges catchment area until such time as the government, through community consultation, decide how the resources are to be managed, was presented by the Hon. D.C. Brown.

Petition received.

#### TRANSPORT SA MOTOR REGISTRY

A petition signed by 620 residents of South Australia, requesting the house to urge the government to keep the Transport SA Motor Registry, situated at 17 Prices Road, Mitcham, open for business, was presented by Mr Hamilton-Smith.

Petition received.

#### ABORIGINAL CHILDHOOD CENTRES

A petition signed by 182 residents of South Australia, requesting the house to urge the government to prefer Aboriginal staff for employment in early Aboriginal childhood centres; ensure support for Aboriginal Directors in all centres; where possible, include Aboriginal languages in the curriculum for Aboriginal children and carry out an independent inquiry into why the Aboriginal Director of the Kalaya Children's Centre was removed, was presented by Ms Bedford.

Petition received.

#### SHINE

A petition signed by 178 electors of South Australia, requesting the house to urge the government to immediately withdraw the trial of the Sexual Health and Relationship Education Program, developed by SHine, from all 14 participating schools, pending professional assessment and endorsement, was presented by the Hon. D.C. Kotz.

Petition received.

#### QUESTIONS ON NOTICE

**The SPEAKER:** I direct that the written answers to the following questions on the *Notice Paper*, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 94, 99 and 100.

#### ADELAIDE TO DARWIN RAILWAY

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

Leave granted.

**The Hon. K.O. FOLEY:** Thank you, Mr Speaker—

**Mr Brindal:** In what capacity?

**The SPEAKER:** Order! The member for Unley would know that not only are interjections out of order but, more particularly, leave has been granted.

**The Hon. K.O. FOLEY:** I am giving this statement in my capacity as the minister responsible for the Alice Springs to Darwin railway line—or in any other capacity the member would like me to do it. Last night at around 10.30 p.m. in Darwin, the very first freight agreement for the new Adelaide to Darwin railway was signed between the operator of the rail freight service, FreightLink, and Northern Territory Freight Services.

Northern Territory Freight Services is owned by the Scott group of companies, which is owned by prominent South Australian businessman from Mount Gambier and, of course, leading sponsor of the Port Power Football Club, Mr Allan Scott—

**Mr Brindal:** That's canvassing debate.

**The Hon. K.O. FOLEY:** Now, now; show some decorum and statesmanship.

*An honourable member interjecting:*

**The Hon. K.O. FOLEY:** I will ignore the choker tag. The government believes that the deal signed last night is a huge vote of confidence in the future success of the Adelaide to Darwin rail line freight service. The Northern Territory Freight Services agreement is to haul 120 000 tonnes of freight on the rail line each year. Given that the maximum total freight haulage per year on the line will be 800 000 tonnes, this is a very significant announcement.

FreightLink is sure that this will be the first of many deals that will be signed over the next few years. The Chief Executive Officer of FreightLink, Mr Bruce McGowan, has informed the Premier in Darwin today that his company has been receiving very positive feedback from freight companies such as Toll, Northline and FCL. I am informed that FreightLink also intends to negotiate directly with petroleum companies, mineral producers and the defence industry, and is currently holding positive talks with car carriers and other major users of freight services. Mr McGowan is confident that FreightLink will, over the next couple of years, secure agreements to haul the 350 000 tonnes of freight that is currently trucked and railed to Alice Springs through to Darwin. At present, rail freight is off-loaded in Alice Springs and then trucked north along the Stuart Highway. It is hoped to increase this to 800 000 tonnes during the first few years of operations.

The government wants and expects exporters and industry to get on board for this new \$1.3 billion rail line. For decades the business community has wanted governments to commit to completing the railway from Adelaide to Darwin. Its completion is now nearly to hand. It is now up to the private sector to make the rail a success. However, the government is not being complacent. Government officials have for some time now been talking to local industry, including exporters, to sell the excellent benefits of the new rail export corridor into South East Asia. The former government, in an excellent initiative, formed the Rail to Asia Task Force, consisting of business people and government officials, to work with

industry and ensure that communications between industry and government were streamlined.

Further to that work, the South Australian government will hold a major industry seminar on 14 November in Adelaide, involving the Premier, Clare Martin, the Northern Territory's Chief Minister, and other senior government and business leaders to outline ways to maximise rail freight opportunities for manufacturers, importers, exporters, freight forwarders and entrepreneurs which we believe will lead to expanded economic development opportunities for our state. The seminar will also give FreightLink the opportunity to detail its business plans and objectives, including its proposed rail services and, importantly, its vision for the line. I can also advise the house that I will be travelling to Darwin next week to further discuss with the Northern Territory government and the private sector our plans to ensure that the export potential of the rail line is maximised. The South Australian government is confident that the Adelaide to Darwin railway will be a major player in our state's future economic development. It is another major infrastructure project, along with the Adelaide Airport terminal development and the new Port Adelaide grains terminal, that will help our state develop and maximise our economic opportunities into the future.

#### ABORIGINAL WOMEN'S GATHERING

**The Hon. S.W. KEY (Minister for the Status of Women):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. S.W. KEY:** Yesterday, an historic gathering of Aboriginal women leaders across South Australia took place at Spear Creek in the Mid North. The gathering was a combination of nine months of planning, involving 200 Aboriginal women, to finalise a proposal to establish an Aboriginal women's advisory forum. The project was set up, as the Premier and I wanted to hear from Aboriginal women about how we can ensure that the services reach the people who need them most. As the Minister for the Status of Women, I was delighted to take part in the gathering.

Each community's elected woman was there to represent their area. The women spoke of their desire to have a clear and ongoing communication with the government on issues that affect their communities. The gathering was a great success, with women speaking openly about many of the difficult issues that confront their communities and reaching agreement on a statement which sets out their views on the sort of society in which they would wish to live and their plans to strengthen their communities.

The women have asked me to convey to parliament how much women can achieve in one day. I do not think that would come as any surprise to many of the women here. In their statement, the Aboriginal women say that they want to live in a society where they can control their own affairs and have a greater say in all levels of the community. They want the views of Aboriginal women to influence government policy and decision making. The women are keen to protect Aboriginal culture and increase awareness about their culture. They want to see the status of Aboriginal women improved and their families strengthened.

The state government has a commitment to achieve better and more equitable living standards for Aboriginal women. Many Aboriginal women have the responsibility of heading their families, and this may also take in their extend role as caring for their children, grandchildren and seniors.

Everyone participating at the gathering wants to make sure that practical measures are put in place to assist in building indigenous communities. I look forward to working with Aboriginal women to create proper structures which will ensure that their voices are heard by the government.

**Mr BRINDAL:** On a point of order, the statement of the Minister for Social Justice, as you would have recognised, sir, was a very important statement to this house and contained a message from the indigenous women of South Australia to this house. I am wondering whether there is a vehicle by which such matters can be brought up by ministers so that the house can then debate or discuss them other than through ministerial statements. The minister is not denying us debate: it is an important issue, but we cannot debate it. Is there a way round that?

**The SPEAKER:** Order! The member for Unley places a question to me about what he is entitled to do. Indeed, he is entitled, along with any and all other members in this place, to give notice of a motion to note the ministerial statement in any way he chooses and, in doing so, debate it. There are available other devices such as urgency debates as well as motions of no confidence if it is in the nature of a controversy sufficient to warrant such things in the subjective opinion of any member as they see it, according to the way they would do their duty in this place.

Whilst I am not a coach, I simply point out that these are the devices at the disposal of any member, and it is not necessary for a minister to introduce a report in order for a member then to move that the report be noted, to go to the substance of the report in the debate that would follow. It is quite simply a matter for each member to exercise the discretion available to them from within the standing orders.

#### QUESTION TIME

##### PORT ELLIOT RESIDENTIAL CARE SERVICE

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** My question is to the Minister for Social Justice. Why did the Department of Human Services allow nine residents of the Port Elliot Residential Care Service to be relocated yesterday from Port Elliot to Adelaide without their consent, without informing their families and without their even being able to say farewells to the staff involved? The Port Elliot Residential Care Service is a supported residential facility that is due to close, as I have indicated to this house, on 27 September.

*Ms Breuer interjecting:*

**The SPEAKER:** Order! The member for Giles is out of order.

**The Hon. DEAN BROWN:** Last week the minister and the Department of Human Services assured me that any move would be done sensitively and, if possible, residents would be kept within the Victor Harbor community. Yesterday morning, nine of the residents had their names read out and were told to pack an overnight bag. They were then herded into cars and sent to Amber Lodge in Morphettville. Although residents were aware that they had to move, they were not given any choice or any notice. As a staff member of the facility said to me today, their rights were taken away: they were herded off like sheep.

Only three of the residents had the chance to pack their personal belongings. Family members have not been told of the move. They have been unable to say goodbye to anyone,

including the staff of the home and the people at Encounter Centre, where they spend their days. Staff were in tears and remaining residents were in tears. These people were members of the local fishing clubs and painting groups, but they had been ignored. These very vulnerable people have been treated without due respect.

**The SPEAKER:** Order! Notwithstanding the regard which I am sure the honourable deputy leader would want all members to have for the feelings of those people, can I tell him that the subjective statement on their behalf of the feelings he imagines they have is not explanation but debate.

**The Hon. S.W. KEY (Minister for Social Justice):** As the deputy leader said, a number of serious allegations have been made about the way in which these residents have been treated, and I have been made aware of those allegations. The information that I have received, however, does not exactly accord with what the deputy leader has said. As members would be aware (and I think I reported this earlier in the week in parliament), there is a mixture of reasons why the residents who were at this supported residential facility were accommodated in the facility—

**The SPEAKER:** Order! Can I again, without wanting to unduly interrupt the minister, remind the house that, if members bring mobile phones into this chamber for reasons of ensuring that they are secure, then they should just switch the bloody things off. I will tolerate no more. If I hear the interference of a mobile phone on the PABX system again I will vacate the chair until I have checked, one at a time, to see that no mobile phones come into this chamber switched on. It is disruptive, and it is injurious to the hearing of the members of *Hansard*, who are trying to keep a record of the proceedings, to have the harmonic of the frequency interfering in the PABX of the re-broadcast of the remarks being made in the chamber. It is grossly inconsiderate and extremely disorderly.

**The Hon. S.W. KEY:** The profile of the residents in the Port Elliot Residential Care Service is of a mixed age group from 18 to 60 years. Some 17 of the residents, as I understand it, are mental health clients, two of whom have a dual diagnosis, with schizophrenia, Korsakoff and dementia being part of the description of their health. Three of the residents are IDSC (Intellectual Disability Services Clients). A number of them—some 17—are under the guidance of the Public Trustee, and one has a guardianship order. I am told that there is a variety of health problems with which the local GP has had to deal. So, we are talking about a very vulnerable group of people, and I respect the point that the deputy leader has made regarding the allegations about people being moved and the circumstances in which they have been moved.

The advice that I have had to date (and I am still waiting for further advice, and I am more than happy—as I have done already—to make sure that the deputy leader is kept up to date with information with respect to a facility that is in his electorate) is that there are a number of different stories about why people were moved.

The point I make is that, because the facility has been sold (and, in fact, I advised the deputy leader by telephone and also by briefing him that we understood that people would be relocated by 31 October), we needed to try to find, in the first instance, alternative accommodation—whether it be permanent or interim—within the area. That was my first aim, as the deputy leader would know.

My second aim was to make sure that we worked through (and the advice that I have received is that this has happened, or is happening) the alternatives for the different residents.

As one can understand, because of the profile of the residents whom I have just mentioned, there are different circumstances, and different arrangements need to be made for just about each person. If the allegations that the deputy leader is making regarding people not being consulted are true, such as families not being involved and people not being given the opportunity to say goodbye before moving on to alternative accommodation, then I will certainly be as outraged as he is.

At this stage, that has not been confirmed by the Department of Human Services.

*The Hon. Dean Brown interjecting:*

**The Hon. S.W. KEY:** I am sure that is the case, but I have not had that advice, and because it not only involves employees of the Department of Human Services but also local government, as well as a number of independent health people, including the local GP, whom I mentioned earlier, I think it is important that I bring back a proper answer. I will also ensure that the deputy leader receives that information as the local member, as I have done throughout this process.

## POLICE NUMBERS

**Mr O'BRIEN (Napier):** Will the Minister for Police inform the house of the current trend for police numbers in South Australia; and how does this compare with numbers over the previous decade?

**The Hon. K.O. FOLEY (Minister for Police):** I thank the member for Napier for his question, as I am sure all members are interested in the number of police we have active in this state and, more importantly, I think we are all concerned that we are told the truth when it comes to the statistics about police numbers. I have been concerned for some time that the member for Mawson and, indeed, I think the member for Bright, and a number of members opposite—both in the media and in this house—have been making claims that SAPOL (South Australian Police Force) will be under strength by some 70 officers over the coming Christmas period and that police are under resourced in this state.

That is plain wrong, and I would assume that the member for Mawson knows that it is wrong. I suggest to the member for Mawson, the shadow minister, that if we are to debate police numbers, we do it from a position of fact and that we do not make reckless, outrageous remarks. The truth is that there are more police in South Australia now than at any time during the eight years of Liberal government. It is estimated that South Australia will have 3 763 sworn police officers by December this year. In January, an additional 29 cadets are due to graduate, further increasing police numbers in this state.

Let us go back a couple of years. In December 2001, when the member for Mawson was the minister for police, I am advised that there were 3 639 officers: that is 114 fewer officers. The member for Mawson keeps telling us that there will be some 70 fewer officers at Christmas time: that is plain wrong. Under Labor there are more police. Under Labor we have a safer community in South Australia. I am advised that, in 1997, at the height of the former Liberal government's police cuts, there were 360 fewer police officers than today.

**Mr BRINDAL:** Mr Speaker, I rise on a point of order. I am having difficulty with the audio. The Acting Premier appears to be screaming into the microphone and I am having real trouble hearing him.

*Members interjecting:*

**The SPEAKER:** Order! When the chair speaks, it is a good idea for the chamber to pay attention. I had not noticed

that the Acting Premier was screaming. He is animated but certainly not out of control.

**The Hon. K.O. FOLEY:** I apologise to the member for Unley that his sensitive ears are somewhat challenged. I think what is upsetting the member for Unley might have more to do with the facts that I am giving the house, rather than the tone in which I am delivering it. This government has increased police numbers in this state, and let me repeat: there are more police today under this government than there were under eight years of Liberal government. But let me go further. There are now more police than when a former police minister, the member for Bright, tried to sell the police academy. This is an opposition which has said that police are under-resourced, yet the member for Bright wanted to flog off the police academy. There are more police now than back in the early years of the former government when the former police minister, the member for Bright, was demanding—and this may be news to many new members—police motorcycle escorts for the opening of the Elizabeth police station and to go to graduation ceremonies. He had to have the outriders!

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. W.A. MATTHEW:** Sir, I rise on a point of order. The statement made by the Treasurer to the house is untrue. He knows it to be untrue and I request that he withdraw it.

*Members interjecting:*

**The SPEAKER:** Order! It is not a point of order that the member for Bright raises. As to the factual substance or otherwise of the answer, if the member for Bright is aggrieved, believing or knowing himself to be the subject of the remarks of any minister, he can make a personal explanation to that effect. And if ministers know that they are misleading the house, they also know the consequences of so doing.

**The Hon. K.O. FOLEY:** Thank you, sir. My colleagues said it might have been Salisbury police station. We all remember when the minister for police in the early 1990s had the police outriders. And I am informed—and I am reading that from a transcript from *The Advertiser* of the day—from reports and from my memory that he was having escorts to police graduations, because he liked that sort of stuff. And I think he might have even had the flags flying; I do not know.

Mr Speaker, there are more police today than there were when the member for Bright, the former police minister, used parliamentary privilege to attack a serving police officer and, from memory, was forced into an apology by the then premier.

**The SPEAKER:** That remark has nothing to do with police numbers, and the Acting Premier knows that that is an inflammatory thing that he might otherwise avoid.

**The Hon. K.O. FOLEY:** Thank you, sir. There are more police today than the former police minister and former deputy premier tried to get rid of, to disband the fantastic SA police band. Let us remember that! The former Liberal government tried to downsize the police force by scrapping the police band. And what else did they try to get rid of? They tried to get rid of the police greys. Can you imagine that? Could you imagine a government that, from memory, even thought about getting rid of the police greys?

I say this: under Labor we have a safer community; under Labor we have tougher penalties; and under Labor we have more police. This a government that has delivered on police numbers, not like members opposite.

*Members interjecting:*

**The SPEAKER:** Order!

## HOSPITALS, QUEEN ELIZABETH

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** Will the Minister for Health confirm that in November last year she wrote, as Minister for Health, to the Queen Elizabeth Medical Research Foundation, encouraging the foundation to raise \$1.5 million to purchase furniture and equipment for the new wing of the Queen Elizabeth Hospital? Why did the minister claim in June this year that foundation funds were not needed for furniture and equipment, and when will the minister reimburse the foundation for the \$100 000 of costs incurred, which the minister was aware of at the time of aborting the campaign? In November the Minister for Health wrote to the foundation saying:

I am very pleased to hear of the intent of the Foundation to raise an additional \$1.5 million to assist with the hospital redevelopment. I quote further from the minister's letter, as follows:

Any funds raised through your fundraising efforts will not replace any government funds already committed to this project, but supplement the quality and extent of furniture and equipment in the hospital.

In June this year, the minister made numerous public statements that it was inappropriate for the foundation to raise funds for furniture and equipment.

