HOUSE OF ASSEMBLY

Tuesday 17 February 2004

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

ASSENT TO BILLS

Her Excellency the governor, by message, assented to the following bills:

Criminal Law Consolidation (Identity Theft) Amendment,
Highways (Authorised Transport Infrastructure Projects) Amendment,
Legal Practitioners (Miscellaneous) Amendment,
National Environment Protection Council (South Australia) (Miscellaneous) Amendment,
National Parks and Wildlife (Innamincka Regional Reserve) Amendment,
Passenger Transport (Dissolution of the Passenger Transport Board) Amendment,
Southern State Superannuation (Visiting Medical Officers) Amendment,
Statutes Amendment (Bushfire Summit Recommendations),
Statutes Amendment (Expiation of Offences),
Summary Offences (Vehicle Immobilisation Devices) Amendment,
Survey (Miscellaneous) Amendment.

SUPPLY BILL

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

STATUTES AMENDMENT (MISCELLANEOUS SUPERANNUATION MEASURES) BILL

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

HOLDFAST SHORES DEVELOPMENT

A petition signed by 7 415 residents of South Australia, requesting the house to do all in its power to ensure that the proposal (as contained in an Amended Development Report for the development of Stage 2B of the Holdfast Shores Project on the Glenelg Foreshore, which includes a residential apartment building on the site of the Glenelg Surf Life Saving Club) is rejected, was presented by Dr McFetridge.

Petition received.

POLICE, NUMBERS

A petition signed by 22 members of the South Australian Community, requesting the house to urge the Government to continue to recruit extra police officers, over and above recruitment at attrition, in order to increase police officer numbers, was presented by Mr Brokenshire.

Petition received.

QUESTIONS

The SPEAKER: I direct that 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 24, 113, 188, 195 and 197; and I direct that the following answers to questions without notice be distributed and printed in *Hansard*.

AUDITOR-GENERAL'S REPORT, CONTRACT AUTHORISATION

In reply to **Hon. D.C. KOTZ** (12 November 2003).

The Hon. P.F. CONLON: As proposed by the Auditor-General, the Land Management Corporation (LMC) has sought and will act on legal advice received from the Crown Solicitor's Office as to the appropriate form in which the instrument of authority is to be delegated. The previous decisions of the LMC with respect to contracts are not considered in any way flawed.

SURF LIFE SAVING SA

In reply to **Mr BROKENSHIRE** (24 September 2003).

The Hon. P.F. CONLON:

1. Surf Life Saving South Australia (SLSSA) have now signed the Funding Agreement and the cheque has been sent to SLSSA.
2. A very efficient and effective beach patrol is currently conducted by the Aldinga Aero Club in conjunction with SLSSA, ensuring the safety of the beach going community of the State.
3. I have offered on a number of occasions to assist SLSSA to pay bills they cannot and this offer has not been accepted.

MINISTERIAL REGISTER OF INTERESTS

In reply to **Mr WILLIAMS** (23 October 2003).

The Hon. M.D. RANN: As the honourable member is aware all members of parliament, including Ministers, are required under the members of parliament (Register of Interests) Act 1983 (the Act) to submit an annual return to the Registrar under the Act, disclosing details of their pecuniary and other interests and those of their family. The information is maintained on the Register of Members' Interests. Members may at any time notify the Registrar of any change or variation in the information contained on the Register. The Register including any changes or variations is available for inspection upon request to the Registrar.

Under the Ministerial Code of Conduct, ministers are required to submit their returns and variations under the Act to the Cabinet Office, ministers must also disclose to the Premier any conflict or potential conflict between their public duty and personal interests. Matters raised in this way are recorded in the Cabinet Register.

Furthermore, ministers are required when taking up office to disclose to Cabinet Office the contents or their returns under the Act and any private interests of their spouse, domestic partner, children and business associates (including details of the individual components of any family trusts in which ministers have an interest). These details are included on the Cabinet Register.

The Cabinet Register is available for scrutiny by the Auditor-General but is not available for inspection or publication.

NIGHTCLUBS AND REFORMS

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

Leave granted.

The Hon. M.D. RANN: Mr Speaker, I have undertaken to report to the parliament about the infiltration of outlaw motorcycle gangs into the security firms that provide bouncers to city nightclubs. Last week I met with the Commissioner of Police, Mal Hyde, and several of his senior officers. The commissioner briefed me on the known and suspected links between bikies and security services at licensed premises. The briefing confirmed to me that we must act and act now to break the link between outlaw bikie gangs involved in criminal activities and security firms.