**The Hon. L. STEVENS (Minister for Health):** I am pleased to answer this question. Hospital foundations are important attributes in our community, as are research foundations, as they work together to provide and raise very much needed funds to support a whole range of activities in our public hospitals. In this particular case, yes, the Queen Elizabeth Hospital Research Foundation wrote to me in relation to its desire to raise further funds for the hospital's new fit out, and it is true that I said that any funds it raised would not replace the money the government had already set aside to provide for furniture and equipment for the new hospital. The government has set aside in the vicinity of \$1.8 million and was happy to do that. One of the other requests—

*The Hon. Dean Brown interjecting:*

**The Hon. L. STEVENS:** If the deputy leader would remain silent—

**The SPEAKER:** I ask the deputy leader to cease and desist—he has asked the question.

**The Hon. L. STEVENS:** One of the other requests from the foundation was that it take some of the money allocated from the government's \$1.8 million (or thereabouts) capital program and use it to pay a fundraiser to aid its fundraising efforts. I made it quite clear at the time that the government could not allow money that had been properly set aside in the budget for capital programs (as this money has been for the Queen Elizabeth Hospital's fit out) to be used for that other purpose. But, of course, we encourage people to do what they can for our hospitals.

To make a further point: there was some confusion in relation to the research foundation because an impression was given that the government was not putting much at all into the hospital in terms of its equipment and that in fact the foundation had to take the government's place in providing that equipment. I made it quite clear in letters to the community earlier this year, around June, that the government has made considerable provision for the Queen Elizabeth Hospital. The government put into the forward estimates enough money to complete the rebuilding of that hospital. When we came to government we had a hospital that had only been half funded by the previous government. This

government has fully funded that redevelopment and put in the funds for the refit of the new facility.

### TEACHERS, EX GRATIA PAYMENTS

**Mr SNELLING (Playford):** My question is to the Minister for Education and Children's Services. What level of ex gratia payments have been made to teachers by her department?

**The Hon. P.L. WHITE (Minister for Education and Children's Services):** I can provide that information, as could the member for Bragg. Earlier I saw a transcript of an interview she did on radio today in which she referred to information that had been provided to the opposition on this very matter. Of course, the detail provided by the member for Bragg was a little different from the facts.

*Members interjecting:*

**The SPEAKER:** The minister is right across this subject, as she is across all subjects of her portfolio, and does not need the assistance of the Minister for Infrastructure.

**The Hon. P.L. WHITE:** I am always willing to have the assistance of the Minister for Infrastructure, particularly if it involves finances for my department. The Treasurer helps, too, and I know he will be helping a lot in the lead up to the next budget considerations. The interview the member for Bragg did earlier today was on the topic of violence in schools. She prefaced her remarks by saying that, when students assault teachers, the teachers are given ex gratia payments. The information that the member for Bragg had was the total of ex gratia payments in the 18 month period March 2002 to August 2003. What she failed to tell the listeners, however, was that the total ex gratia payments for that 18-month period was less than \$5 000. In fact, she tried to make a point of the fact that since the government had announced its new safety in schools package in November last year there had been a startling increase in violence in schools and ex gratia payments. She said that in the period leading up to that announcement—March to November—there were two ex gratia payments to teachers who had been assaulted by students and, since that time, in a similar period, there had been a 250 per cent increase in ex gratia payments. That was her claim. Well, I think we need a few facts on the table.

First, that is wrong. In fact, in that second period there were fewer incidents, not more. And, while the total of ex gratia payments was a little larger for fewer incidents, there is good reason for that—and that was clear to the member for Bragg, because the table that she had fully disclosed all that information. But what the honourable member did not disclose to the public was that her claim that the extra payments reflected an increase in violent behaviour in schools was untrue. The bulk of those payments—around half of the total payments in the last 18 months—were for the Salisbury bus-train incident and the Nuriootpa High School bus accident. In fact, those two events made up \$2 179.56 of the total of \$4 825.26.

In fact, the usual claims are oriented around violent incidents such as: teacher's trousers torn on splintered arm of chair, \$39.95; teacher's blouse torn on sharp edge of door, \$53.90; damage to staff member's trousers from a splinter on a desk, \$130; and teacher's jeans damaged on dangerously positioned hooks in resource centre, \$49.

The member for Bragg used an example in her interview today of a payment of \$346 to a teacher who had been on yard duty and had her glasses smashed—and I heard the

member call out across the chamber to point to that incident and to other types of violent incidents by students against teachers. Well, I made one telephone call to the department to ask about that incident and to ascertain whether the teacher's glasses were broken. They were broken, but what is the obvious thing you think of? It was the result of a child in a playground kicking a soccer ball. That is the violence that the member for Bragg tried to sensationalise. Teachers are on yard duty and occasionally there are accidents. That was an accident.

**The Hon. DEAN BROWN:** I rise on a point of order, Mr Speaker.

**The SPEAKER:** Order! The minister will resume her seat.

**The Hon. DEAN BROWN:** Mr Speaker, on a number of occasions you have stopped even one or two words of interjection from this side of the house. We have just heard an entire chorus from the other side, and I bring to your attention the interjections from the other side.

**The SPEAKER:** I apologise to the house, but I was momentarily distracted and I confess to being a bit deaf. I will pay more particular attention. May I note that it is coming up to half an hour of question time, and we have not got far yet.

**The Hon. P.L. WHITE:** Sir, the bottom line is that the member for Bragg was wrong. The ex gratia payments, totalling under \$5 000, do not signal an increase in violence against teachers in our schools, as the member claimed publicly. The government is acting to make these payments to ensure that teachers are reimbursed when there are accidents, which, of course, do occur in our schools. This government is spending an extra \$1 million a year to make our schools safer in terms of school security and it is implementing many initiatives that the former government, even in its wildest dreams, did not contemplate.

### HOSPITALS, QUEEN ELIZABETH

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** My question is again to the Minister for Health. Will the minister confirm that no provision has been made to purchase computer terminals for the new 200-bed wing of the Queen Elizabeth Hospital, so doctors will not be able to use a computerised patient information system, as recommended by the Generational Health Review? All cabling has been installed in the walls of the new hospital but not connected to anything. A tender was called for the supply of computer terminals and patient information, or entertainment equipment, but no contract was let.

**The Hon. L. STEVENS (Minister for Health):** I will certainly look into this matter. I do not have at my fingertips information about computer terminals, but I will certainly look into the allegations made by the deputy leader. However, let me say one more time to the house: it is the Labor government—this government—that is building and funding the full redevelopment of a huge hospital in the western suburbs—something members opposite could only dream of.

### WORKPLACE SAFETY

**Ms THOMPSON (Reynell):** My question is to the Minister for Industrial Relations. What steps has the government taken to deliver on its commitment to enforce the rights of South Australian employees to work in a safe and healthy workplace?

**The Hon. M.J. WRIGHT (Minister for Industrial Relations):** This government takes safety in the workplace very seriously. It is a high priority, and it has been demonstrated by a 50 per cent increase in the number of occupational health and safety inspectors. To the best of my knowledge, this is the biggest increase ever delivered in South Australia's history. As a result of the last budget, we have seen it increase from \$2.5 million for 2003-04 to \$3.5 million in 2004-05. As a result of that budget commitment, 30 positions have been advertised nationally, in *The Advertiser* and various country newspapers. Over 300 formal applications have been received. All new inspectors will undertake a six-month competency-based training program. The government knows that, to play a role in improving occupational health and safety outcomes in South Australia, a balance of education, assistance and enforcement is necessary. The inspectorate plays a crucial role in all of this.

This is one of the initiatives the government has taken as part of its strategy to address the damage done to WorkCover by the Liberals. As I have said previously, the position will get worse before it gets better, but we are getting on with the job of fixing the Liberal mess. This government has recognised the importance of occupational health and safety for all South Australians. This is important for workers, families, communities and businesses as well.

#### HOSPITALS, QUEEN ELIZABETH

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** My question is again directed to the Minister for Health. Why has the Department of Human Services not yet appointed an architect to even start design work on the next stages of the Queen Elizabeth Hospital, and why has the government delayed the completion of the next two stages to at least 2009, which is six years away? Work on Stage 1 at the Queen Elizabeth Hospital is now complete. That was the stage initiated and funded by the Liberal government. Construction was planned to start soon on Stage 2. However, the state government has not even appointed an architect to do the design work, let alone all the documentation for Stages 2 or 3. This year's budget documents show that Stages 2 and 3 will now be finished in 2009 instead of 2007, as previously planned.

**The Hon. L. STEVENS (Minister for Health):** We need to be quite clear about just what the legacy of the former government was in terms of the capital works of the Queen Elizabeth Hospital. We had half a hospital funded by the government—200 beds—led by the deputy leader, the former minister for human services. Guess what was actually missing from the deputy leader's fantastic plan for the hospital—a role and function of that hospital. None of those decisions had been made. So, we had half a hospital, 200 new beds for 200 old beds, but no role and function about what that hospital was going to do in the western suburbs.

This government has determined and given that hospital a clear role for the future in relation to what has come out of the consultations and work from the Generational Health Review. At this very moment the Acting Chief Executive, David Swan, is conducting meetings with staff, local members, the local council and other stakeholders, putting together the plans for the next stages. Mark my words, if we had to go forward on what the deputy leader left us in relation to the Queen Elizabeth Hospital, we would be going nowhere. It is this government that has inherited a mess and is now at

last breathing life into that hospital and giving it a strong future for the western suburbs.

#### HELEN MAYO HOUSE

**Mr GOLDSWORTHY (Kavel):** Will the Minister for Health confirm that a reduction in the number of beds in Helen Mayo House is to take place at the Glenside Hospital or, indeed, whether the whole ward is to close? A constituent of mine who is currently a patient in Helen Mayo House has been told that the government is planning to close, in part or in whole, that ward early next year.

**The Hon. L. STEVENS (Minister for Health):** I am not aware of what the member for Kavel has just alleged, but I will certainly check it out. Mental health is a priority for this government. It needs to be a priority for this government because, of all the areas of health care that have been systematically destroyed by the previous government, this one shines out as the one of greatest need. The previous government's own report, done in the year 2000, on the mental system in this state indicated a systematic rundown over several years since the early 1990s.

I will obtain the information that the member for Kavel requires, but I would also say to him that this government came to office with a strong commitment to mental health. We put in an extra \$9 million over the life of the government as our initial election promise, and in this year's budget a further \$1 million extra per year has now gone into the budget. But I will obtain the information for the honourable member.

#### MINISTER, POLICE INVESTIGATION

**Ms CHAPMAN (Bragg):** My question is to the Minister for Police. Leaving aside the investigations into the Atkinson/Ashbourne affair and Rafflegate—

**The SPEAKER:** Order! The honourable member will refer to members in this place by the name of the electorate they represent.

**Ms CHAPMAN:**—has the minister received any advice that any Labor minister is the subject of any other police investigation?

**The Hon. K.O. FOLEY (Minister for Police):** No, not that I immediately recall, but I will check that. What I can advise the house is that I have sought Crown Law advice as to whether the member for Bragg has inappropriately or potentially illegally contracted for furnishing in her office against my express orders.

#### ELECTRICITY, SUPPLY

**The Hon. W.A. MATTHEW (Bright):** Will the Minister for Energy advise the house how much electricity he expects will be available to South Australia from New South Wales if his much touted SNI interconnector is built?

**The Hon. P.F. CONLON (Minister for Energy):** I am not entirely sure where the member for Bright has been for some time. Certainly, I have great difficulty understanding whether he was in fact here on Monday, because what we announced on Monday was that, because of SNI's being tied up in Victorian courts on the application of the market network service provider supported by the previous government, said to be the way ahead, which subsequently failed in the marketplace and is now applying to become regulated and which has SNI tied up in court; because of all those things

and in the interests of the people of South Australia, the Victorian, South Australian and New South Wales ministers met last Friday to develop proposals for upstream works that will deliver more power from New South Wales into Victoria.

We are hoping to develop proposals for an extra 200 megawatts of power that way. If we do not do that, the market network service provider which the opposition supported and which has failed so far will be added, if the ACCC gets its way, to our regulated asset base in the transmission system, or some proportion of it. We will have to pay for it and it will give no benefit unless there is that extra power from New South Wales into Victoria. I really cannot make it any clearer than that. That is what we have done. We have sidestepped, if you like, the legal processes that are tying up the earlier plans for interconnection with South Australia. We have to deal with an ACCC which is off on a frolic of its own with market network service providers.

In dealing with all those things, we have done the most commonsense thing that could be done. We have gone there, sidestepped all those difficulties, got the ministers together and said that we will find transmission solutions from New South Wales into Victoria that give us an extra 200 megawatts. I hope I have made that as clear as I can. I hope that the member for Bright now understands it but, as I have said before, I cannot put in what God left out.

**The Hon. W.A. MATTHEW:** My question again is to the Minister for Energy. In view of his answer to my last question and in view of the recently released NEMMCO report, the Statement of Opportunities 2003, will the minister advise the house when he expects that New South Wales will be expanding its electricity generation capacity to have any electricity at all to send to New South Wales in the manner he describes? In its report NEMMCO states, in relation to summer peak demand reserve levels:

If SNI or a similar augmentation project is built for the summer of 2004-05, Victoria and South Australia reserves for that summer are improved. . .

but that—

There is no change to reserve levels in any other years. . .

NEMMCO explains this lack of benefit from SNI with a statement in relation to New South Wales peak summer electric reserves, as follows:

. . . there are sufficient reserves for the next two summers only. The reserve deficit is forecast to be 94 megawatts in summer 2005-06, and in summer 2007-08, demand [in New South Wales] is forecast to exceed supply side capacity.

In other words, there will be no electricity to send from New South Wales.

**The Hon. P.F. CONLON:** I really think that the people of South Australia would be well served if the opposition could simply find someone to talk about electricity who knows what they are talking about. Can I make one simple point—and I will speak slowly, so that even the member for Bright will understand. Peak summer demand in Victoria and South Australia is often coincident. Peak summer demand in New South Wales, Victoria and South Australia is often not coincident. So, they do not—

*Mr Brindal interjecting:*

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

**The Hon. P.F. CONLON:** I assure the member for Bright that I have read the report. But there is one distinction between me and him: I have actually understood it. The

member for Bright raised a point about bringing on base generation.

**The Hon. W.A. Matthew:** No, peak generation.

**The Hon. P.F. CONLON:** It is not peak generation; that is not what it said—

**The SPEAKER:** Order! The member for Bright has asked the question.

**The Hon. P.F. CONLON:** Can I say this again. First, can I explain that the value of an interconnector with New South Wales is not simply about the base capacity in New South Wales. It is about whether—

*The Hon. W.A. Matthew interjecting:*

**The Hon. P.F. CONLON:** If the member stops talking and does a little more listening, he might stand some chance—although I doubt it—of understanding this point. The fact is that, when demand is not coincident, when they are not at peak demand in New South Wales but they are in South Australia, that capacity becomes available. It is not rocket science, but that is the truth of it. We are very likely to see a very significant entry of wind in South Australia—not from that side, but of wind generated power.

*Members interjecting:*

**The SPEAKER:** Order! The minister is not referring to political flatulence!

**The Hon. P.F. CONLON:** Again, when I mention this we get groans, because the one thing that they cannot bear on that side is good news. The extensive entry of wind generation will remove a lot of greenhouse emissions, which is something that we should all be looking for. Of course, they are members of a party which is perfectly troglodytic on this issue, which lives in a cave, which has its head buried in the sand and which refuses to face up to greenhouse emissions. But the truth is that the entry of wind also brings issues with it in terms of the reliability factor of that capacity, and that is another reason why one wants strong interconnection.

The issue of bringing on base generation is one that faces every single jurisdiction in the world that has undergone market reform. But there is one really big message in it: if you go around the world, privatised markets find it harder. When they privatised the industry in this state, they made it much harder for any government—

**An honourable member:** Buy it back.

**The Hon. P.F. CONLON:** They say, 'Buy it back again'. Thankfully, we finally have an opposition that admits it got it wrong; it admits that it got it wrong when it sold the asset—at last. The people of South Australia will be very happy about that. It is my duty to this house to continue to attempt to educate the member for Bright on issues surrounding the national electricity market, as long as he wants to ask a question. However, I really think that the opposition should do us all a favour and get someone who knows what they are talking about.

## METROPOLITAN FIRE SERVICE

**Mr BROKENSHIRE (Mawson):** My question is directed to the Minister for Emergency Services. Following my question in the house last week, has the minister or his staff visited the South Australian Metropolitan Fire Service headquarters at least twice to discuss concerns about budget pressures and recall of fire officers?

**The Hon. P.F. CONLON (Minister for Emergency Services):** No, sir, I have not. I will tell the member that I have been to the South Australian Metropolitan Fire Service twice this week, to go to the gym—because the chief officer

talked me into it. I can tell you, I am feeling better already. I am in rude health. I can give you an absolutely ironclad guarantee that in none of those painful sessions did we discuss the budget.

**Mr BROKENSHIRE:** Is the Minister for Emergency Services, and/or his staff, aware of any plans or discussions by the South Australian Metropolitan Fire Service to change recording practices of operational officers on day work; appointing staff and senior fire fighters to temporary positions; and not showing senior firefighters, on officers wages, when they go back to day work; and also with it not being shown on the parade statement, to hide recalls and call-ups? Also, will the minister advise the house if it is correct that the South Australian Metropolitan Fire Service will have exhausted the entire budget on overtime, act up, hold back and recall for the 2003-04 budget by the end of September?

Firefighters have advised me that they are concerned about health and safety with the extensive use of recalls at present, and gave two examples. One is of C shift having seven recalls for 14 September, with some of those officers being on recall just the day before. I was also advised that, since 1 January this year, many officers in A, B, C and D shifts have completed more than 1 000 hours of recall.

**The Hon. P.F. CONLON:** Firstly, in relation to that long list of things, which I have to admit I did not quite understand, not only am I not aware of it but I do not understand what he is actually talking about. He may have done it when he was minister, but I do not go around looking at rosters and things like that because I have got a chief executive. He was appointed by the member for Mawson, and I trust the chief executive to do it. Of all of that gibberish that went on, what I can say is that I am aware of concerns in the fire service about recalls. I can tell you what the primary driver is, and in an answer I gave to the house recently I pointed it out: that members opposite wrecked the promotion system when they were in government. They completely wrecked it. As a result, we do not have the station officers and the district officers we should have. Therefore, when they are not available, somebody gets recalled, or somebody acts up—and the member for Colton can explain the proper terms.

*Members interjecting:*

**The Hon. P.F. CONLON:** He would make an excellent minister, as would most of our backbench, which puts them a long way in front of that rabble on the other side. We are in the process—

**The SPEAKER:** The member may not refer to the opposition as rabble, regardless of his subjective opinion of their conduct—not unless it is by substantive motion.

**The Hon. P.F. CONLON:** I therefore withdraw that. But let me explain. We are in a process of promoting something like 49 station officers—I cannot remember the numbers I gave last week, but they are in *Hansard*—and a whole swag of district officers and commanders, which should have been done years ago. Not only did they not do it—I will bring back the figures of all that they failed to do, if members wish—but they also wrecked the promotion system so that no-one could get promoted, and we have had to work through fixing that up. It has created budget pressures—and I would never withhold any information from this house—and high levels of recall create budget pressures. It is an issue with which we will deal, as a responsible government would.

I will give members this guarantee: at the end of this budget and every budget brought down by this government, we will never see the carnage and wreckage such as that left

by the member for Mawson when he was the minister for emergency services. The house does not need my word for it, wait until the Auditor-General reports—and then I hope the Leader of the Opposition does the right thing with his entirely failed shadow spokesperson.

#### CHILDREN'S INTERESTS BUREAU

**Ms BEDFORD (Florey):** My question is to the Minister for Social Justice. What steps have been taken to give young people a voice on the Children's Interests Bureau?

**The Hon. S.W. KEY (Minister for Social Justice):** I thank the member for Florey for her question, and also acknowledge her longstanding interest in the area of children's issues, as well as the Child Protection Review. Recently, I have made new appointments to the Children's Interest Bureau. I decided to change the practice of the previous government whereby the bureau consisted of senior executives, as I understand it, mainly from the Department of Human Services. The bureau is established under the Family and Community Services Act 1972. I wanted to ensure that there was a wide range of independent advice, particularly in the area of children's and young people's interests. I wanted to hear the viewpoints of younger people on issues of foster care, guardianship and the involvement of children in legal proceedings under the act.

These viewpoints are not necessarily able to be represented by senior executives. I am not trying to be negative about senior executives in the Public Service, but I would prefer to hear directly from young people, particularly those who have been in care, because I believe that their experiences should guide any of the changes and reform in which I am involved at the moment. As a consequence, I have appointed community representatives to the bureau from various organisations, including the Council of Social Services, the Youth Affairs Council of South Australia and the Create Foundation, which represents young people who have been in foster care. I also want to ensure that children and young people have an ongoing involvement and that their experiences are a feature of the Children's Interest Bureau. To that end, I have also appointed the Hon. Dr Rosemary Crowley to chair the bureau. Dr Crowley, as many members would be aware, served as a senator for South Australia between 1983 and 2002 in federal parliament.

*Members interjecting:*

**The SPEAKER:** Order! The honourable member for Unley and the honourable Acting Premier will take their toenails and things and go to a place where they can converse without interrupting the answer being given by the Minister for Social Justice and preventing me from hearing it, even if they do not want to.

**The Hon. S.W. KEY:** She was the federal minister for family services between 1993 and 1996 and, as I understand it, she also had a significant role in the senate inquiry into British child migrants sent to Australia. It has been interesting meeting with British child migrants who live in South Australia—some 69 of them, I believe. Even though they are now grown up, they were very keen for Dr Crowley to assist them with their working party. The British child migrants have a number of problems and they are hoping that Dr Crowley can help them identify the particular services which they believe they need, as well as provide ongoing support.

Prior to being a member of parliament Dr Rosemary Crowley worked for many years as a medical practitioner and family counsellor with children and families in the commu-



ity health setting, and I am sure she will bring not only her experience but also her passion and enthusiasm in the area of children's interests and child protection. It is important to ensure that we provide safe and secure settings for young people and children in our community, and that we look at those children and young people in care or who have been in care to make sure that we give them the support and services they need. The independent advice from the bureau will ensure that that happens.

#### STATE VOLLEYBALL CENTRE

**Dr McFETRIDGE (Morphett):** My question is to the Minister for Recreation, Sport and Racing. Will the minister direct his senior staff to reply to telephone calls, emails and letters from the Brighton Secondary School Governing Council and the Holdfast Bay council? The public servant supposedly coordinating the building of the state volleyball centre at Brighton Secondary School is not communicating with any parties involved. It has been alleged that this person is not only avoiding any contact but also that, on the rare occasion that this person does speak to the Brighton Secondary School representatives, they have been misleading in what they have told the school and council.

**The Hon. M.J. WRIGHT (Minister for Recreation, Sport and Racing):** I thank the member for Morphett for his question, in which he has made a number of allegations. I will check the validity of those accusations to see whether there is any merit or substance to them. If there is any additional information that the member for Morphett would like to pass on to me to assist me to bring back some information to the house and to him personally as the local member, I invite him to do so.

I am sure the member for Morphett is placing this matter before the house in good faith, but, had he taken the opportunity to bring this issue to me earlier, maybe something could have already been done about it. They are serious accusations, particularly in regard to being misleading. I find that somewhat surprising, but I will take the matter seriously, address it and get that information for the honourable member and the house.

#### HOSPITALS, QUEEN ELIZABETH

**The Hon. L. STEVENS (Minister for Health):** I have some information to provide to the house on two questions raised in question time, the first of which relates to the question from the Deputy Leader about the Queen Elizabeth Hospital's redevelopment. I am advised by my department that Silver, Thomas and Hanley have been appointed to undertake the health service plan for stages 2 and 3 of the redevelopment and that \$60 million has been put aside in the forward estimates to cover this redevelopment.

#### HELEN MAYO HOUSE

**The Hon. L. STEVENS (Minister for Health):** Also, in answer to the question from the member for Kavel, my department has advised me that there are no plans to close Helen Mayo House in the new year.

#### POLICE NUMBERS

**Mr BROKENSHERE (Mawson):** I seek leave to make a personal explanation.

Leave granted.

**Mr BROKENSHERE:** Earlier this afternoon in question time the Minister for Police said that there were more police now in South Australia Police than there were when I was police minister. The point of my explanation is that the reason for this is the increased police numbers that I put through in my budgets.

**The Hon. P.F. CONLON:** Mr Speaker, I rise on a point or order. The member is simply trying to steal a little debate from the chamber.

**The SPEAKER:** Order! No, I disagree with the point of view of the leader of government business. The member for Mawson.

**Mr BROKENSHERE:** Those increased police numbers in my explanation were 113 extra police in 2000-01 and 90 extra police in 2001-02 over and above recruitment and attrition.

#### GRIEVANCE DEBATE

##### SCHOOLS, CEDUNA AREA

**Mrs PENFOLD (Flinders):** I bring to the attention of the house a situation that displays this government's denial of education equality for those not living in Labor electorates, its contempt for social justice, its arrogant disregard for our indigenous people and its neglect of isolated communities. I refer to the provision of a community library at Ceduna. The first stage of the redevelopment of Ceduna Area School included a public library resource centre to be used by the school, Ceduna campus of TAFE, the indigenous community, Crossways Lutheran School (which has a large number of indigenous students), Koonibba Aboriginal School, Yalata School, and the general community.

The Minister for Education (Hon. Trish White) cut the \$5 million funding allocated by the Liberal government to \$3.9 million, delayed the start, and now demands that the District Council of Ceduna contributes \$180 000 for this library resource centre. A shortage of funds is not the reason for the government's cut to the funding budgeted for by the Liberal government. Burton Primary School, which just happens to be in the minister's electorate, I understand has been allocated \$1.5 million in the same period. I have been reliably informed that the funding for Burton Primary School includes a library. Here is a city school that has access to a newly redeveloped State Library and all the community facilities that it could possibly require within a few kilometres being even further advantaged.

The funding allocated by the Liberal government to the Ceduna school redevelopment included the school community library resource centre. The Labor government claims education is a high priority, yet one of its first acts was to cut the funding for and also delay the start of the redevelopment. I was in Ceduna on the weekend and visited the school and there is no evidence that the project has physically started, even now. That is the way in which the Labor government shows its commitment to education.

Ceduna is an isolated community with a small population base. It is the regional centre for the inland indigenous communities as far away as Oak Valley and to the Western

Australian border. It is therefore of no surprise that almost one in four people in Ceduna district council is indigenous. Outside the council area, which is also serviced by the school, there is an even higher ratio of indigenous people. The disadvantage that these people face is enormous and has been the subject of numerous articles and speeches. Planning for the redevelopment of the area school included a library resource centre that would benefit one of the most disadvantaged groups in our society.

The Labor government has given no consideration to the individuals who are expending massive amounts of time, energy and what funding they can afford to improve their situation and prospects for employment. The indigenous people of this part of the state have been treated with arrogant contempt. The depth of the contempt is shown by the fact that Koonibba Aboriginal School uses the Ceduna Area School library. Koonibba has a small library (in a shed) but its main library source is Ceduna. The Ceduna TAFE campus uses the Port Lincoln TAFE campus library some 440 kilometres away. Try to imagine TAFE students in metropolitan Adelaide sourcing all their library needs from Melbourne!

The state government's request for \$180 000 from the Ceduna District Council is more than one-tenth of the council's rate revenue. The council already pays approximately \$20 000 toward staff salaries and other expenses at the current library. Ceduna council has huge costs, estimated to be 23 per cent of its budget, that are not borne by city and metropolitan councils. These include the maintenance and operation of the airport; maintenance of the water scheme west of Ceduna; maintenance of the youth centre; maintenance of the three jetties, whereas the cost of metropolitan jetties is picked up by the state government; and many other services such as housing for doctors.

Mayor Ken McCarthy lays the blame at the feet of the state government. In this respect, I quote from a precis of a radio interview of 21 August, as follows:

We have an indigenous population of something like 23%; it is the largest figure in South Australia and nearly one of the largest in Australia. So, we've got people with very special needs and yet we can't have a first class library. It's just not right and it is not fair.

Today's local paper, the *Sentinel*, advises that the school's governing council is considering the option of building a school library only, which would be a disaster for this small community. I ask that the minister reinstate the \$1 million needed to complete the Ceduna school as planned.

Time expired.

#### POPESCU, Mr V.

**Mr CAICA (Colton):** At about midnight on 9 August this year, Valentin Popescu arrived from Romania at the Melbourne International Airport. Mr Popescu's flight had been booked a week before his departure, and his passport and business visa had been properly checked and verified prior to his leaving Romania. His wife Mioara had been in Australia for three months visiting their only child Adriana and grandson Tudor, both of whom are Australia citizens residing in Adelaide.

Mr Popescu's one week business trip to Australia was undertaken at the invitation of Melbourne-based company GBS Products. He intended, whilst he was here, to take the opportunity to visit his daughter and grandson, where he was to also meet up with his wife before both returned to Romania. Little did he realise what was in store for him upon his arrival in our country.

At the airport, Mr Popescu showed his passport to the relevant immigration official, who viewed the documentation, and, without seeking any other information from him, instructed him to wait in a room which was subsequently locked. After a short time, he was informed by the official that his luggage had been lost, and he was asked if he had brought drugs into Australia. He was then subjected to a personal search. Some time later, Mr Popescu was transported by two police officers to an immigration detention centre. Despite being unable to speak English, he was not provided with an interpreter during this time and was also denied permission to telephone his daughter.

Prior to Mr Popescu's seizure by the police, he was required to provide the immigration official with a declaration. During this interview, he did have access, via telephone, to an interpreter that was arranged by the officials. Meanwhile, his friends from Melbourne, who were at the airport to greet him and pick him up, were told by officials, when they inquired about his whereabouts, to wait for at least 24 hours and then ring missing persons. Following this discussion, Mr Popescu's friends telephoned his anxious daughter. Approximately six hours after Mr Popescu's arrival in Australia, his by now frantic daughter telephoned airport staff and Immigration, only to be informed that there had been a change in shifts and there was no information regarding her father.

Over the next several hours, Adriana attempted to find out what had happened to her father, but to no avail. She was even absurdly informed by Immigration that, due to privacy rules, Immigration required her father's permission to inform her of his circumstances. Given that some eight hours had elapsed since Mr Popescu's arrival, his Melbourne friends had organised an immigration lawyer to act on behalf of their incarcerated friend. Despite the best efforts of the lawyer, it was still several hours before Mr Popescu was permitted to receive telephone calls. By this stage, Mr Popescu's family had become extremely concerned, given that their husband and father had a history of high blood pressure and that his medicine was in his bags that had allegedly been lost.

By 7.30 p.m. the following day—some 19 hours after his arrival—Mr Popescu was permitted to see his friends, although he was still not permitted direct access to his lawyer, given that the police officer advised that the rules did not allow legal persons visitation on weekends. Regrettably, Mr Popescu spent that night in detention and was finally released the following morning, some 32 hours after his arrival in our friendly and welcoming country!

During his incarceration, I am advised that he was not provided with blankets, despite freezing temperatures, and was dressed only in his T-shirt and trousers. Upon his arrival, over 30 hours after his shameful detention, Mr Popescu was released. At that stage, he wanted nothing more than to be on the first plane home. Fortunately, he was convinced by his friends to stay. 'Mr Popescu had done nothing wrong,' they correctly argued.

In the little time I have left, I will raise a few issues regarding this unfortunate incident, as follows:

- Why was Mr Popescu detained without proper reason, and why was he not told why he was being detained?
- Why was he not allowed access to a telephone until some 10 hours after his seizure?
- Why did Immigration officials, at great personal and financial expense to Mr Popescu, cancel Mr Popescu's return flight? Were they operating on the presumption of guilt?

- Why was it that a man who cannot speak English was, without any evidence, treated as a criminal, not provided with an interpreter, and shamed as he was by Immigration officials? Why was he not advised of his rights and privileges?
- Why was he informed that his bags (containing his medicine) had been lost, only for that bag to turn up at the time of his release in a far worse condition than when it was packed?
- Why, and on what basis, were his friends told by airport staff and officials to notify missing persons in 24 hours' time if Mr Popescu had not surfaced?
- How was it assumed, and on what basis was it assumed, that Mr Popescu might have been a narcotics courier?
- Why was not Mr Popescu reimbursed for the additional costs incurred as a result of Immigration cancelling his flights?

I am ashamed that no official bothered to say a few simple words to Mr Popescu, such as 'Sorry, we made a mistake.' I know of only this man's circumstances. How many other innocent people have suffered these same indignities? This sorrowful event shames our country, but this is now Howard's Australia.

#### SCHOOLS, MAWSON DISTRICT

**Mr BROKENSHIRE (Mawson):** It gives me great pleasure, in the grievance debate this afternoon, to recognise two schools and the great work they are doing within my electorate of Mawson. It is always a pleasure to attend these schools, when invited, to see the commitment of the staff and young people.

I particularly want to congratulate the McLaren Vale Primary School for its 2 003 performance of the Pirates of Penzance. I was invited, as the local member, to that evening. I took along my young daughter, who is involved in drama and ballet, and she was incredibly impressed by the quality of the performance. Some 450 students from reception through to year 7 (in other words, the whole student population) took part in this performance, which, in itself, is probably a first, from my observations. Obviously, it was logistically very difficult to do, but it was ably managed by the director, Sue Mattner, the specialist school teacher. Sue Mattner is a wonderful person, who is dedicated to young people and music and really develops them brilliantly at the McLaren Vale Primary School.

I also want to acknowledge the musical committee and the staff, led by the Principal, Mr Peter King, for their commitment to the extraordinary curriculum in the McLaren Vale Primary School. Whether it is the environment, information technology, music or, in this case, drama and the arts, this primary school is committed to ensuring that these students have a well-rounded education. After talking to many of the parents that night, it was obvious that they were very proud to see just what their children are achieving at the McLaren Vale Primary School.

I also want to congratulate the Hackham West Primary School, which also offers a lot of extraordinary curriculum and outdoor activities. I especially want to congratulate the young people there, largely led by the year 4 to year 7 students. These students developed a project known as 'Creating Places', and the concept was the children's idea. They decided on a project themselves after walking around the neighbourhood and seeing what needed to be done. They spoke with local residents and involved the Hackham West

Community Centre (which is also very active in the area), and they also asked local artists for their input. They actually lopped trees, because they saw them as being dangerous, revegetated the area of the plant, put in permanent picnic tables and benches, and, importantly, as a feature, developed with 24 tiles a magnificent mosaic across the new paved path that they developed in this reserve.

This taught these young people about caring for the community and about being responsible for looking after the environment in which we live. It has also given them a place within their local area of which they can feel proud when they want to go out and enjoy the sunshine and get involved in recreational activities. It is a concept that is becoming more common in the Onkaparinga City Council area. One has only to think about the wonderful playground developed near the River Onkaparinga at Port Noarlunga to see, again, what happens within the community and their commitment in the southern area. Both of these schools are to be very much commended for that.