Security firms with bikies links now provide crowd controllers at many venues attended by our young people. According to police intelligence, a number of these crowd controllers have direct links with the bikies who are involved in drug production, including amphetamines. As a community we cannot allow this to continue. Criminal organisations must be stopped from having access to licensed premises where they can peddle drugs to our young people. The Commissioner of Police has advised me against disclosing information revealed in the course of the briefing and documents provided to me.

The disclosure of information runs the risk of compromising current operations, including national joint agency operations. Disclosure may affect the capacity of the police to protect the nature and source of information, including in any subsequent criminal or other proceedings. Despite that, it must be clear to anyone following recent events that a number of our nightclubs need to be cleaned up. Just last week John Pike, the part-owner and operator of Heaven nightclub, admitted on radio that security at his nightclub had connections to bikies. Pike was asked whether such connections existed, and he replied:

> My answer to the question has to be yes, otherwise I'd be lying to you.

Pike said that two security companies in Adelaide which provide crowd controllers had clouded backgrounds. One of the principals involved in Stirling Security Solutions and an employee of the firm are separately facing charges before the courts. Because the matter is sub judice I intend to say nothing further about it, but the very fact that people who have the responsibility for security and crowd management at nightclubs and pubs are being charged under the criminal law is a matter for grave concern. The government is determined to raise the standard of security services at nightclubs for the protection of our young people.

There have been a number of serious violent incidents at city nightclubs involving outlaw motorcycle gangs. I think that patrons and the parents of patrons need to be reminded of some of the serious violent incidents that have occurred in nightclubs and at which nightclubs they occurred in. On 9 January there was a series of altercations involving members and associates of a motorcycle gang at the Heaven, Cargo Club, Garage and Traffic nightclubs. On 18 October 2003, members of a motorcycle gang were involved in separate assaults in nightclubs within the CBD.

The assaults occurred at the Soda Room in Pirie Street and the Garage, Light Square, where, after the initial assaults, members of the motorcycle gang returned, forced their way inside and seriously assaulted the manager of the club and a waitress—both were hospitalised. On 24 July 2003 there were a series of incidents involving between 12 and 15 motorcycle gang members at the Heaven nightclub. In March an incident at the Heaven nightclub resulted in the arrest of two motorcycle gang members who were charged with fighting in a public place, hindering police and carrying an offensive weapon.

On 8 August 2002, a motorcycle gang member was arrested for assaulting an off-duty police officer at licensed premises. Too often crowd controllers—who are employed to maintain order—are involved in fights and gratuitous acts of violence against patrons. At one nightclub in particular there are a staggering number of complaints by patrons against crowd controllers for assaults. Honourable members would be aware—

An honourable member interjecting:

The Hon. M.D. RANN: This is a very serious matter for parents as well as patrons, and I advise members to listen carefully. Honourable members would be aware of reports in today's paper about incidents at the Heaven nightclub involving violence. I am advised that more than 160 crimes, including 80 assaults involving bouncers and patrons, were committed at Heaven in just over one year. That, in my view, is simply disgraceful. So serious was the problem that police, in conjunction with the Liquor and Gambling Commissioner, began a joint operation to address the matter. As a result, the Liquor and Gambling Commissioner wants special conditions attached to Heaven's licence, including video surveillance inside and outside the venue, operating before and after closing time.

The incidents to which I have referred and the situation that exists at some venues call for strong action, and I have already announced that the government intends to introduce tough new controls over the licensing and operation of security firms and crowd controllers. The Attorney-General outlined those changes to the house yesterday. The measures proposed include:

- the power to suspend licences of those charged with a criminal offence and not just convicted;
- fingerprinting applicants for licences;
- random alcohol and drug tests for crowd controllers, a measure that has reportedly worked well in Western Australia, to rid the industry of amphetamine and steroid crowd controllers.

Members opposite did nothing while they were in government. The measures also include:

- sharing of data between police and consumer affairs to ensure automatic reporting of bouncers who come to the attention of police;
- the psychological screening of applicants to be bouncers; and
- greater training of licensees in conflict resolution and communication.

The government also intends to act to protect minors from risk.

Last night I convened a meeting to seek industry views on the problem of under-age attendance and drinking in licensed venues. It included the Deputy Premier, the Attorney-General, representatives of the Australian Hotels Association, the police commissioner, the liquor licensing commissioner, the consumer affairs commissioner and Transport SA. Options raised at the meeting for further consideration by the group when it meets again include:

- a broader range of penalty options for offending licence holders, especially repeat offenders;
- stronger restrictions on under-age access to licensed venues;
- on-the-spot fines and formal cautions for minors caught breaking licensing laws;
- a crackdown on fake identifications; and
- improving the integrity of existing forms of ID.