In the minute remaining, with regard to the Hackham West Community Centre, I want to acknowledge a special afternoon I was able to be part of. It was a thank you afternoon for a Mr Eric Bennett who is a life member of the Hackham West Community Centre. Unfortunately, Mr Eric Bennett has now retired from the centre. The community centre is a model community centre that could be assessed by any community centre in Australia and would stand proud alongside any of them. A lot of that has to do with the commitment Eric Bennett had as President over a great period of time.

The capital works project with which we were able to support the community centre when we were in government was as a result of much lobbying by Mr Eric Bennett. As a result of that, whether it is the breakfast programs, the men's groups, the education programs or the craft and arts program that many women—and men, but mainly women—attend on a regular basis has all happened of Mr Eric Bennett. Every year hundreds of people in the Hackham West area contribute and get a lot out of being volunteers, enjoyment and learning opportunities that lead through to job opportunities as a result of his wonderful work. I commend him and also his wife and family who supported him so ably during his term as President.

Time expired.

#### OFFICE OF THE UPPER SPENCER GULF, FLINDERS RANGES AND OUTBACK

**Ms BREUER (Giles):** I commend the Hon. Stephanie Key for her efforts in finalising a proposal to establish an Aboriginal women's advisory forum. It sounds like they certainly had a wonderful time yesterday at Spear Creek. I would also like to convey back to those women that they did convey to this parliament how women in one day can achieve so much. Congratulations to all involved in that, and I look forward to hearing from them in the future.

A very interesting question was asked on Tuesday 23 September in another place regarding the role of the Office of the Upper Spencer Gulf, Flinders Ranges and the Outback. The Hon. D.W. Ridgway asked, 'What is the role of this office?' and a number of very important questions about how the office is funded. I am pleased that Mr Ridgway, who lives on a farm near Bordertown in the South-East, is so interested in my part of the state and asked his question purely out of his interest. I am sure his question had no prompting by the member for Stuart and his obsession with Mr Justin Jarvis,

who is the manager of this office and adviser for the Premier—who, incidentally, Mr Ridgway also named in his question. Of course, we all know that the member for Stuart has an almost paranoid obsession with Mr Jarvis who stood against him at the last election and lost only by a few votes, despite the member for Stuart's 30 odd years in the seat.

**The Hon. W.A. MATTHEW:** I rise on a point of order, Mr Speaker. The member for Giles was clearly reflecting on the good character of the member for Stuart, and I ask her to withdraw that allegation.

**The SPEAKER:** Order! I could not hear what she was saying. Can the member for Bright tell me what it was that the member for Giles was saying about the member for Stuart?

**The Hon. W.A. MATTHEW:** Yes, Mr Speaker. The member for Giles has accused the member for Stuart of having a paranoid obsession. I believe that that is a most inappropriate reflection on the good character of the honourable member.

**The SPEAKER:** Order! The member for Giles should know by now that she cannot reflect upon the conduct or behaviour of any other honourable member other than by substantive motion. Grievance debates are not a free-for-all to bash up your opponents.

**Ms BREUER:** Thank you, Mr Speaker. I will go on with Mr Ridgway's comments. He asked a supplementary question about why Justin Jarvis was seen recently visiting the school in Hawker, in the electorate of Stuart, with the member for Giles. That is a very interesting question. I would like to know why Mr Jarvis was seen visiting the Hawker school recently with the member for Giles, because this member for Giles certainly has never been to Hawker with Mr Jarvis. In fact, I do not think that I have been anywhere with Mr Jarvis, apart from the occasional lunch in the city.

On 15 August, I visited Hawker at the invitation of a number of farmers in the area who had concerns about their Crown leases. I had received two phone calls from someone who expressed concerns about the approaching closing date for their applications to freehold. He stated that many of them believed that they had conflicting reports from the Crown Lands Office at Port Augusta and Adelaide, and from their local member.

After some discussion, he asked me to visit Hawker to discuss the issues with him. He organised the venue and the invitations. Because it was a rather complex issue, I believed it would be an idea for me to take someone with me from the Office of the Upper Spencer Gulf. I decided to ask Ms Naomi Bartlett to go along with me, and she agreed to do so. This office has been invaluable to me since it opened there recently. When we have required prolonged negotiations, it has been of great assistance to have that office take on the role, which is certainly its brief. That is why it is there. It does a great job. Its role is to provide the region with direct line contact of the state government and the ministers' offices, and to encourage stronger relationships between state government ministers and local community leaders, businesses and organisations.

We went along there. We were also asked to go to the Hawker school, which we visited with pleasure. As a result of the meetings, I was able to arrange for a teleconference with some senior officers from Crown lands who, rather than visit Hawker, preferred to teleconference so that they had access to the farmers' records and were able to deal with their issues individually. Ms Bartlett certainly appreciated being there, and listening as part of that learning process about the

region her office covers. The office covers the Upper Spencer Gulf cities, the Orroroo-Carrington Council, Mount Remarkable Council, Peterborough Council and certainly the Flinders Ranges Council, which includes Hawker and all areas north to the border. It was an excellent learning exercise for her as well. I believe that whoever saw me with Justin Jarvis at the Hawker school should certainly have their eyes tested with haste.

## POSTBOXES

**Mr SCALZI (Hartley):** Today I would like to refer again to the loss of Australia Post postboxes. Members might be aware that a couple of years ago I brought the attention of the house the matter of postboxes being removed from Tranmere. I put on the record again my thanks to Mrs Hart for giving me the opportunity to be part of a successful campaign, and we got the letterbox back. Elderly people in Hartley—and I am sure in many other electorates—have been increasingly disadvantaged by the removal of Australia Post's postboxes. The decreasing number of postboxes means that those who are most vulnerable are being disadvantaged. Of course, the elderly most often have no access to alternative communication technology such as email or mobile phones and often do not have private transport. Thus, the loss of postboxes often means additional distance on foot and can cause considerable hardship.

Again, I thank the Messenger and Laura Dare for bringing up in this week's edition of *East Torrens Messenger* the plight of Mr Michael Fowler—again in my electorate—who has to really go out of his way to reach a postbox. Mr Fowler is 78 years of age. The removal of postboxes is an increasing problem. In November last year, the postbox adjacent to 122 St Bernards Road, Magill was removed. James Evans Court at the above address consists of 77 units, owned by the Aged Care and Development Group. One resident, Mrs Josette Wallis, in a letter I received on 9 July 2003 advised that, as the Secretary of Bernies Club, she had used this postbox for all the club's correspondence over several years. She says:

For several years we have had the benefit of a postbox outside the entrance to this court, and since many residents are in the higher age bracket and have medical problems and do not get about so easily this has been of great assistance to them.

A petition was taken up by the residents of the area asking for its replacement but brought no results. She writes further:

Travelling to the sub post office further down St Bernard's Road would necessitate crossing Arthur Street, 'a heavy traffic road which runs between St Bernards and Glynburn Roads, and from which traffic lights have also been removed.

Australia Post replied that the posting box had been removed due to the expense of provision and servicing of postboxes and insufficient volume of daily mail, and that an alternative would be the posting box 300 metres to the south, adjacent to Magill North Post Office. It suggests that the small amounts of mail could be collected by the postal delivery officer. The *East Torrens Messenger* of 24 September 2003 also reports that a postbox has been removed from a location adjacent to the nursing home in Weymouth Street, Campbelltown.

Elderly residents now must walk down Montacute Road to the new location opposite Campbelltown library. This postbox was moved in response to traffic problems associated with the busy intersection of Newton and Montacute Roads. However, the effect has been to impose further difficulty on the elderly residents who rely on such postboxes in close

proximity to aged care facilities and who should not be expected to travel additional distances on foot or, alternatively, to catch public transport to post a letter. 'It might just be 150 metres, but it makes a big difference to us,' Mr Michael Fowler says, 'when you are 78 years of age.' I understand that there is a decrease in the number of letters that are posted. However, perhaps Australia Post can look at some alternative.

Perhaps it can leave postboxes where mail that was not urgent could be collected every two or three days. It would not be a great expense if the posties collected that mail, and if the residents were informed that that was the case you could achieve the best of both worlds by providing the elderly with much-needed postboxes at no great expense to Australia Post. Surely, we have to have a little bit of divergent thinking in this, not just assume that everyone has gone down the technological track and expect the elderly at this stage in their life to turn to email and have computers, and so on. I believe this is an urgent matter that has to be looked at, and I would hope that Australia Post would be a bit more sensitive to the needs of the elderly.

Time expired.

#### BENNETT, Mr E.

**Ms THOMPSON (Reynell):** I endorse the comments made by the member for Mawson in relation to the excellent work performed at Hackham West Primary School, and in relation to Mr Eric Bennett and his leadership of the Hackham West Community Centre and all the remarkable work that occurs in that centre. Members may recall that I previously addressed the house on the major community contribution made by Mr Eric Bennett on the occasion of his receipt of the Centenary Medal. I did want to add my comments there. Unfortunately, I was not able to attend the afternoon tea to celebrate Mr Bennett's contribution, so I am very pleased to have this opportunity to comment again in the house on his magic community leadership.

However, my main purpose in rising this afternoon is to draw attention again to the strange remarks of the federal education minister Brendan Nelson. The federal education minister has caused me distress on many occasions. He seems to have no understanding of the challenges faced by young people and parents in communities such as mine when they are trying to take the major step of improving their life outcomes by accessing university. He has made all sorts of strange comments about 'People don't need to go to university, TAFE's good enough', etc. TAFE is excellent, but my community has only 4 per cent of its members with a university education. It has very low levels of income, and we all know that there is a strong connection between university education and income.

Everything possible has to be done to encourage people in my community to access university education, both for the potential increase in their employment opportunities and lifetime income and for its intrinsic benefit in assisting them to deal with the world. Minister Nelson has been at it again. Not content with mucking up the university system, he has decided that he will now have a go at a system for assessing year 12 students. I was stunned to hear some of his comments on Radio 891 yesterday. The item reads as follows:

Federal Education Minister Brendan Nelson says there should be a nationally consistent system for assessing year 12 students. Dr Nelson says across the country students sit different exams, and he is concerned that they don't have an equal opportunity to enter

university. He says that it's time the matter was debated but he does not want to dictate how the new system would work.

So far, maybe so good. The quote continues:

There are a number of issues: one in terms of ensuring that the students in one state get essentially the same opportunity to get into university as do those in another. The second is that there is far too much pressure placed by our society, those of us who profess to lead and, I think, increasingly parents, to say to young people in all kinds of ways that success in life is an outstanding result in year 12, a university education, a mobile phone, fashionable clothes and a BMW.

Young people in my area just want some wheels to enable them to get to TAFE, to get to the part-time jobs most of them have to undertake to enable them to complete their high school education, let alone their TAFE education. They do not want a BMW: they want something that is going to get them somewhere reliably. Maybe one day, if we encourage them to think about a university career and some of the jobs that often follow that, they might get a chance at a BMW but, at the moment, it is very far from their minds.

I note the debate that has been going on in higher education here, and I contrast that with the debate in the UK. In the UK, the major debate going on at the moment about higher education is about access. We see reports entitled 'Social class and participation: From elitism to inclusion.' What do we get here? We get issues about the control of the industrial relations agenda through grants to the universities. In the latest statement from minister Nelson, we see nothing about the role of the university, its purpose in contributing to our community, or the value of learning and research. We just hear about the government's industrial relations agenda. It is a disgrace.

Time expired.

---

#### FIREARMS (COAG AGREEMENT) AMENDMENT BILL

The Legislative Council agreed to the amendments made by the House of Assembly in the bill, without any amendment.

#### STATUTES AMENDMENT (MINING) BILL

Adjourned debate on second reading  
(Continued from 30 April. Page 2851.)

**The Hon. W.A. MATTHEW (Bright):** I rise as lead speaker for the opposition to support the passage of this bill but, in doing so, I believe it is vital that a number of matters are put very clearly on the parliamentary record. This is another of those bills that has been put before the house this week that would claim to be putting into effect a pre-election commitment that was made by the government. I am well aware that this is a pre-election commitment about which you in particular, Mr Speaker, had some concern, because I am aware of your strong personal support for the mining industry in this state.

You and I, sir, know full well that the mining industry is a significant contributor to the economy of South Australia. It contributes over \$2 billion to the state's economy and makes up almost 13 per cent of our total exports. Importantly, mining pays \$33.6 million annually to the state and employs

over 3 800 people. It is fair to say that this is a particularly significant industry for the state. While this bill covers the mining industry across the board, it was specifically put together by this government with a focus on the uranium industry.

It is also important to put on the record the specific contribution of the uranium mining industry in this state. Heathgate Resources was the main focus of this bill—to take it down to the company focus level. That company alone generates some \$10 million in wages per year, some \$20 million in economic activity in the state and returns annually about \$1 million worth of royalties to the government. That means that the uranium mining industry—and Heathgate Resources, in this instance—are all fine contributors to our state's economy. I am a strong supporter of that company, of uranium mining in this state and of the industry, and I know that you, sir, also share that view.

I was particularly concerned, during the lead-up to the last state election, by the way in which the government embarked upon this process. Leading the charge was the now Minister for Environment and Conservation who, before the last election, was more commonly referred to as the member for Kaurna, or the shadow environment minister, John Hill.

**The SPEAKER:** Order! The honourable member knows that the member to whom he refers is the member for Kaurna, and he shall not refer to him by the name that he obtained from his family and parents.

**The Hon. W.A. MATTHEW:** Sir, I was about to quote from a press release which bears his name. If you check the records, sir—

**The SPEAKER:** I am mistaken. I apologise to the honourable member. I had not understood that you were quoting.

**The Hon. W.A. MATTHEW:** Thank you, sir. The press release about which I initially had concern was put out on 13 January 2002, and it is headed, 'Labor calls for Beverley mining to be suspended while inquiry is conducted by John Hill, Labor spokesman on the environment and natural resources'. The press release states:

The state opposition has called for mining at the Beverley uranium project to cease while a full inquiry into the safety of the operation is undertaken, in the wake of Friday's radioactive spill. Shadow environment minister John Hill says the spill, reportedly of up to 60 000 litres of radioactive material, is totally unacceptable.

Let us look at the inflammatory nature of this media release. First, the now minister was asking that a mining operation—one that contributes \$1 million in royalties to the state, on average, and some \$10 million in wages alone—be stopped; effectively, he wanted to close down that mine. That is how this whole issue came about. This was in a pre-election climate (as you would well recall, sir) and the minister is, effectively, accusing the company—in this case, Heathgate Resources—of spilling radioactive material. This was engineered to inflame public concern and to bring about heightened media attention. What occurred was that this press release—and, indeed, subsequent press releases that were put out by the Labor Party—damaged the reputation, not just within Australia but also internationally, of that company. It needs to be put on the record that its behaviour was totally despicable; it was absolutely disgraceful.

I will give the house an example of exactly the sort of media attention which followed at an international level, focused on this company, and which caused it so much grief. A number of overseas media outlets carried information in relation to this incident. Those reports, in part, often referred

to comments made by the Labor Party. For example, an article headed 'Accidents at uranium plant raise concern in Australia' appeared in the *New York Times* on 21 January 2002. It stated:

A uranium processing plant in south-western Australia that is owned by an American company has had a series of accidents involving radioactive material, the South Australian state government said.

That was not entirely accurate: it was the opposition that, indeed, was saying it in that way. They started working through the issues that were highlighted by the Labor Party. As one can imagine, that caused the shareholders—in this case, the shareholders of Heathgate—to question of their management what on earth was occurring in Australia to attract this sort of publicity. We had an opposition—now government—irresponsibly claiming that there had been dangerous radioactive spills. Sir, you and I know full well that, in actual fact, the spill that occurred was a spill of ground water with leachate solution, and that the nature of the ground water in that region is such that it contains uranium suspended in solution. So, effectively—

**The Hon. J.D. Lomax-Smith:** It certainly does now.

**The Hon. W.A. MATTHEW:** I advise the minister that it always has—for many hundreds of thousands of years, at least.

**The SPEAKER:** Millions of years.

**The Hon. W.A. MATTHEW:** The Speaker is correct: millions of years. This is one of the reasons (as you and I know, sir) why this area is so interestingly prospective and so suited to in situ leach mining of uranium. The Labor Party claimed that a spillage of ground water was a radioactive spill. I believe that to be irresponsible in the extreme. It caused that company considerable grief and it damaged, for a temporary period of time, that company's very good name internationally. Sir, this is a company that, as you and I know, is not simply involved in mining: it is involved in a number of important manufacturing enterprises. It was considering South Australia as a potential location for manufacturing facilities—

**Mr SNELLING:** Sir, I rise on a point of order. As much as I am enjoying the member for Bright's contribution, it bears no relevance whatsoever to the bill before us. It is one clause of the bill which deals with confidentiality, and not with the historical epic which we are enjoying from the member for Bright.

**The SPEAKER:** I do not uphold the point of order. I think that the material that is canvassed in the confidentiality clause may be linked to the remarks that the honourable member is making, in that it is intended that no injury of the kind that occurred to Heathgate would otherwise be able to occur again if it were to arise in consequence of a breach of the proposed new clause 9.

**The Hon. W.A. MATTHEW:** Thank you, Mr Speaker, for your protection and for the education of the member about this very serious and important issue. The end consequence of this, as I was detailing to the house, is that Heathgate Resources suffered damage to its reputation. Its consideration of manufacturing facilities in this state has certainly been set backward. I would not be surprised if it has determined that, for as long as there is a Labor government in this state, there is no point in its expending further moneys. I know that its shareholders certainly expressed considerable concern about investing money in this state while the irresponsible people who, in opposition, so criticised their company and its

professional mining operation, were at the helm of government.

Mr Speaker, it is absolutely vital that this sort of damage to a company's reputation does not occur again and, as you highlighted to the house, the confidentiality clause is of considerable import. We must protect the reputation of companies from scurrilous utterings such as those that occurred so that those companies' fortunes on the stock market and the investment by their shareholders is not damaged. I hope that we never again see in this state any member of parliament stoop to such a low level. Having made these utterances before the election, and interestingly through the shadow minister for environment and conservation—the shadow minister for mines and energy was relatively unheard of in relation to this matter beforehand—it put the now government in a position where it had to deliver: enter the problem.

They had created a situation within the mind of the community in relation to a uranium mine that was false. They said that they would undertake an investigation, but they had to have the investigation come up with something to satisfy the anti-uranium mining extremists and, indeed, many of the anti-mining extremists who so often support the Labor Party. They set about a process whereby two inquiries were undertaken into this matter. The inquiries were gradually unfurled to the public. Just prior to the election, the environment minister announced that the Ombudsman would be undertaking an inquiry. Obviously that was to keep supporters of the Labor Party at bay during the electoral process. On 24 January 2002, they put out a news release. At the top of that news release appears the following: 'Mr John Hill MP, State Election 2002', and it is headed 'Labor announces independent uranium spill inquiry into Liberal government cover-ups'.

It then moved into the next media notch: it is now a cover-up. The news release states:

A state Labor government will call on the Ombudsman to conduct an independent inquiry into the reporting of spills from the state's uranium mines.

The Ombudsman was going to be involved. Of course, he has not been, but that was what was announced. Unfortunately for the spokesman on that day, the Liberal Party, through me as minister, had already instigated a review of what had occurred. Unfortunately for the shadow minister on that day, I had already put out a press release entitled 'Independent review already on track'. This review was being undertaken appropriately by people with experience within the department and government, and it was to be headed by an independent person. This review was much more appropriate than the one to be undertaken by the Ombudsman. On that same day, I released the full terms of reference for that particular review.

The issue had to be addressed after Labor came into office. On 8 May 2002, in a ministerial statement to this house, the now Minister for Environment and Conservation indicated that the government would be further investigating this matter. Again, the same inflammatory language was used. In part, the ministerial statement states:

The government, along with most South Australians, has been increasingly concerned about the number of spills at the Beverley Uranium Mine in the state's far north. Beverley has a history of repeated spills with more than 30 spills reported here in the last four years, the largest one being 61 000 litres reported in January of this year. Our concerns have, unfortunately, been magnified by the two most recent spills at Beverley.

The ministerial statement concludes as follows:

I am able to assure South Australians that we will do whatever it takes to ensure public safety.

That is scandalous. We then had a situation where the issue was being ramped up further. The clear implication was that a multitude of spills had occurred at the Beverley uranium mine and that those spills presented a danger to public safety.

At that stage, understandably shareholders of Heathgate Resources were certainly expressing considerable concern. They were asking, 'What is happening in South Australia?' They knew from company reports that the Beverley Uranium Mine, operated by Heathgate Resources, is state-of-the-art technology. I believe, sir, that you have visited that site, as I have, and have been equally impressed with the technology used. It is a safe, efficient operation which uses state-of-the-art technology and which has in place absolutely every consideration so that, in the event of any type of accident at the site, it can be contained.

The more than 30 spills to which the minister makes reference can be as small as a drop of condensate. Indeed, under the Liberal government, the reporting requirements of the company to the department were so rigorous that, if there were a spill of condensate, it had to be reported. Something as small as a thimbleful of spillage had to be reported. They were of no consequence. There was no cover-up. They were not reported to me as minister; they were not reported to the head of the department; and in many cases they were not even reported to the manager responsible for mining operations. They were simply examined by mining inspectors and determined to be of such little consequence that no further action was needed.

It is interesting to note, and to place on the record, that those same inspectors—the same individuals—occupy the same jobs today, undertaking exactly the same work. The same management that was appointed by me as minister and by my ministerial predecessor, the Hon. Rob Kerin, are still there today undertaking their same role. That is clearly a vote of confidence by this government in the procedures that were there before, in the management team that was there before, in the inspectors who were there before, and in the inspectorial methods that were used before.

There was absolutely no cover-up and there was nothing insidious about this. That viewpoint is supported by inquiries which then followed and which, as I indicated earlier, unfurled in a series of ways. Thankfully, I should add, the Minister for Environment and Conservation did not get the wish that he had expressed as shadow minister: that the mine should be closed down while inquiries were undertaken. Thankfully, that wish was not carried through and, sir, I know full well why, and so do you. It was because there is, and was, no problem and no issue of concern at the Beverley uranium mine.

What then occurred was that on 6 May the government announced an independent review into the reporting of spills, and announced that that review was to be undertaken by retired senior public servant, Mr Hedley Bachmann. His report was finally released on 17 October 2002, and it is fair to say that that report, and an earlier one undertaken by a departmental investigative team (that is, a multi-agency team), found that there were no issues of concern at that mine.

*An honourable member interjecting:*

**The Hon. W.A. MATTHEW:** The member asks if that is relevant. Mr Speaker, I will not respond to the member's

interjection but say through you, sir, for any member who has any doubt: this is of the utmost relevance to this bill, for these things are the very reason why this bill has been brought before the house. No problem was found, and it concerns me that to this day, despite that fact that no problem was found, no apology has been forthcoming from the government, from the Premier, or from his now Minister for Environment and Conservation, or indeed any other member of parliament who has publicly slandered the good name of Heathgate Resources. There has been no apology to that company either privately or on the public record. That is an indication as to how poorly this government treats a very important business in this state. For that the government through its own actions will stand condemned. The Bachmann report contained eight key recommendations, one being:

In order to allow the release of information about incidents, which may cause or threaten to cause serious or material environmental harm or risk to public or employees, the government should revise and appropriately amend the secrecy, confidentiality, etc. clauses in the legislation referred to in appendix B. Information on individual persons should not be disclosed.

Appendix B refers to the mining and associated acts and it was this recommendation of the Bachmann report that has resulted in the bill we now have before us today. Appendix B lists, amongst other legislation, section 14 of the Mining Act 1971, section 9 of the Mines and Work Inspection Act 1920 and suggests changes to be facilitated that have come through in this bill. One of those changes was an amendment to section 9 of the Mines Works Inspection Act, which currently operates to prevent inspectors from reporting information gathered in relation to mining matters, except in an official report to the inspector's superiors or when giving evidence in a court or subject to section 1A.

Section 1A permits the chief inspector to release information relating to a mining accident only where that information is a statement of fact rather than an opinion or conclusion of an inspector and where the release is approved by the minister. Clearly, the opposition has had serious concern about the way in which such amendment was affected. It is here that I will give due credit to the Hon. Paul Holloway of another place, who has responsibility for mining. He has prepared, both directly and through his staff, to work through concerns in relation to these changes with me and other parliamentary colleagues behind closed doors. I certainly had concerns with the initial bill intended to be presented, it being initially introduced in another place.

I am pleased that the minister saw the wisdom of making changes to further protect the good reputation of companies such as Heathgate Resources, and those amendments have already been facilitated in another place and are here before us today. For that reason, at the conclusion of the opposition's contribution in this debate we will not now see it as being necessary to go into committee on the bill as our concerns have been addressed. That is a very good way for the parliament to operate to ensure that legislation is worked through in negotiation on a bill and that this forum only be used where negotiation cannot bring about effective solution.

This bill now effectively repeals section 9 of the Mines and Works Inspection Act and substitutes a provision that allows for the release, subject to the Freedom of Information Act 1991 and, where relevant, the Ionising Radiation Regulations 2000, of information obtained in the administration of the act, except information relating to trade processes or financial information. The amendments require appropriate ministerial approval such that I am now of the view that we

have the protections that are in place necessary to avoid companies from being unfairly penalised, unfairly subject to speculation or to send incorrect signals to the share market and to investors.

This bill cannot stop irresponsible members of parliament from tarnishing a company's reputation under parliamentary privilege. It is there that we rely on your role in the chair, Mr Speaker, as well as the role of the Deputy Speaker and acting speakers to ensure that members do not so sully a company's reputation, as the Labor government certainly did for a limited time to the very fine reputation of Heathgate Resources.

There is also an amendment to section 14, which deals with the misuse of certain information for personal gain by persons employed in the administration of that act or in the Department of Mines. While this section does not fall directly within the categories of secrecy or confidentiality, the bill repeals the provision as this type of conduct is properly covered by division 4 of part 7, in particular section 251, of the Criminal Law Consolidation Act 1935—a division dealing with abuse of public office and one of which the government is now far more aware than it perhaps was before.

There was no concern in the drafting up of this bill and the first briefing I had from departmental officials under the watchful eye of the minister's minder was on 13 February 2003. I was particularly concerned that the government had not sent the bill to uranium mining companies for comment. I would hope that we do not see a situation again where a government intends to bring legislation through this house without going to companies or any affected individual for their input. I know that you, sir, have the same high expectation that I do, namely, that any party who may be adversely affected by legislation at least have the opportunity for input, as far as humanly possible, before the matter comes before the house, because it may be that there could be extenuating circumstances that need to be taken into consideration for the drafting of the bill.

At least to the minister's credit, when he was advised by me of this lack of consultation, he then ensured that it occurred and that, in part, is one of the reasons why it has taken this government so long to get this bill to this stage. This bill was introduced in another place on 4 December 2002: my briefing was not until February 2003. As a consequence of that the passage of legislation was delayed until consultation did occur. Amendments were then agreed to as a consequence of that consultation and, finally, the bill passed the other house on 29 April this year. It then came to this chamber, but fell off the *Notice Paper*. I was a bit surprised by that. When you look at all the press releases put out by the Labor Party before the last election one would have thought that this was a matter of paramount importance to the government, an issue of public safety, an issue of uranium spills.

In their words, it was an issue of radioactive spills. They had inflamed the public debate and created an expectation from the public that to honour its election commitment it would bring a bill before the parliament that would show the Liberal government as being dreadful, scurrilous and involved in cover-up of radioactive spills, that the public safety was at risk and that they, the Labor Party, would ensure it never happened again. The problem is that they found that none of those things were true: there was no cover up, reporting was occurring and, beyond that, the mine was and is operating effectively.



This is an important opportunity for the government, an opportunity for the minister on duty—the Minister for Tourism—to indicate to the house in her winding up of this bill whether her government supports and will continue to support uranium mining or whether it will the government will use the passage of this bill to try to thwart it. Is the minister supportive of uranium mining in this state? Is the minister and her government supportive of the continuation and expansion of the Roxby Downs uranium mine and associated mining activities? Is the minister and her government supportive of the continuation of the Beverley uranium mine and its expansion, if the company so desires in future? I know that that company is exploring the region to determine the prospectivity of nearby areas. Is the minister and her government supportive of the start up of the Honeymoon uranium mine that has virtually passed all approval stages under the previous government and awaits shareholder funding?

These are very important questions to ask of the government in relation to this bill, and in relation to the way in which they treat the uranium mining industry and the mining industry in this state. This bill, used sensibly, can give the public comfort and confidence about the way in which mining occurs in this state. But this bill, used irresponsibly, could have the reverse effect. While the opposition is comfortable with the wording of the bill, it is the way in which its passage is used that is all important. If the passage of this bill were to result in a government announcement that uranium spills are now covered and all will be revealed and there will no longer be any problems up north, that would be to repeat only the incorrect information that was imparted to the public before and would send a negative message to investors.

We are now at a stage where uranium mining is particularly important to the world's future mining development. We are now at a stage where there are many countries which seek uranium, particularly for nuclear power generation. We are at a stage where, over the next 50 years, some very serious decisions have to be made in relation to our continued way of life, particularly our energy resources. We are at a stage where, over the next 50 years, our petroleum product throughout the world will be almost exhausted, if not totally exhausted. We are at a stage where, potentially, associated natural gas product will be running very low, if not in a similar state. That necessarily brings about a new type of thinking. There is a range of potential solutions. One strongly supported potential solution is to use hydrogen, and to use hydrogen to fuel vehicles. In fact, a number of world car manufacturers are already trialing hydrogen vehicles. BMW is one such company which does so.

**The Hon. J.D. LOMAX-SMITH:** Mr Speaker, we are now moving into hydrogen energy production. I think we have strayed far from the purpose of this bill, which is purely a matter of confidentiality and the fact that a person must not divulge any information related to trade processes or financial information. I think we are rather far from the point now.

**The SPEAKER:** I do not share the minister's concern because the source of hydrogen is related to and, if it is to become part of our economy, could arise from the practices and the production processes undertaken within the operations of a mining company to which the confidentiality section, section 9, would apply. It is exactly the reason the clause has been put there. The member for Bright.

**The Hon. W.A. MATTHEW:** Thank you, Mr Speaker. I am thankful that you, at least, have a good knowledge of

these matters, because, of course, you are absolutely correct. As I was about to put to the house before the minister's interruption, if we are to utilise hydrogen—and, indeed, BMW is one company which has a fleet of some 20 vehicles already running on hydrogen—as you and I know, an obvious source of hydrogen is water, and in Australia we have a shortage of water but we have much sea water. Of course, to desalinate water and extract hydrogen from it requires electricity and, with sources such as gas running out, the options start to focus on alternatives. Over the next 50 years, uranium may well be one of those alternatives.

*Members interjecting:*

**The Hon. W.A. MATTHEW:** As my learned colleagues also indicate, wind power is certainly one possibility and, indeed, as a minister I was very pleased to champion the introduction of that industry into our state. But that, by itself, will generate nowhere near the volume of electricity needed for the future. I was also pleased, as minister, to oversee the introduction of a new petroleum act to provide for geothermal extraction, and that work is now well advanced in the north of our state. But again, by itself, that is not sufficient. So, the reality is that nuclear power may have to be considered very seriously by our nation over the next 50 years for a variety of important means.

Confidentiality clauses such as this, in relation to a whole range of company activities, are important to protect companies on sensitive issues. The way in which the Labor Party has inflamed the anti-nuclear debate in this state is such that it is almost impossible to now have a constructive, intellectual, academic debate about the benefits or otherwise of uranium.

*The Hon. J.D. Lomax-Smith interjecting:*

**The Hon. W.A. MATTHEW:** I will not respond to the minister's interjections, sir, but I will respond to you. I will, through you, sir, say this: one example of the irresponsible activity of the Labor Party is their utterings over what they are referring to as a nuclear dump, or what more responsible people would refer to as a low level waste repository. Recently, I had the opportunity to meet with companies involved in the management of radioactive waste, and I do not like being put in the position when meeting with international companies to have to defend the reputation of our state. At one such meeting, only recently, very senior management of an international company put to me the question: 'Is your Premier a fool, a liar, or both?' I am quoting, and I am being very careful. That was in relation to the current Premier's statements about a radioactive waste repository. My response was as fair and reasoned as it could be, and I pointed out that they needed to understand the political situation in South Australia. But they put to me: how could a political leader make statements about radioactive waste which are so easily proven wrong? They put to me that, surely, our Premier would be aware that the statements were wrong and, if he was aware of that, it is quite inappropriate that he make them. I invited that company to contact the Premier directly and gave them his contact details. I can only hope that they and others will convey to the Premier their displeasure over the way in which these public statements are being made.

But what is proposed for this state, as you and I know full well, sir, is not a radioactive waste dump. This all comes back to the core issue of this bill. It is vital that this bill is used appropriately after its passage, and if any member of this house uses the passage of this bill to irresponsibly belt over the head the uranium mining industry or any other mining

company, I shall move a motion of no confidence in that member if that member is a minister.

*The Hon. J.D. Lomax-Smith interjecting:*

**The Hon. W.A. MATTHEW:** I am disappointed that any member of this house, particularly a minister, would consider this to be irrelevant. This is absolutely critical to this bill and the way in which it is used. I am aware that not all members of this chamber were members of this parliament before the last election, and I am aware that not all new members acquaint themselves with past public debate, but I encourage those members who have not acquainted themselves with the debate that resulted in this bill before us today, indeed, to do so. I would be disappointed if any new member, on acquainting themselves with that debate, would then stand up in this house and defend the way in which the Labor Party conducted itself. It was not in the best interests of this state, its economy, the mining industry and the employees of that industry, and it certainly is not in the best interests of all South Australians.

So, this bill will pass with opposition support. It is not our intention to put forward any amendments because our concerns have been covered, but we will be watching very carefully the way in which the government media machine is kicked into action after the passage of this bill. This government has already started to scare away many good business enterprises in this state. I said in my opening remarks—

**Ms Rankine:** Whom have we scared away?

**The Hon. J.D. Lomax-Smith:** Shipwreckers.

**The Hon. W.A. MATTHEW:** Shipwreckers?

**Ms Rankine:** No; whom have we scared away? You make these assertions all the time.

**The SPEAKER:** Order! The member for Wright is out of order.

**The Hon. W.A. MATTHEW:** Mr Speaker, I apologise. I was momentarily outraged by the member's interjection that she saw no problem with the government scaring away shipwreckers, as she described them.