Clearly, reform is needed in this area. Since last week, when the issue flared and attracted enormous adverse publicity, we still find reports of under-age access to licensed premises. At the meeting I was shocked to hear about the outcome of a joint operation by police and licensing inspectors last weekend to detect under-age drinking. Despite all the media attention, a number of venues were found with under-age drinkers once again.

I brought this group together because I want to keep our kids from putting themselves at risk while drinking in our pubs and clubs. Teenagers under 18 are too young to be at nightclubs. They are no place for minors. It is an adult environment. Venues that continue to break the law must be penalised. I want to see repeat offenders penalised by losing their licence. That is the only way we will get the message across to the industry that they need to smarten up their act. I look forward to receiving recommendations from the group that convened last night. I will keep the house informed of developments and make a major statement to this house next week on what changes will be undertaken.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. K.O. Foley)—

Final Budget Outcome 2002-2003
Regulations under the following Acts—
Judges Pensions—Non-Member Spouse Entitlement
Police Superannuation—Non-Member Spouse Entitlement
Public Corporations—
Austrics Dissolution
SA Infrastructure Corporation
Superannuation—Non-Member Spouse Entitlement

By the Minister for Energy (Hon. P.F. Conlon)—

Regulations under the following Acts—
Gas—Rationing
National Electricity (South Australia Act)—Penalty

By the Minister for Emergency Services (Hon. P.F. Conlon)—

Regulations under the following Act—
Country Fires—Bushfire Summit Recommendations

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

Courts Administration Authority—Report 2002-2003
Legal Practitioners Disciplinary Tribunal—Report 2002-2003
Regulations under the following Acts—
Criminal Law (Forensic Procedures)—Variation
Juries—Remuneration
Legal Practitioners—Fees
Parliamentary Superannuation—Non-Member Spouse Entitlement
Southern State Superannuation—Non-Member Spouse Entitlement
Victims of Crime—Compensation
Rules of Court—
Administration and Probate—Probate Rules—Amendment No 1- Affidavits
District Court—Amendment No 43-Mediation
Magistrates Court—Amendment—Correction of Numbering Error
Supreme Court—Amendment No 92—Affidavits and Errors Corrected

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

Juvenile Justice Advisory Committee for the year ended 30 June 2003

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

Regulations under the following Acts—
Liquor Licensing—
Blackfriars Priory School Exemption
Long Term Dry Areas—
Millicent
Port Augusta
Short Term Dry Areas—
Alexandrina Council, Glenelg
Beachport
Peterborough
Robe
Plumbers, Gas Fitters and Electricians—Exemptions
Retail and Commercial Leases—Minimum Term Variation

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

Ceduna/Koonibba Aboriginal Health Service Inc
Controlled Substances Advisory Council—Report 2002-2003
Drug and Alcohol Services Council—Report 2002-2003
Hills Mallee Southern Regional Health Service—Report 2002-2003
Human Services, Department of—Report 2002-2003
Julia Farr Services—Report 2002-2003
Mount Gambier and Districts Health Service Inc—Report 2002-2003
Noarlunga Health Services—
Financial and Business Statements—Report 2002-2003
Report 2002-2003
Royal Adelaide Hospital—Report 2002-2003
Wakefield Regional Health Service Inc—Report 2002-2003
Regulations under the following Acts—
Prohibition of Human Cloning—Warrants and Compensation
Reproductive Technology (Clinical Practices)—
Ethical Clinical Practice Code
Revocation of 1995 Research Code
Research Involving Embryos—Warrants, Compensation and Research

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

Regulations under the following Acts—
Senior Secondary Assessment Board of South Australia—Subjects and Fees

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

Regulations under the following Acts—
Prevention of Cruelty to Animals—Dog Tail Docking
Radiation Protection and Control—Transport

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

Regulations under the following Acts—
Motor Vehicles—
SAPOL Motorcycles
Testing and Demerit Points
Passenger Transport—
Conduct of Passengers
Fares and Charges
Minister Replaces Board
Road Traffic—Photographic Detection Devices

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

Industrial Relations Commission of South Australia—Guide for Unfair Dismissal Matters

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

Apiary Industry Advisory Group, South Australian—Report 2002-2003
Pig Industry Advisory Group, South Australian—Report 2002-2003
Regulations under the following Acts—
Fisheries—Rock Lobster Northern Zone, Clarification of Quota
Livestock—Cattle Identification
Meat Hygiene—Food Standards Code

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

Regulations under the following Act—
Development—Swimming Pools

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

Independent Gambling Authority, Inquiry concerning advertising and responsible gambling codes of practice, First Supplementary Report—December 2003
Regulations under the following Act—

Lottery and Gaming—Instant Lottery

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

Regulations under the following Act—
Rates and Land Tax Remission—Maximum Remission