**Ms RANKINE:** I rise on a point of order, Mr Speaker. That was a complete distortion of what I actually said.

**The SPEAKER:** Order! There is no point of order. The honourable member will resume her seat.

**The Hon. W.A. MATTHEW:** Thank you, sir. There have been a series of good businesses scared away from this state. On another occasion, in the context of more relevant debate, I will continue to reveal the names of companies that have done so. I invite the member for Wright to refer to the state's latest export figures and to look at the export dive that is now starting to occur at Labor's hands. What we are now seeing in this state is a reflection of the Labor Party of old. We have the same old government scandals; we have \$330 million lost through WorkCover; and we have declining exports—all occurring at their hand, and the worst is yet to come.

*Ms Rankine interjecting:*

**The Hon. W.A. MATTHEW:** The member asks, 'How did I do?'

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

**The Hon. W.A. MATTHEW:** I do hate seeing this happen to our state. I think it is a very sad thing to occur in South Australia, and I am sure that no-one enjoys seeing these things starting to occur. I have been in this place now for 14 years—and I know, Mr Speaker, you have been here longer—and I do not like seeing history repeating itself.

I conclude by placing on the record my very high regard for two important companies in our state. I refer to Western Mining, which runs the Olympic Dam operation, a significant component of that being a very successful uranium production as well as, importantly, larger productions in copper and significant production in gold. I also put on the record my very high regard for Heathgate Resources for the professional way in which it has undertaken its mining activity at the Beverley Uranium Mine. I place on the record my very strong support for the staff of the mining operation at Honeymoon, and I hope that nothing in this bill will, in any shape or form, detract from those operations or stop their expansion or, in the case of Honeymoon, its start-up.

**Mr WILLIAMS (MacKillop):** I want to contribute to this debate, principally because I recently had the pleasure of visiting the Heathgate Resources site at Beverley. I also had a bit of a tour through the Northern Flinders Ranges, upstream from that site, and got some understanding of the geology of that area and why we have now in situ leaching occurring at Beverley to recover the uranium deposited there from higher up in the Flinders Ranges in the Mount Painter area.

I congratulate the shadow minister for his input into the debate. I am sure I will offer some relief to the house by advising that I will not canvass all the issues he has covered. I think it is a bit pointless going over the same ground, but I certainly concur with what he has put to the house.

There are a couple of broad issues I would like to address just to put in context what we are doing—or failing to do—in this state. I think the shadow minister spent some time talking about the importance of the mining industry to the state, the potential for this state, and how there is potential for governments and oppositions to undermine investment in this state and in certain industries. Certainly, this government—particularly when it was in opposition but, I am afraid, even now that it is in government—has taken the left-wing line that anything to do with uranium is intrinsically bad and therefore we should stop it at any opportunity.

*Ms Rankine interjecting:*

**Mr WILLIAMS:** I am sure that, if the member opposite chooses to rise in her place at the conclusion of my remarks, she will be given the opportunity to inform the house exactly what she thinks. I invite her to take that opportunity, because I am sure the house would love to know what she thinks.

*Ms Rankine interjecting:*

**Mr WILLIAMS:** As the member for Wright seeks to encourage me, I will say that I believe that the government, certainly when it was in opposition, did great damage to this state in discouraging investment, particularly in mining enterprises.

One of the things we do know about Outback Australia is that a lot of the mineralisation is associated with uranium. It does not matter what you might target to mine—as in the Roxby Downs mine—even if you were targeting (which they certainly are) copper, in particular: you get a lot of other minerals associated with that copper deposit, and one of them happens to be uranium.

We know that the Premier fought a long and hard battle to try to stop that from happening some 15 or 20 years ago. I will not go through all the history of it, but I think I have said before in this place that this state will always be indebted to Norm Foster for the action he took to ensure that that mine proceeded. It is now an icon mine of this state.

I have a daughter who works in the mining industry and, much to my disappointment, she has had to move to Western Australia to find employment in her chosen profession of geology. Over the last five or six years since she moved there, I have made numerous trips to Western Australia and inspected a number of mine sites in that state and come to an understanding of the importance of mining, at least to that state. It is my understanding that about 25 per cent of the gross state product of Western Australia is attributable to the mining industry.

Since the change of government, a lot of work has been done in this state to try to come to grips with how we can increase economic development. We have had a summit, and we have had a production of some papers and an economic development framework has come out of that. One of the big issues in the economic development framework is that of population.

I would argue that the only way you will get both immigration population and young people staying in this state is if you provide them with jobs. I do not think we need to be concentrating too heavily on population: what we have to be concentrating on is providing jobs and attracting investment. We will never attract investment into the mining industry if we have governments and oppositions that are anti-mining and if companies believe there are laws in this state which will undermine their operations and public confidence in what they are doing if they invest in this state. That is what this is about and why we are debating this bill in this place.

We need to be able to say to companies, 'You can come to South Australia and, as long as you behave properly, we will encourage you to invest your dollars and to extract the mineral wealth for the benefit of all of us in this state and help to build our state.' I believe there is great potential in South Australia for a large mining industry to develop. The only mine we have of any real size in South Australia is at Roxby Downs. However, there are a number of smaller mine sites extracting various minerals across the width and breadth of the state. I think the Beverley uranium mine is really what this bill is all about because of some happenings that have occurred at that site. It is a much smaller operation, but it is very important because it lays down the ground rules. If we get it wrong here, we will have much greater difficulty attracting those investment dollars to South Australia.

I would like to put in context a little bit of why we have this mine site at Beverley and how the ore body happened to occur where it is. To my understanding, the uranium ore was originally deposited at the time of the formation of the Flinders Ranges. It was deposited in and around an area near Mt Painter, and for much of the last century there were some small mining operations extracting uranium oxide out of those very inaccessible and inhospitable parts of the state in the northern Flinders Ranges. Geologists are clever people, and I really admire them, because they can extrapolate from information they collect as to where they might best go to dig a hole to find an ore body. They look at what occurred probably over many of thousands of years, and they get it just right. Thousands of years—possibly millions of years—of rainfall has leached down through that structure in the Flinders Ranges and dissolved most of the uranium oxide into solution. That then percolated down through the rock strata and out onto the flood plains to the east of the Flinders Ranges, in the area now known as Beverley.

Having been carried out into this area, the uranium oxide eventually came out of solution, as it was running into a very dry area, and formed an ore body within the soil profile of

that flood plain area to the east of the Flinders Ranges. So, the geologists had a fair understanding that, if they looked in that area, they would find a uranium oxide ore body. They started drilling and they found it. They were able to map the extent of the ore body, where it was and whether it was of a grade that was economic to mine. It was obvious that it was not economic to mine it by either an open cut process, where there was a lot of overburden to remove, or by a shaft, an underground process. However, they realised that the technology of in situ leaching would make that an economic body of ore to mine.

This has caused a fair bit of consternation amongst what I will refer to as the green lobby. Firstly, they do not like anything to do with uranium per se; and, secondly, because of that, they have some concerns about the in situ leaching process. I will briefly explain to the house what the in situ leaching process is. The mining company drills a series of bore holes over the area where they want to extract the ore from, and they pump down several of those bore holes a solution that will dissolve the material they want to remove, in this case the uranium oxide. Out of the other bore holes in the immediate vicinity, they extract the solution that is in the ore body with the dissolved uranium oxide in it. That is exactly what is happening at Beverley.

**Mr Venning:** Like soda water!

**Mr WILLIAMS:** One of the bits of scaremongering that has been put out about this method is the fact that sulfuric acid is the vector used to extract the ore.

*An honourable member interjecting:*

**Mr WILLIAMS:** Yes. I am told that the acidity of the solution that is pumped into the ground at Beverley—and I have no reason not to believe this—is about that which you would get in a can of Coca-Cola. Mr Speaker, I accept that you point out that it is probably even less than that. It is important for members to understand what we are talking about here. We are talking about extracting a material which has already washed over many thousands of years from one area down from the Flinders Ranges onto the flood plain, precipitated out of solution and formed a stable ore body under the desert. We are now using a very weak acidic solution, as you say, sir, not even as acidic as Coca-Cola. We are pumping that down a number of bores which are surrounded by a number of other bores. We extract the solution, and then it is put through a processing plant to extract the uranium oxide out of the solution.

**Dr McFetridge:** Big water softener!

**Mr WILLIAMS:** Yes. The plant is as simple as that. It is not a complicated process: it is a very simple process. It is a process which is basically foolproof. However, a huge amount of nonsense and scuttlebutt has been created in this community because of misinformation. There have been some slight mishaps there, where there have been burst pipes and some of the solution has escaped from the containment vessels and the pipe work. I contend that is no issue whatsoever. We have a slightly acidic solution which contains a small amount of radioactive material. The sad thing is that members of the government would have the community believe that radioactive material per se is extremely dangerous and that it does not exist in our environment. Mr Speaker, I know that you know that is absolute nonsense. It exists as a naturally occurring substance throughout our environment. As has been quoted many times in this place, this building is made of granite which has a fair degree of radioactivity in it. Members opposite sit here day after day, and they are not concerned about the amount of radioactivity in this building.

It is probably not that much less than that which occurs in the process at Beverley.

We have a simple and safe process and, as the shadow minister expressed, a very important product. It is a product that will become more and more important certainly to the world and, I hope in the not too distant future, an important product to the energy supply of this nation. I lament that in the mid 1960s, the bureaucracy in Canberra dissuaded the then government from being involved in the nuclear cycle and the production of nuclear energy in this country. We have already paid a price for that now. We are very fortunate that we have large amounts of fossil fuel in this country. However, in the future, we will pay a heavy price if we do not redress what I believe to be the mistakes we made in the 1960s.

It is also important for members to understand that Australia relies heavily on exports, and we have talked about the exports out of South Australia. We know that this nation requires the infusion of capital from offshore to build it, because we are still a developing nation. To help us get that capital, we need to export as much as we can. A lot of people fail to recognise that about 25 per cent of the exports that this nation makes are energy. By far and away our biggest export is energy. It is generally in the form of coal and gas, but a substantial amount is in the form of uranium. As I said, I concur with what the shadow minister said, and the opposition is quite happy to have this matter pass in the form in which it has now been presented to the house. We have our concerns about these measures being used to scare investment away from this state.

One of the key recommendations from the Economic Development Summit is to build a venture capital fund in South Australia. This is the sort of thing I was talking about earlier. We will never get a venture capital fund off the ground and we will never get people to invest venture capital in South Australia unless they are confident that they will be able to not only get a return but will be able to move into an industry and work in that industry in a way in which they will be able to operate that industry in an unfettered manner and without being branded as being antisocial vandals. That is one of the concerns I have about this government.

I will conclude my remarks by taking the opportunity to thank the people of Heathgate Resources for giving me and a number of my colleagues the opportunity to inspect their processing plant. It was a very worthwhile opportunity and I would certainly encourage members of the government—because I doubt very much if any of them have taken the opportunity to inspect that site—to go up there and look at it. The government is working very hard to stop the federal government from establishing a low level short-term nuclear waste repository being established in this state, but you will find that such repositories exist at a number of locations already in this state. If members of the government went and looked at a number of these operations, they would realise that a fair bit of what they said about the uranium mining industry is incredibly hypocritical and just does not make sense.

**The Hon. P.L. WHITE (Minister for Education and Children's Services):** I move:

That the time for moving the adjournment of the house be extended beyond 5 p.m.

Motion carried.

**Mr VENNING (Schubert):** I support this bill. The bill was before the previous parliament, so we saw it then, and it is pleasing that at long last we are now debating it. I remind the parliament that I used to be the parliamentary secretary of mines and energy under the then minister the Hon. Stephen Baker from 1993 to 1996. They were three years that I enjoyed immensely, and years in which I got to learn the complexity and value of this industry to South Australia.

I noted the part in the report where it allows the release of information about incidents that may cause or threaten to cause serious or material environmental harm or risk to the public or employees. This has been brought about by the in situ leaching process at both Honeymoon and Beverley mines.

I have no problem in supporting this bill, and I support what the shadow minister said and what the member for MacKillop has just said. The opposition supports the tone of this bill but, hopefully, the government will accept an amendment which I fully recommend and which will provide that such releases must have ministerial approval or, better still, should be made by the minister. Otherwise, every greenie or someone of any political tang will be making comments that will be ruinous to our very important industries. I hope the minister will accept that, because I cannot see any problem for the government in that.

I also raise concern at Labor's record in the past in relation to mining in general and uranium mining in particular. The battle to achieve Roxby Downs and the Olympic Dam mine is now part of South Australian folklore: how a Labor government would not deliver the goods—would not deliver Roxby Downs. I do not want to go back over that. We heard the comments about the mirages of the desert, but it was one Normie Foster who shall remain forever famous, more famous probably than the Premier at the time, and who gave the state the town of Roxby Downs and the mine at Olympic Dam. It was a brave move. But the man was a realist.

What makes me very suspicious and cross is that this government claims credit and fully supports all the operations of Olympic Dam and Western Mining. How hypocritical is that, because they did everything possible to stop that mine from being there. And the battles go on.

We heard about the leachate dam and the leakage, and the mushroom of ground water underneath that leachate dam. I was a member of the Environment, Resources and Development Committee, and we did a full report on what happened there. This was the first leak of the leachate dam, and we could not find anything greatly untoward. Yes, according to the letter of the law, they could have gone public, but in some of these instances you are damned if you do and damned if you do not.

Sometimes I think it is correct that the public does not know about some of these issues, because they can be beaten up by all the greenie elements in order to frighten people. The leak up there was nowhere near as bad as the media suggested, and to see the mushroom of ground water under the retention dams was not of great concern, because the ground water there is of such poor quality. Of course, traces of uranium are already in it, because that is where the ore body is. It is very poor, very salty and totally useless for anything else.

We heard a lot about the new mines at Beverley and Honeymoon, and particularly the way in which they are operated through this in situ leaching process. Yes, there was a leak. Along with the member for MacKillop and others, I visited both mines on two occasions, and I think some

members of the government also went. We inspected this process and saw what happened with the leak. It was a large above-ground PVC pipe that became disconnected and this was not seen because, with the sandy environment, it just leaked away. I could see no material damage but, with all the hoo-ha in the media, the word 'uranium' just sends everyone into a frenzy.

I am concerned that a bill such as this has to be handled with a fair bit of caution because we have out there people who, when you mention the word 'uranium', will not accept it one bit. However, these companies out there are taking risks in this business. The risks are not with the environment but with commercial reality, because they are out there with a process and facing the vagaries of the world market in uranium, as well as the vagaries of the currency exchange rates. They have enough impediments in their way without having to battle an unfriendly, uncooperative government. So, these powers will be vested in the government, and I hope that we can also vest them in the minister, so that before any of these inflammatory comments can be made in the media or beaten up by the conservationists, the greenies or the anti-miners, the minister has the power of veto over everything that is said.

As you, Sir, would be well aware, because you have had a personal interest in this industry, we can learn very much from the other states. Members of the government visited Western Australia with me and a few others only a few weeks ago for the national Conference of Public Works Committees and ERD Committees, and we went to the Pilbara. What an eye opener that was! Even members of the government had to be impressed with what we saw up there, and at the massive development. And there was not huge environmental damage: it was a very pleasant place to be. Everything was done in an environmentally friendly manner. The infrastructure provided was excellent, with the roads and the trees, the gardens and the lawns, and the water watering the barren lands. It was fantastic. You could not be up there saying that this was raping and pillaging of the natural asset. That is just rubbish.

When you see the development and the involvement of the people, particularly the indigenous people, not just as labourers but also in a leadership capacity, and the jobs that are provided for everybody in that far-flung region of our country, it is just fantastic. Just a week or two ago a decision was made to allow a refinery to be built on Barrow Island. It would never happen in South Australia. But the government had courage: it could see the benefit of this with the offshore wells delivering their raw product into this area and then sending it ashore or exporting it from Barrow Island.

That was a very courageous decision, because Barrow Island is a lovely sanctuary. But they have made their decision. This is why Western Australia is doing so much better than South Australia—because it is now over 25 per cent of its GDP, and rising very fast. Sir, you have probably seen those ships taking the ore from the Pilbara. All those ships are Cape vessels; they are massive ships. None of those ships could even come to South Australia, they are so big. It was great to see all the industry, activity and jobs, and the involvement of the local people, both indigenous and European. I believe that this is why South Australia lags so much behind the Western Australians, because, during those years that we call the Dunstan Labor years, mining was not encouraged in South Australia, whilst over the border in Western Australia the Court government was doing the opposite. And what do we see now? It is going ahead in leaps

and bounds. The Gallop government, to its credit, as I said (being a Labor government, I remind the house), has continued along this vein in allowing this new refinery to be built on Barrow Island. All power to them. I did not think that it would happen, but they have certainly been given the opportunity. I am also very thankful to this parliament that we had the opportunity to represent our state at this conference, because it was extremely interesting and valuable to fly over the offshore wells, to see Barrow Island from the air and to be in the Pilbara. It opened my eyes. I only wish that it would open the eyes of some government members as well. This is leadership at a high level, and I wish we would take a leaf out of their book.

I want to remind the house (as you have probably done over the years, sir) that everything we have to sustain our standard of living is either mined or grown. Members should contemplate that. It sounds rather simplistic, does it not? But it is true. Everything that you are sitting on, that you eat, that you sleep in, that you live in and that you drive is either grown or mined. So, why is it that mining is a dirty word to some sections of our community? Mining, to some people, is a bad word. There are members sitting opposite who would not want mining at all. Where would we be—

**The SPEAKER:** Order! The honourable member will need to find a way—as yet unclear to me—as to how he can link the remarks that he is making to the substance of the legislation.

**Mr VENNING:** I am making this comment because this legislation is all about transparency and reportability of mining, which could be open to much abuse, because it is a vehicle that can be used by the anti-mining sector of our state. That is why I am saying quite clearly that the minister determines how this legislation is controlled. I am just explaining to the house what has happened in the past, and what our future is in relation to mining in South Australia.