By the Minister for Local Government (Hon. R.J. McEwen)—

Local Council By-Laws—
Port Pirie Regional Council
No 1—Permits and Penalties
No 2—Moveable Signs
No 4—Roads

FORESTRY, SOUTH-EAST

The Hon. J.D. HILL (Minister for Environment and Conservation): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. HILL: There have been widespread concerns expressed to me over the expansion of forestry in the South-East and its impact on the region's water resources. These concerns have come from water management agencies, natural resource management groups, water resources and a range of water user groups. I would say also from a number of members of this house. Currently, the Water Resources Act 1997 does not provide an acceptable mechanism for dealing with the impacts of land use change on water resource sustainability. The issue has been the subject of significant regional debate for approximately three years following advice of a 35 per cent expansion to forestry from the 1999-2000 estate of 100 000 hectares. The impact of this expansion was accounted for in regional water budgets but it did highlight the deficiency in the act to account fully for the impacts of land use change in a manner acceptable to stakeholders.

I have considered the outcomes of the recent stakeholder representatives meetings—and these have been extensive—including the high level of support from the majority of stakeholders and other management options. I have concluded that, to meet the objectives of the Water Resources Act 1997, it is necessary to introduce a management system that accounts for the impacts of plantation forestry on water resources in the lower South-East. Under the proposed management approach—

Mr Brindal interjecting:

The Hon. J.D. HILL: The honourable member might like to ask me a question—commercial forestry will be prescribed as a water affecting activity under the Water Resources Act 1997, requiring a permit for the activity. This is to be managed concurrently with development approvals for land use change, requiring all such development applications in the Lower South-East to be referred to the Minister for Environment and Conservation for direction.

The Hon. R.G. Kerin interjecting:

The Hon. J.D. HILL: It is interesting to see that the Leader of the Opposition and the shadow minister have differing views on this issue. The member for Unley says I should have done it two years ago and the Leader of the Opposition is now criticising me for taking this move. This will require the introduction of appropriate regulations, and it is my intention that these regulations will have effect from midnight tonight. The proposed management approach is based on an agreed total area of plantation for softwood and hardwood within each water resources management area, calculated to ensure that the impact of that development on reduced recharge—

The Hon. D.C. Kotz interjecting:

The Hon. J.D. HILL: Dorothy, you know something about this, I know—to the ground water system does not affect existing water users whilst securing sustainable management of the resource. Provision has been made for approximately 59 000 hectares of total expansion to be permitted before any need to secure water allocations to offset the impact of further forest expansion. The provision allows for an increase in the current estate of 135 000 hectares by approximately 45 per cent. By its own assessment, this provides the forest industry with significant certainty regarding its opportunities to expand for approximately 10-15 years.

The expansion areas are provisional at this stage; however, there is sufficient clarity to guide planning over the next few weeks. Before finalisation, the areas will be subject to a quality control check, including reconciliation against an accurate forestry inventory by species, location and area. Farm forestry will be excluded from requiring a permit where it is restricted to less than approximately 10 per cent of the farm title area. It is anticipated that potential growth of farm forestry will be limited and of low risk to the water resource because of greater economic returns from competing farm enterprise opportunities, relative to small-scale commercial forestry. It should be noted that the management of direct extraction by plantation forests from the water table is not incorporated into the proposed management approach at this stage. This issue requires further policy development and will coincide with the conclusion of the current CSIRO project later in 2004. However, in the interim, there will be ongoing assessment of the risks posed by plantation forest developments overlying shallow water tables.

Mr BRINDAL: I rise on a point of order. I believe that the deliberations and matters that were placed before a previous government are, in fact, locked away. Sir, if I can produce evidence that this was a statement that was prepared for me three years ago will you look at this matter?

The SPEAKER: I invite the honourable member to provide me with the information. It would not necessarily mean that the minister cannot, by coincidence, make the same statement again, and I would leave it to those more imbued with a sense of justice and balance to decide, rather than attempt to do so myself.

QUESTION TIME

SECURITY INDUSTRY

The Hon. R.G. KERIN (Leader of the Opposition): Given the Premier's ministerial statement about the security industry, will he immediately transfer from Consumer Affairs to Police the control, management and licensing of crowd controllers and the security companies?

The Hon. M.D. RANN (Premier): As I announced, I will be making a major statement next week, after—

Members interjecting:

The Hon. M.D. RANN: Hang on! You guys did absolutely nothing during the 8½ years that you were there. You basically turned your back on what was going on. Last night there was a meeting.

Mr BROKENSHIRE: I rise on a point of order.

The SPEAKER: Order!

The Hon. M.D. RANN: I will be making a major statement next week—

The SPEAKER: Order!

The Hon. M.D. RANN: —and I hope that you will support what we are doing on crowd controllers—

The SPEAKER: Order! The member for Mawson has the call.

Mr BROKENSHIRE: The point of order was relevance. It was a specific question, yes or no, as to whether control will be transferred to Police.

Members interjecting:

The SPEAKER: Order! I did not hear the point of order from the member for Mawson because I was distracted by some fool's mobile phone. Can I say in the most disparaging terms that anybody who brings a mobile phone in here that is switched on is really insulting the other 46 members. If any of you who does that believes it to be more important to be in communication outside this place than listening to what is going on within it, you are unworthy of the respect and trust members of the public have placed in you to represent them. The member for Mawson had a point of order.

Mr BROKENSHIRE: My point of order was relevance. The Leader of the Opposition asked a specific question, which should be answered yes or no, and the Premier did not answer the specific question. He went off on a tangent again.

The SPEAKER: It is always in order, however briefly, for a minister to provide the background against which the minister believes the question has been asked when answering it. That has never been in question in this or any other parliament that I have attended and listened to in question time. However, I acknowledge that our standing orders are somewhat different in that they explicitly state that the member asking the question will ask it without argument and the minister answering the question will reply without debating it, and I intend to enforce that rigidly from now on. The Premier.

The Hon. M.D. RANN: Last night there was a meeting involving the Commissioner of Police, the liquor licensing commissioner, the Attorney-General, the Minister for Police and representatives of the Hotels Association. A series of measures and ideas were put on the table, and I am prepared to listen to any proposal that is constructive. I will seek the advice of the group that is currently looking at the issue. But I will be coming back into this chamber next week and announcing a series of measures that we will take to tighten up in this area. I hope that we will have bipartisan support in doing so.

DEFENCE INDUSTRY

Ms BREUER (Giles): My question is to the Deputy Premier. What action has the government recently taken to win important defence contracts for South Australia?

The Hon. K.O. FOLEY (Deputy Premier): I thank the honourable member for her question. The government has made, and will continue to make, South Australia the choice in Australia for naval shipbuilding and the defence industry in general. We already have a cluster of 100 defence-related businesses employing 16 000 highly skilled people in South Australia. We are also the home to a number of unique military installations such as the DSTO, the RAAF at Edinburgh, the Woomera Test and Evaluation Range and Australia's most modern naval shipbuilding yard, boasting the world-class facilities of the Australian Submarine Corporation.

Recently I have met with representatives of the defence, electronics and shipbuilding industries whilst overseas, and there is considerable interest in harnessing the advantages here in South Australia. Companies such as Tenix, Raytheon, General Dynamics and Rolls Royce are actively investigating expansions here in South Australia. The South Australian government's defence unit is already developing a comprehensive plan to expand and capitalise on the shipbuilding facilities at the Australian Submarine Corporation, creating the Osborne Maritime Precinct, a formidable naval shipbuilding capability, ensuring that Australia has a strategic national asset able to meet the navy's shipbuilding needs into the future.

The federal government plans to consolidate shipbuilding in the country, and this government will take the steps necessary to ensure that South Australia is a clear leader in the race for those contracts which will be associated with this significant policy decision. To this end, the government has created a defence industry advisory board, a high-powered team of defence industry experts that will advise the South Australian government on how to win the lucrative contracts associated with the naval shipbuilding project worth in excess of $A10 billion. The board is chaired by Vice Admiral David Shackleton, former Chief of Navy, and also comprises the former Liberal defence minister in the federal government, Mr Ian McLachlan, of course along with outstanding South Australian Robert Champion de Crespigny. I can advise the house that yesterday we appointed Rear Admiral Kevin Scarce, who will begin working with the South Australian government as the chief executive of the defence unit.

As chief executive, Rear Admiral Scarce will play a pivotal role in advancing our defence industry's ambitions. He possesses an excellent reputation overseas for his work in defence procurement and will bring great experience and contacts to this government. This is one of the most significant appointments under this government and certainly demonstrates our commitment to making South Australia the defence capital of the nation.

Rear Admiral Scarce's distinguished naval career includes posts as the Commanding Officer, HMAS Cerberus; Naval Training Co-Ordinator; Commander Logistics—Navy Support Command Australia; and Support Commander Australia—Navy. He has been awarded the Conspicuous Service Cross (CSC) and is an officer of the Military Division of the Order of Australia. I can advise the house that Rear Admiral Scarce was formerly head of the Maritime Systems division in the Defence Materials Organisation (DMO), heading a team of some 1 000 uniformed and civilian staff throughout Australia. The Maritime Systems Division is responsible for the acquisition and the support of all the Australian Defence Force's maritime platforms and systems.