I want to refer to a decision that was made by the previous Liberal government, that is, the mining of magnesium in the Gammon Ranges. I opposed that decision, and I still do. I inspected the mine site, and I saw the old haul out road. This is a decision, again, linked to this legislation, where transparency is important. The decision was made because of a fish called the spotted gudgeon—I think it was a populist decision. A decision was made to take up an existing mining lease (it was already there, I remind you, Mr Speaker, as you would well know) and to disallow mining in the future. It was a decision of the previous Liberal government (I was opposed then, and I still am), because of a fish. The fish was there but, certainly, I do not think that it was unique or rare to that exact location. I was a little concerned about that, because I believe that that magnesium deposit was the richest of any in our state and, arguably, Australia.

**The SPEAKER:** Whilst I would not have any quarrel with the views and the information being provided to the house by the honourable member, it escapes me as to how it is relevant to this bill. The member might like to look at bill No. 7 in the bill file and note that it is about the repeal of section 9 and the replacement of that section within the Mining Act.

**Mr VENNING:** Thank you, sir. The Bachmann report is what this bill is based upon. It is all about transparency and reportability (and this is what I hope I am declaring in all these things); it is a decision that we, as a government, have made—and I am not hammering just one side of the government, I am hammering both sides here, in relation to what it does to mining and the opportunity for this legislation to be

misused and to be badly handled in the wrong hands. Labor's record in the past does not give me much confidence that this is altogether a good thing.

I want to cite one more instance, in relation to Yumberra National Park. I will not go on at length; the details are similar. It was put forward that there was an anomaly on the magnetic survey and, rather than go in and immediately have a look, we argued for four or five years about whether we should even be allowed to go and look to see what it was, let alone mine it. So, it goes around and around.

I will conclude, because I know that it could be seen as though I am getting off the point. But I wanted to use this opportunity to raise all these issues, because it upsets me that uranium is a dirty word, and that it has been so used by Labor for decades (it was its mates in the conservation society who caused this to happen). I support this bill. I hope that the government will agree to the amendment and to giving its minister, or any minister of mining, the final say on what public announcements are made. I also want to put on the record that the record of the Labor government in this state has been appalling, and it goes right back for decades. We have listened to them all—of course, the big one was the Olympic mine at Roxby Downs. I also want to pay tribute to Western Mining for hanging in there and for the opportunities that it has given us—not just the Liberal Party, but also members of the government—to come and look for ourselves and talk about the situation on site regarding the leaks and the so-called problems they have—and also to Heathgate Resources and Southern Cross Resources at Beverley and Honeymoon. There is more to come in the future and, hopefully, this bill will assist and not hinder. I certainly will look to the future. Our state, more than anything else, relies on a healthy and progressive mining industry, and we must help it. Hopefully, this bill will do that, in the right hands. But my worry is that, in the wrong hands, it could do the opposite. I support the bill.

**The Hon. S.W. KEY (Minister for Social Justice):** I thank honourable members for their comments and indications of support for this bill. As members are aware, in 2002, Mr Hedley Bachmann undertook a substantial review into the reporting procedures for the uranium industry in South Australia. In his report, Mr Bachmann recommended the amendment of several acts of parliament in an effort to allow the release of information about incidents that may cause or threaten to cause serious or material environmental harm or risk to the public or employees. The bill was drafted as a result of these recommendations. Mr Bachmann consulted widely with the uranium industry during his investigations and his report, when released, was also circulated widely to that industry, and the mining industry as a whole.

In response to further consultation after this bill was introduced into the other place, a minor amendment to proposed section 9(c) of the Mines and Works Inspection Act was made, and the amended bill passed the other place on 29 April 2003. The amendment is a general catch-all provision, which will allow inspectors to talk amongst themselves and discuss various issues that may arise on a mine site, and for reports to be provided to the minister if required. It will also allow the issuing of notices, directions or orders from an inspector, or the chief inspector, for any matters that may arise from an inspection of a mine site.

Finally, the bill also repeals section 14 of the Mining Act, which deals with the misuse of information for personal gain by persons employed in the administration of that act. Similar

provisions are already outlined under the Criminal Law Consolidation Act 1935 and are, therefore, not required in the Mining Act.

**The SPEAKER:** My own concern about the measure is fairly simple. But before I go to that, can I suggest that much of the subject matter that I believe some members may have wished to canvass, perhaps as indicated by the remarks being made by the honourable member for Schubert, compels me to observe that those remarks can be made by putting a proposition in private members' time of the substantive matter related to those things and allow the house, as it were, to ventilate the different perspectives that exist with a view to resolving those differences in the interests of public understanding of the issues, rather than attempt to bring them peripherally to the table on legislation brought by the government from time to time, where that legislation is not precisely of the kind that honourable members wish to debate.

Substantively, may I say that I am as anxious as the member for Bright about the manner in which new section 9 might be administered. But, perhaps in emphasis, somewhat different from the member for Bright, in proposed new subsection 9(a) there is the provision to make regulation in relation to what will be authorised, what will be proper, and what will be acceptable by way of statements made by anyone within a government agency about trade processes or financial information. That is a fairly broad sail to unfurl; the canvas of the matters that would be permitted under those terms, that is, trade processes and financial information, is fairly broad.

Furthermore, I am as concerned as some members have expressed, not just in this debate but elsewhere in the corridors in recent times, about the approach being taken by some people in government agencies; certainly not in what was the Mines Department, that division of Primary Industries and Resources SA that deals with mines, but by those who have found themselves appointed under other acts that impinge on mining and on what the department does.

I do not have respect for people whom I describe as blatherskites using bafflegab, and I find instances where spokespersons on behalf of government agencies fit precisely that definition. I was distressed this last weekend—and may I illustrate my point by referring to it. Without telling the minister beforehand, statements were made (that were totally irrelevant to the concern that arose in consequence of them) about arsenic in groundwater at Taillem Bend. The great number of bores in Taillem Bend were not sunk for the purpose of obtaining water but, rather, for disposing of it once it had been contaminated. In the politest possible terms, the contamination was black water and grey water. In the first instance, they were drilled by railways and other private citizens who sought to do the same. Without going too much into that, it caused great disturbance. Everyone complied with the regulations and no one down the line before that statement was issued, used any commonsense. It has done great injury to that township and to the value of the assets held by both the public and private sectors—and for no good cause. Not one life will be saved, not one day's illness will be prevented and not one person will sleep any more comfortably at night in consequence of the announcement being made.

It is a classic illustration of the kind that I hope does not happen under the provisions of new section 9. If it is to be used in the manner that will best benefit the public interest, then it is most certainly to be applauded. It is for that reason that I will be supporting the legislation.

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

### VETERINARY PRACTICE BILL

Adjourned debate on second reading.

(Continued from 26 March—Second Session. Page 2535.)

**Dr McFETRIDGE (Morphett):** I indicate that I have the honour of being the lead speaker for the opposition on this bill, and the opposition will be supporting it. This bill relates to reform of the Veterinary Surgeons Act 1985, which obviously has been around for a number of years. The extent of consultation with members of the profession has been protracted and extensive, with many individual vets, members of the Veterinary Surgeons Board, the Australian Veterinary Association and government departments being involved.

I would like to thank Dr Robert Baker, former national president of the Australian Veterinary Association and now a senior adviser to the minister, for his advice and input over what seems like many years.

As most members are aware, I am a veterinarian. I left my veterinary practice to come into this place. My 20 years of veterinary practice, in both large and small animal practice and in both rural and metropolitan practice, has given me a unique position in dealing with this bill. I feel privileged in being able to play a part in the shaping of the future of the profession in this state.

In bringing in a new veterinary practice act, it is vital that we do not get in the way of the profession. Vets are held in the highest regard by members of the public, higher than just about any other profession, and quite rightly so. I can say that without exception vets are honest, forthright individuals who apply themselves with diligence and the utmost skill in dealing with their patients and their clients—the owners of their patients.

I see no reason why we need to put in place any draconian penalty, any peculiar limit, that is not placed on any other profession, or any restriction or restraint on how they conduct their business that we would not place on any other business owner. It is vital that we support the individuals who make up the profession, particularly those in rural and regional areas, where today they, like country doctors, have to go above and beyond what their city cousins are expected to do.

I would like to congratulate Dr Rebel Williams of Kingston South-East, whose contribution to the community has been recognised by her appointment as a rural ambassador for South Australia.

This bill introduces changes that will benefit the profession. There are some areas that need fine-tuning, but that will be left to a later time. It is important that this bill passes through this place as soon as possible. Veterinary practice is unlike any other professional practice in that practitioners are dealing with highly emotive, high cost and high tech situations every day. Vets are far more than the equivalent of a human GP. As a vet you have to be a diagnostician, physician, surgeon, anaesthetist, radiologist, dental oral surgeon, pharmacologist, endocrinologist, dermatologist, orthopaedic surgeon, ophthalmologist, obstetrician, gastroenterologist, cardiologist, ultrasonographer, oncologist, urologist, pathologist, psychologist, and the list goes on. Unfortunately, the last profession that I indulged in was as a grief counsellor—it is a sad fact that animals are becoming more and more parts of families today.

Not only do vets have to fulfil these roles, but they also need an extensive knowledge of anatomy, physiology, biochemistry, animal behaviour and a very broad knowledge of pharmacology. As a vet you must not only deal with the many species, but you also need to be aware of the variations between and within species. Reactions to medications vary. Penicillin is great in most species but will kill guinea pigs. The same dose of Xylazine sedative as would sedate a cat will very heavily sedate the largest bull. Cortisone in cattle is a very useful drug but will cause gastric ulceration in alpacas. Anaesthetics in mammals vary greatly from those in birds and reptiles.

This bill will affect a large number of South Australians. In this state, according to the annual report of the Veterinary Surgeons Board 2001-02, there are 434 primary registrations, that is, their place of primary practice is here in South Australia; 91 secondary registrations; 11 limited registrations; 30 non-practising registrations; and 27 companies registered. In total, there are 593 on the register. During 2001-02, 110 new applications were granted. These people came from such diverse places as New Zealand, Zimbabwe, Ireland, South Africa, the United Kingdom, Canada and, of course, Australia. The Australian graduates come from the Universities of Sydney, Melbourne, Queensland and, my own Alma Mater, the Murdoch University of Western Australia. South Australia does not have a school of veterinary studies. I understand when discussions were going on regarding the establishment of a fourth veterinary school, South Australia was not promoted by the then Dunstan government. Maybe this was because the then Leader of the Opposition was Dr Bruce Eastick. Dr Eastick was not only Leader of the Opposition but also a very fine veterinarian.

Post-graduate studies in veterinary science are available in South Australia at the University of Adelaide's Waite campus. Here in South Australia we have suffered for many years because we did not have the ready availability of being able to refer to a university veterinary hospital and for many years did we did not have the opportunity even to refer to any veterinary specialists. I am delighted to say that the availability of specialists has improved dramatically in the past few years. Ten veterinary specialists were registered as of June 2002 in the following specialties: ophthalmology, patho biology, equine surgery, small animal surgery and radiology. I believe a new specialist in cattle medicine has recently been registered.

This bill will not only affect vets but also their businesses. Most veterinary practices are owned either by members of one family or partnerships of vets who run them on a family basis. My practice was certainly a family business, with my wife and both my children actively involved in running it. A vet who owns their own practice has their expertise further expanded. The practice I sold to come into this place had 11 000 clients, owning nearly 17 000 animals, on computer file. I employed both full-time and part-time veterinarians, vet nurses, dog groomers, animal behaviourists and also a grief counsellor.

My family played an integral part in running the practice, helping out with after-hours calls. Vets are required to be available or refer to other vets on a 24 hours a day, seven days a week basis. It was wonderful to be able to get a weekend off and a night undisturbed when the after-hours emergency clinic opened a few years ago. Still today most country vets do not get that opportunity—they are on call all hours of the day and night, seven days a week, 365 days a year.

The bill before us introduces a new and exciting change to veterinary practice in South Australia. The bill introduces the concept of a veterinary service provider. This is a person, not being a veterinary surgeon, who provides veterinary treatment through the instrumentality of a veterinary surgeon. In effect, this means the removal of the restriction of ownership of the practice by non-veterinarians. We can hope to see individuals and businesses, local cooperatives and local government looking into owning not just the premises but also the practice.

The poor profitability, the long working hours, the sacrifice of both family time and lifestyle when working in rural practice may be changed when this new act comes into force. The ability for businesses, groups, organisations or individuals who are not vets to own the practice should see vets being enticed back into the country. If, for example, a regional local government wants to entice a vet into an area that is not being serviced, then there might be the opportunity for that organisation to buy the premises, own the practice, and employ vets either on a salaried or retainer basis. The ownership of the practice will be in the hands of the organisation and so remove the added burden of practice management. It will add the bonus of security of recreational and annual leave and also possibly provide for more multi-vet practices where vets can be either rostered or work on a part-time basis, so expanding the ability for those who do not want full-time work to re-enter the profession or stay in it on a preferred lifestyle basis.

The federal Department of Agriculture, Fisheries and Forestry Australia has just completed a review into Australia's rural veterinary practices. The review recognises the great importance to the Australian economy of rural veterinary services. It recognises the need to revisit the selection of undergraduates entering veterinary schools. It highlights the potential of a dire crisis in the provision of rural veterinary services.

About 85 per cent of undergraduates are females. It is a fact that most female graduates do not end up working in rural practice and many do not work full-time because of the desire to raise children. Hopefully, this and the dire shortage of country vets that faces South Australia will be addressed. This change in ownership availability is a very important one not only for country vets but all vets. I originally owned my own practice in partnership with my wife and later transferred the practice to our family company. There was no opportunity to use the benefit of a family trust, as trusts are not able to own the practice under current legislation. This is an important and long overdue change to the legislation.

To remove any concerns of conflict of interest and corruption, veterinary service providers and individual practitioners will be bound by strict codes of conduct. It will be an offence for a veterinary service provider to put pressure on a veterinary surgeon to act unlawfully, uncooperatively or negligently. The accompanying regulations will allow for a broad scope of normal farming practices to be continued. The definition of veterinary treatment is expanded under the bill and now includes:

- (a) the diagnosis, treatment or prevention of a disease, injury or condition in an animal;
- (b) the administration of an anaesthetic to an animal; or
- (c) the castration or spaying of an animal; or
- (d) the carrying out of a prescribed artificial breeding procedure on an animal; or
- (e) any other act or activity of a kind declared by the regulations to be veterinary treatment.

Importantly, it does not include anything from the ambit of this definition by regulation. To enable normal farm animal management practices to continue, I would see the continuance of the current regulations, with little change. Regulation 5 in particular includes many items, such as:

- (a) the deworming of an animal other than by intranasal oesophageal tube;
- (b) the performance of the Mules operation on sheep;
- (c) the dehorning of an animal less than six months of age;
- (d) the castration or spaying of animals that are—
  - (i) less than six months of age; and
  - (ii) being kept in the course of primary production;
- (e) the tailing of lambs that are less than six months of age;
- (f) the treating of an animal for ectoparasites;

Paragraph (g) is very important and provides:

- (g) the treatment of an animal by a registered medical or dental practitioner, physiotherapist or chiropractor under the supervision of a registered person;

There are a number of other paragraphs there, and one in particular that I need to note is paragraph (n), which provides:

- (n) the treatment of an animal under the supervision of a registered person by a person who is undertaking a course of instruction to obtain a qualification referred to in schedule 2.

At the moment these include people such as veterinary students. Regulations 5(g) and (n) are important paragraphs that have been discussed with members of the profession, the board, government representatives, and members of the opposition who represent rural electorates. The need for a separate register to include non-veterinary professionals and laypersons who have undertaken training courses in some aspect of veterinary schemes is examined. In the current regulations is the ability to use the expertise of non-vets but always under the supervision of registered vets. The range of procedures being carried out by non-vets is expanding, and to say that they all need to be supervised by a registered vet is a question still being discussed.

The member for Mawson, who outside this place operates a very successful dairy farm, has asked me to ensure that the question of dairy farmers and AI technicians being able to use ultrasound for pregnancy testing of dairy cattle is raised. I understand the use of ultrasound for pregnancy testing of horses by suitably trained persons has been discussed in another place. I see an opportunity to amend the regulations if veterinary services are limited and the operators are suitably trained. A change in the regulations will be necessary, and I am confident that the minister will keep his promise of consulting with the opposition with regard to redrafting the regulations.

At the same time, I do not want to see veterinary treatment eroded to the point where non-vets remove the profitability from veterinary practices. Some jobs, such as pregnancy testing of cattle and, in the past, TB and Brucellosis testing, may have been mundane to the point of being repetitively boring, but such routine procedures were the bread and butter lifeblood for many practices. The 'fire brigade' practices, where only emergency treatment is offered, are often not profitable. Clinic work is the cream, but without the bread and butter work the practice will be in financial jeopardy. We must protect the ability for vets to make a living by recognising the expertise they provide. If the practice is not financially viable, the bottom line is out the window and the community will suffer if the practice closes.

This bill introduces changes that make the regulation of the profession consistent with the national competition policy, but we need to be aware of the social and political obligation we have as legislators to ensure the provision of vital



professional services for the whole of the state. We need to ensure that we keep practices viable. Vets and non-vets are completing the Royal Melbourne Institute of Technology course in veterinary chiropractic. This is a comprehensive course and graduates would not need to be supervised by registered vets.

On the other hand, I know of cases of so-called equine dentists who have completed courses and then set up in business, only to inflict severe trauma on their patients. I know cases of farriers using methods of shoeing that defy logic and breach the principles of biomechanics. The muscle men of the greyhound industry, the witchdoctors of the horse industry, the five-week TAFE wonders, need to be controlled far more stringently than in the past. I look forward to participating in the rewriting of the regulations to secure the aims of assisting both the profession and consumers of veterinary services.

To oversee the enforcement of the current act and this new bill, when it becomes the act, is a group of people known as the Veterinary Surgeons Board. The board will continue to act in a seamless way during the transition period from the old to the new act. The composition of the board will change. Membership will increase from six to seven. It is good to see the South Australian division of the Australian Veterinary Association included through their ability to select one of the four veterinarians on the board, and it is good to see the stipulation of the inclusion of both small and large animal practitioners on the board. An extra lay person to represent consumer views is also a welcome addition.

To be able to function properly, the board must not only consist of suitable persons but must also be properly funded. Until now, funding of the board has been derived primarily from the registration fees of veterinary surgeons, plus very minor amounts from fees and fines. The board operated at a deficit last year due to increasing costs of investigations and membership fees of national associations. Membership of the Australian Veterinary Board's council has recently increased from \$8 000 to \$11 000. It is very disappointing to hear that, when the board receives a complaint, the cost of proceeding with the investigation and any subsequent action is foremost in the minds of the board members and that decisions are made based on cost rather than enforcement of legislation.

It should be pointed out that members of the public use the services of the board free of cost. Members of the public are given advice, and the board regularly acts as a mediator to resolve disputes. This is a public service, and the argument that it should attract public funding needs to be considered. The board uses the services of the Crown Solicitor: it is compelled to use the Crown Solicitor and pays full rates for the service. There is a good argument for funding any deficit from consolidated revenue, as is done in some jurisdictions, such as Queensland. To limit the powers of the board by limiting its funding is to severely restrict the activities of the board. Funding of the board is an area that is yet to be satisfactorily sorted out.

Given what I have just said, it is fortunate that the board has been able to conduct its operations and inquiries at an acceptable standard. I feel that this is in no small way due to the dedication of the Registrar, Miss Helen Ward, and the board members.

To enable the board to streamline its procedures, there are changes to the legislation that will facilitate the implementation of a two-tiered system of investigation and change the scope of the investigation by redefining unprofessional conduct. The board initially had reservations about the

wording of the new definition, but both the board and members of the opposition, including myself, have had discussions with parliamentary legal counsel and are now happy that the terminology is inclusive enough to ensure that judgments on standards of professional conduct will always be based on the highest principles. Unprofessional conduct includes:

- a. improper or unethical conduct in relation to professional practice;
- b. incompetence or negligence in relation to the provision of veterinary treatment;
- c. a contravention or failure to comply with
  - (1) a provision of this act, or
  - (2) a code of conduct of professional standards prepared or endorsed by the board under this act;
- d. conduct that constitutes an offence punishable by imprisonment for one year or more under some other act or law.

Investigating unprofessional conduct is just one of the functions of the board. In carrying out its duties, the board will, of necessity, need to investigate complaints. The board must, under section 62, investigate complaints. Under the current 1985 act, section 47(2) provides that the board shall investigate complaints. The difference between 'shall' and 'must' can be answered only by my legal friends. The new wording is similar to that of the old act in that the board can use its discretion to reject the complaint if it is considered frivolous or vexatious. Most complaints to the board are not frivolous or vexatious but, rather, arise through misunderstanding or misapprehension.

There is a need for a method of dealing with complaints in a formal or an informal manner. Under the current act, the board has not been able to directly proceed to an informal hearing. I know for a fact that commonsense has prevailed and that the board has been conducting proceedings in an informal manner, and I congratulate them on doing so.

In its annual report for 2001-02, the board indicates that, where possible, consumers are directed back to the veterinarian for further explanation or mediation. If this option fails, consumers may put their complaint formally in writing. The complaints committee then investigates the complaint and reports to the board.

The current Australian Veterinary Association Code of Practice is used as the benchmark for all matters of conduct. The fundamental principles of the Code of Conduct are:

1. The primary concern of the profession is for the welfare of the animals.
2. All work performed by veterinarians is to be of a standard of competence acceptable to their peers.
3. Veterinarians individually act to promote cohesion within the profession and trust of the profession by the general public.
4. No personal advantage is sought to the detriment of professional colleagues.

The most common source of complaints to the board are primarily due to:

1. Poor communication. Clients do not always take in all the information and do not comprehend the information given to them. Trying to explain very complicated procedures, conditions and outcomes relies on good communication and good bedside manner.
2. Perceived lack of caring. Clients are stressed out and nervous and can interpret what may be a methodical manner as uncaring.
3. Unexpected costs or inaccurate quoting. It is not the size of the bill but, rather, the surprise at the size of the bill

that is the problem. Vets now are paying more attention to informing clients about the aspects of treatment.

I am pleased to say that only 61 new complaints were brought before the board in 2001-02, and I look forward to reading the 2002-03 report when it is released in the near future. The new bill in clause 62(3) will enable the board to use an informal procedure to resolve complaints. This is a very good move. I know that there were originally concerns that the new clause did not give the board the scope that it needed. However, the board is now of the opinion that there is the ability to direct an informal investigation to be undertaken.

As part of the change to the structure and conduct of the board, the new legislation will reduce the size of the complaints committee. This committee sits to hear formal complaints and comprises the presiding officer, two vets and a lay member. The new committee will have only one vet, so the committee is reduced from four to three members. This is purported to be to avoid deadlock votes. I do not know of any in the past, and I will be watching this situation very carefully.

Penalties introduced by the new act were initially quite draconian. Penalties need to be deterrents as well as punishments. I think increasing penalties from \$2 000 to \$20 000 is quite a jump in anyone's language. It was initially mooted at up to \$75 000. I do not believe that South Australian vets are in any way knowingly negligent, unprofessional or act with criminal intent. The new range of penalties initially mooted was, as I said, extremely excessive.

I know the board would like a big stick to act as a severe deterrent and that it is of the opinion that penalties may not be adjusted in the foreseeable future, but I do not think the new penalties are excessive now. To have gone for a higher penalty such as \$50 000 or \$75 000 would have been intolerably draconian. They would have also been inconsistent both within the legislation and compared with other jurisdictions.

For example, under the old act the penalty for practising as a vet while not registered (sections 21 to 24) was \$2 000 or three months' imprisonment. Under the original proposed legislation the penalty rose to \$50 000 or six months' imprisonment. The gaol term doubled but the financial penalty increased 25-fold. Under the Medical Practitioners Act, a similar offence attracts a penalty of \$5 000 or three months' imprisonment; \$20 000 is sufficient, as the ultimate penalty is the prison term.

An offence of failing to appear before the board attracts a fine of \$10 000 or six months' imprisonment. Unprofessional conduct under the Veterinary Practice Act attracts a fine of \$10 000: doctors and dentists are fined only \$5 000. For practising while medically unfit, a vet is fined \$10 000 and a doctor is fined \$1 000. A conflict of interest for a veterinary service provider attracts a \$20 000 fine: a doctor with a conflict of interest is fined \$5 000. For obtaining registration by fraudulent means a vet is fined \$20 000 and a doctor \$5 000.

Other anomalies exist and should be examined. The most outstanding anomaly that I find personally offensive is the compulsion for veterinarians to have professional indemnity insurance cover before they can register. Doctors, dentists and, I believe, even lawyers do not have this compulsion in place. Section 32(1)(d) provides that the penalty for practising without having professional indemnity insurance rises from \$2 000 to \$10 000.

Another significant change, and I believe one to the benefit of both the profession and consumers, is the requirement for any vet who has been out of practice for three or more years to have to undertake a course of professional retraining to ensure that they are able to resume practice and deliver what would be considered acceptable standards of professional service. Section 43(1) states that a veterinary surgeon who has not provided veterinary treatment for a period of three years or more must not provide veterinary treatment for fee or reward without first obtaining the approval of the board, and the maximum penalty is \$20 000. The general thrust is to ensure that the vet is kept up with some form of CPD or will undertake a refresher course. Continuing professional development is a very important part of professional conduct nowadays.

I know that at the moment the board is asking all vets to keep a record of their attendances at conferences and training courses. While this is a voluntary move, at the moment I think that the recognition of the need for continuing professional development is a worthy aim and I would support a move towards a minimum requirement of some form of CPD before registration can be renewed. In my case, I have very little limited opportunity to practise my veterinary skills, so I can see the vital need to retain and refresh my knowledge before I would feel confident to resume practising after a break of three years—the period stated in the act before a refresher course is compulsory.

Other changes which I am pleased to see, and which I know will enhance the standing of the profession, will be the requirement for veterinary hospitals to be accredited by the board. In the past, this has been a thorough, if not rigorous, procedure and accreditation of vet hospitals by the Australian Veterinary Association is far more prestigious than any board accreditation. This will change under the new act.

I hope to be briefed on the regulations that will detail the level of standards to be provided in an accredited hospital. The layout of the facility and the departments, the level of service and the qualifications of those providing the service, the need to have registered lay staff to be able to provide the expected high level of hospital care, ranging from normal clinics to intensive care, will need to be detailed in any new regulations. The new penalty for calling a facility a hospital without board accreditation will be up to \$20 000.

I would like to conclude by pointing out an anomaly that will affect the registration of not only members of the veterinary profession but, I think, all professions where professional advice is given. Vets can register as individuals in their own state (that is, primary registration). If they then register in another state or territory, they can obtain a secondary registration. For example, TV vet, Dr Harry Cooper, needs to have primary registration in his home state of Tasmania and then secondary registration in all other states and territories.

This system works well where the individual provides the service on a face-to-face basis. However, if the service is delivered electronically, how do we decide who should be registered and how to enforce it? I am referring to the internet. Previously, I have had to register my internet site (netvet.com.au) on the South Australian register. I registered netvet, and I was placed on the primary register. I have not registered in any other state or territory and certainly not in any overseas country. I have not been required to register 'netvet' in the last year. I think the board quickly realised that to enforce this registration type would be opening a Pandora's box of legal opinion and create an unenforceable legal

precedent. Because I give out advice and differential diagnoses, and sell over-the-counter treatments over the internet, I could be said to be giving 'veterinary treatment', as defined under the act. This applies to any vet anywhere in the world.

If both the old and new acts were interpreted in such a way that I was said to be giving veterinary treatment, surely all vets who have internet web sites worldwide need to register here in South Australia. While this might theoretically provide the funds the board needs to carry out its duties, it would be totally unenforceable and impossible to police. The Joe Gutnick case, where Mr Gutnick sued an American newspaper for defamatory comments made on the internet and seen here in Australia, means that my advice over the internet—and that of thousands of vets all over the world—is possibly legally liable for any consequences having given that advice. I will leave that problem to the legal minds and concentrate on more local issues.

This bill has been around for a long time. I want to see it pass into law as soon as possible. The opposition is not proposing any amendments at this stage. The bill will benefit the veterinary profession and the consumers of veterinary services. I commend the bill to the house.

**The Hon. S.W. KEY (Minister for Social Justice):** I thank the member for Morphett for his contribution and also for his support of this bill. The main effect of this bill is to replace the Veterinary Surgeons Act 1985. The bill will provide regulation of the veterinary profession that is consistent with national competition policy principles and will streamline procedures for registration of veterinary surgeons and the handling of complaints by the Veterinary Surgeons Board.

It is the result of extensive consultation with the veterinary profession and industries associated with the keeping and welfare of animals. It supports provisions for protecting animal health, safety and welfare and the public interest by regulating a high standard for the veterinary profession in South Australia.

This bill was passed in an amended form in the other place in March this year, with the inclusion of amendments to reduce proposed fines in the bill from a maximum of \$75 000 to a maximum of \$20 000. This bill has the support of the veterinary profession, through the Australian Veterinary Association, and the Veterinary Surgeons Board of South Australia, the statutory body charged with the implementation of the act. I commend the bill to the house.

Bill read a second time.

**The SPEAKER:** At this point, I would like to make a remark about the bill. I do not have a desire to influence the house in any way, shape or form, but I simply want to say that, among many of my colleagues, there are some vets who have remarked to me that they see the legislation as commendable, and I have seen nothing in it that would cause me to come to any other conclusion. However, my remarks relate to a specific service I think we should provide to resolve a problem that has recently been properly identified and understood by a fair number of people in the wider community, that is, the removal of undesirable animals in our environment that are not controlled. There are two in particular: hybrid ducks and cats which are not properly cared for and which, by definition, are feral.

Hybrid ducks have the capacity to destroy the very interesting wide range of Australian native ducks if the practice of allowing domestic ducks, free as feral birds, to

continue to mate with native species. Native species mate for life whereas the ducks which were brought by earlier settlers from other lands do not. Their drakes are far more aggressive and promiscuous, and the consequence will be the destruction of the native species unless they are removed.

I believe that far more stringent provisions ought to be put in place, and the profession to do that is the veterinary profession. Those stringent provisions should go to the licensing of farms, where the birds are not kept in secured compounds and, if licensing provisions are not met, the authority to keep ducks should be simply forfeited by that individual. It is serious. I do not want to see the Australian native species simply extinguished from the face of the earth by what I can already see happening not only on Torrens Lake but also along a good many other waterways into which irresponsible people have released the ducks they have owned and allowed them to mate with natives.

The other is cats. I have said and I will say again, I love companion animals, and I have no antagonism towards responsible pet ownership. Cats are such adorable creatures. Although they cannot be herded, they make excellent companion animals. All female cats kept domestically as companion animals, if they are not for breeding purposes, should be desexed by law. It is not the sterilisation of males which will stop the proliferation of undesirable and unwanted cats. One male can cover well in excess of 50 females. Therefore, in any population of cats, if there are 49 plus sterilised males and one capable of doing the job, it will be done just as well as if none were sterilised, so it is a waste of time. In my judgment, then, sterilised females should be fitted with a microchip so that they can be properly identified at distance and without it being necessary to trap the animal.

Of course, that having been said, responsible owners will take care not to allow their cats to wander, less they be lost. It is my belief—and I have said it before and I say it again with emphasis—that, having introduced that and settled it down after a period of two or at most three years, we should simply release cat flu and wipe out the feral animals and those that are not properly managed and inoculated to protect them. It should be in law forbidden to inoculate any cat unless it has been desexed or otherwise paid a significant registration fee to keep it entire for the purposes of breeding. By that means we will control the menace that threatens so many of our small mammals and small birds. I thank the house for allowing me the indulgence with those remarks.

Bill read a third time and passed.

#### MEMBER FOR BRAGG

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

Leave granted.

**The Hon. K.O. FOLEY:** Earlier today in answer to a question from the member for Bragg, I informed the house that I sought crown law advice in relation to the member for Bragg's conduct. I can now inform the house that this matter relates to the installation of American rock maple shelving into her electorate office against written instructions to the contrary. Preliminary crown law advice on the legal position, as it relates to this matter, indicates that there are issues related to whether or not the member for Bragg acted without the authority of the Crown. I am in the process of seeking further considered advice on what options are available to the Crown to recover moneys, necessarily reflecting on the appropriateness and legality of her conduct.

**ADJOURNMENT**

At 5.53 p.m. the house adjourned until Tuesday  
13 October at 2 p.m.

## HOUSE OF ASSEMBLY

Monday 22 September 2003

### QUESTIONS ON NOTICE

#### TARGETED ASSET PROGRAM

94. **Ms CHAPMAN:** What are the details of the Targeted Asset Program announced on 19 June 2003?

**The Hon. P.L. WHITE:** It is unclear why the member believes the Targeted Asset Program was announced on 19 June 2003. The Targeted Asset Program was announced in the 2002-03 Budget on 11 July 2002.

As stated in the budget release, the maintenance of school and preschool facilities is a priority of the State Government. To meet this commitment, the Government has introduced a targeted asset program that will deliver \$17 million to schools over three years. The funds will be targeted to common areas of need, such as toilet and administration upgrades, to improve the condition of our educational sites.

As well, there is \$12 million annually to be distributed to sites to meet the benchmarks of capacity, condition and suitability outlined in school and preschool Asset Management Plans.

#### ACQUITTAL REPORT

99. **Ms CHAPMAN:** Was an acquittal report for the children's services portfolio submitted to the commonwealth

government in April 2003 and if so, is this report available.

**The Hon. P.L. WHITE:** Family Day Care Operational Subsidy funding is appropriated to the Children's Services portfolio by the commonwealth government. The acquittal of monies received from the Commonwealth Department of Family and Community Services for 2001-02 has been forwarded to the commonwealth. The acquittal of Child Care Benefit funding received from Centrelink for 2001-02 has been completed and submitted. Responsibility for publishing information on Family Day Care numbers and funding rests with the commonwealth government.

#### FAMILY DAY CARE FUNDING

100. **Ms CHAPMAN:** How much of the total commonwealth Family Day Care funding for 2003-04 will be paid as child care benefits for children in family day care and how much will be received as operational subsidies?

**The Hon. P.L. WHITE:** The total child care benefits for children in Family Day Care in 2003-04 will be \$28,427,576.

This amount comprises \$27,822,576 in Child Care Benefit that is paid to care providers on behalf of families, \$65,000 in Special Child Care Benefit and \$540,000 in Disability Supplementation (DSUPs).

Total operational Funding will be \$6,041,140. This amount comprises \$5,891,140 in operational subsidy, provided to DECS to administer the program, appropriated by the Commonwealth, based on the number of places in Family Day Care and \$150,000 in Regional Travel Assistance, again appropriate by the commonwealth.