Prior to accepting his appointment as chief executive of the South Australian government's defence unit, Rear Admiral Scarce was the acting Under Secretary responsible for all ADF acquisitions and through-life support. This section of the Defence Force employs some 8 000 staff and has a budget of some $4 billion. The appointment of Rear Admiral Scarce is an outstanding appointment, a significant appointment, and I think it will demonstrate to the federal government and all industry participants that there can be only one choice if it is on our competitive advantage and only one choice if we are free of the political overtones that always confront major defence acquisition projects: we are the choice

and the best place for defence naval shipbuilding in this nation and this government, regardless of what is necessary, will move forward and make the best appointments to ensure that South Australian becomes the defence capital of this nation and brings to this state in excess of $10 billion worth of contracts.

WOMEN, EMPLOYMENT

The Hon. R.G. KERIN (Leader of the Opposition): Why did the Minister for Employment, Training and Further Education tell the house yesterday that 'there is a trend across the country to move away from full-time to part-time employment'. Yesterday in answer to a question regarding South Australia losing more than 12 000 full-time jobs for women, the minister claimed that this was in line with an Australia-wide trend. The latest figures from the ABS show otherwise: they show full-time jobs in Australia increased by 158 000 while full-time jobs for women rose by 48 000, in contrast to South Australian figures for the same period.

The Hon. J.D. LOMAX-SMITH (Minister for Employment, Training and Further Education): I am very happy to help the Leader of the Opposition. He will appreciate that the ABS figures, whether for one month, two months, six months or a year, are a short-term reflection of current changes. He will perhaps realise that one of the great outcomes of globalisation has been the movement from full-time employment into part-time employment. In fact, if one looks at the employment statistics for a city such as Adelaide, over the past 10 years there has been quite a dramatic move from full-time to part-time employment. It is to do with service industries and long-term retraining and re-employment; it is to do with the service industries and tourism—

Mr Brindal interjecting:

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

The Hon. J.D. LOMAX-SMITH: There have been changes also in the industrial relations system, even to the extent that there are now part-time apprenticeship schemes and part-time traineeships. The work force has changed, just in the way that people do not now get a job for 40 years: they get it for perhaps five or eight years and retrain and have several careers—as opposed to some members opposite. Women's employment has changed over the past 10 years. The whole work force has changed and if we do not change our strategies in step with that—

The Hon. D.C. Kotz interjecting:

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

The Hon. J.D. LOMAX-SMITH: —then we really have our heads in the sand and do not know what is going on in the rest of the world.

The Hon. R.G. KERIN: Again, my question is to the Minister for Employment. What is the fundamental difference occurring in South Australia to the rest of Australia to cause such a big difference in the figures?

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. LOMAX-SMITH: I had never quite picked the Leader of the Opposition as a philosopher but, clearly, he would like to interpret the meaning of life and what is different about South Australia. We could talk about the difference between one state and another, but the reality is that these stats are volatile. What happened last month in South Australia is not always comparable directly with what happened in other states. Certainly, the differences between one state and another are a reflection of the housing market, the building industry and the finance and banking sector, whether it relates to regional tourism or whatever. There are many factors.

HOLDFAST SHORES DEVELOPMENT

Mr RAU (Enfield): My question is directed to the Minister for Urban Development and Planning.

The Hon. I.F. Evans interjecting:

The SPEAKER: Order, the member for Davenport.

Mr RAU: What was the process that led to the decision to grant Holdfast Shores stage 2B planning approval?

The Hon. I.F. EVANS: I rise on a point of order, sir. The process is laid out in the act. If any other process was used, it is illegal. Clearly, everyone knows what the process is; the question is out of order.

The SPEAKER: I have to say that my own understanding of the question is pretty much akin to that of the member for Davenport, but there may be some details not apparent to me that he seeks to have explained. In the circumstances, I would have wished the question to be more explicit. However, with respect to those details, I will allow the minister to take a chew at the bone—it is not a carcass. The minister.

Members interjecting:

The Hon. J.W. WEATHERILL (Minister for Urban Development and Planning): There will be a carcass.

An honourable member interjecting:

The Hon. J.W. WEATHERILL: There may well be a carcass. Thank you, Mr Speaker. Perhaps to assist those opposite, this has been a lengthy process, which has led to the approval of this development. I think that it is important for all members to be aware of the nature of that process. Of course, it began under the previous Liberal government. Who could forget the agreement that it entered into with the consortium and the council?

Members interjecting:

The Hon. J.W. WEATHERILL: Happier times, it could be said. Happier times when Mayor Nadilo, a member of the Liberal Party, was doing business with the Liberal Party in government. So, happier times—perhaps not necessarily for the community but, certainly, happier times in terms of the relationship between state government and the council. Certain agreements were entered into and certain arrangements were made with the developer. Of course, upon coming into government, we were left to deal with, as we often are—

An honourable member interjecting:

The Hon. J.W. WEATHERILL: That's right—an array of opportunities, I could say, to put it in the positive, and substantial issues needed to be worked through. I had, of course, the benefit of seeking the views of the community and their representatives; and I had the benefit of the views of the members for Morphett who, on 20 November 2002, said these words:

> I would like this government to be open and honest and to recognise the benefit, not only to the people of Glenelg and Morphett but also to the people of South Australia, of the development which has taken place and which is continuing to take place at Holdfast Shores.

But the member for Morphett went further. In fact, unsolicited, he sought me out and said to me that he supported the compromise proposal that the government has worked out, that is, a nine-storey building on the side of the existing Glenelg Surf Life Saving Club. Now, of course, if one reads—

The Hon. K.O. Foley interjecting:

The SPEAKER: Order! The Deputy Premier will simply desist, or otherwise relieve himself of his agonies elsewhere.

The Hon. J.W. WEATHERILL: It is legitimate for the government to take into account the views of a local member of parliament in representing his area, in weighing up the balance of interests. We had that view from the member for Morphett. He supported this proposition. What we now find out in the media, unprepared to disclose the fact that—

Dr McFETRIDGE: Sir, I rise on a point of order. I would like to know which proposition I supported—certainly not this one.

The SPEAKER: There is no point of order. Can I tell the member for Morphett and remind all other members, lest they forget, that specious points of order are a serious misdemeanour.

The Hon. J.W. WEATHERILL: Sir, this is very confusing. I have the personal representations made from the member for Morphett of which I just spoke. We have the radio program just a few moments before coming into this house, where the member for Morphett agreed that he had done a backflip, and now he comes into this house and decides to add a half twist and pike to his sins. We just do not know where the Liberal Party sits in relation to this project. They are up to their eyeballs in this project. They started this thing. They did business with the council. We know that the current Mayor of Holdfast Shores has been a member of the Liberal Party and retains strong links to it.

Mr BRINDAL: I rise on a point of order. Mr Speaker, in asking the minister to reply, you drew the attention of this house to the fact that ministers were not allowed to debate answers. The minister is making assertions about my colleague and my party that brook debate, and we should be able to answer if he is allowed to continue this line of assertion.

The SPEAKER: The solution to the dilemma of the member for Unley has been given as advice from the chair to him and all members of the house many times in the last several months.

The Hon. J.W. WEATHERILL: Sir, I did not just rely upon the advice of the member for Morphett, because obviously that is perilous. I also sought the views of the community. There was an extensive community consultation process over eight weeks. Models were set up in Rundle Mall and down at Glenelg, and something like 1 450 submissions to that process were taken into account. It led to revisions of the proposal. I attended a public meeting on 15 April 2003. I understand that the member for Morphett was there—shrieks of silence from him at that meeting. Then we had a further revision of the proposal in light of concerns by the Glenelg Surf Life Saving Club. I met with council on 5 September 2003. I met with the member for Morphett and the Glenelg Residents Association—once again, shrieks of silence about the proposal.

We have taken into account all the views of the community. But the difficulty we have is that we have been left with a project commenced by the previous government and, as tempting as it was to erect a sign on one of these towers saying 'Liberal disaster' and show it to members of the community and ask them to, basically, pillory this party that is responsible for this proposition, we decided to take a constructive approach. The constructive approach was to seek a compromise that tried to address the concerns of residents. We will not address all their concerns. Much of the overdevelopment in the minds of the community that has occurred in this part of the world has occurred as a consequence of decisions that were made by the former council and the former government. We cannot wind back the clock. We will not be bowling down buildings. What we can do is come up with a solution that improves this project. It is in the best interests of South Australia for us to be seen as a state that can finish a project.

HOLDFAST SHORES DEVELOPMENT

The Hon. R.G. KERIN (Leader of the Opposition): Did the Minister for Urban Development and Planning follow the recommendations made by the Economic and Finance Committee—and, in particular, the members for Enfield, Reynell and Napier—in relation to the Holdfast Shores development? Last August, the Economic and Finance Committee unanimously recommended that future development projects ensure adequate community and stakeholder engagement in order to understand—

Mr Koutsantonis interjecting:

The Hon. R.G. KERIN: Just hang on for a tick—

The SPEAKER: The member for West Torrens will put his finger back in his holster, too.

The Hon. R.G. KERIN: —just calm down—in order to understand and incorporate public values in the Holdfast Shores development. Government members also requested that the minister investigate the future possibility of cost sharing by the government with people who will, predictably, benefit from the development activity.

The Hon. J.W. WEATHERILL (Minister for Urban Development and Planning): It is a pity that the Leader of the Opposition cannot relate his questions to some of the previous answers, because I do not think he would be so silly as to have asked that question if he had actually listened to the previous answer.

The SPEAKER: Order! Disparaging remarks will not be made about the state of mind of other members by a minister in responding, or at any other time.

The Hon. J.W. WEATHERILL: I withdraw that remark. For the sake of members opposite, I will explain the nature of the community benefit that is, in fact, achieved.

Members interjecting:

The Hon. J.W. WEATHERILL: Well, the question has been asked. Do you want to hear the answer? We have the Magic Mountain site. The proposition is that that will be cleared off and that whole site—100 per cent of it—will be public open space. It will be a grassed picnic area for families to enjoy. That was the key element of what the community asked for. The community was also very concerned to ensure that what was contained within the Magic Mountain site—that is, the heritage hurdy-gurdy, the low-cost entertainment facilities and all of those sorts of things—were also housed elsewhere on the site, because people did not want to see the kids lose those low entertainment options. The Glenelg Surf Lifesaving Club wanted $2 million of new premises. People did not want lose car parking, so we had to underground the car parking, because we are pushing the entertainment centre back onto the car park site. All of that costs money. The community also said that they did not want any more

taxpayer or ratepayer dollars going into it. Now, that does not all fit. The money has to come from somewhere, and that is why the proceeds of the sale of the apartments is necessary: to fund the project. That is the nature of the community benefit people receive, and that is the approach that the government took.

SCHOOLS, MODBURY PRIMARY

Ms BEDFORD (Florey): My question is directed to the Minister for Education and Children's Services. How will the planned redevelopment of Modbury School ensure that the educational needs of my community are met?

The Hon. P.L. WHITE (Minister for Education and Children's Services): It is an important question from the member for Florey and, in answering it, I would like to acknowledge the fine role that the member plays in advocacy for all the schools in her electorate and, in reference to Modbury Primary School, the very specific role she played in bringing the community together to make sure that both the educational and community needs of her community were well met.

Last Friday the Premier, the member for Florey and myself together visited Modbury Primary School and, while there, the Premier announced that the school would receive $1.8 million to redevelop that site. The preschool is currently located on the opposite side of the campus, which is not ideal, and the redevelopment will bring the school and the preschool together into one building. The school's main two-storey building, built in the 1960s, will be redeveloped to provide teaching and activities space, student facilities, an upgraded administration area as well as an outdoor play area. This represents a major investment in the Modbury community and will guarantee better learning facilities for children in that area. Local community groups, such as the University of the Third Age, Off the Couch art group and the Tea Tree Gully toy library, will also be part of that redevelopment.

The architects have started detailed planning work on the first stage, and it is hoped that the project will be ready for the start of the 2005 school year. The plans are underway, and it is a credit to the close cooperation of the school; its principal, Lina Skalfinoe; the school governing council members; and my department, but particularly the driving role of the member for Florey. As the member for Florey would say, 'Community counts in Modbury.' Our government is committed to investing in that community for the benefit of current as well as future generations.

HOLDFAST SHORES DEVELOPMENT

Dr McFETRIDGE (Morphett): My question is to the Minister for Urban Development and Planning. How can the government guarantee that 100 per cent of the Magic Mountain site is preserved as open space? Today the minister announced the approval of Stage 2B of the Holdfast Shores development and cited 'improved community benefits' such as 'more open space.' Yesterday, in an answer to a question on notice to me, the minister said, at dot point 4, 'the government has no plans to compulsorily acquire Magic Mountain.' The government does not own the Magic Mountain site, and the council, who owns the Magic Mountain site, has no legal obligation to sell it to the developers.

The Hon. J.W. WEATHERILL (Minister for Urban Development and Planning): The reason why the Magic Mountain site will be 100 per cent open space is because that is the terms of the approval that the government has given for the development. The development will not go ahead unless Magic Mountain is 100 per cent open space. Now, with regard to the suggestion that somehow the council is going to withhold handing over the Magic Mountain site to the developer, there is no notion of a sale. They have a legal obligation to the—

Members interjecting:

The SPEAKER: Order! The honourable member for Morphett sought information. If he has an opinion, the opportunity to present that is provided for in standing orders in other forums available to him.

The Hon. J.W. WEATHERILL: I am aware that there are competing contentions about this; but the developer has made it clear that they hold legal entitlements to develop the Magic Mountain site vis-a-vis the council. That is their legal advice about their rights in relation to the Magic Mountain site. The reason why I said that we have no plans to acquire the Magic Mountain site is that it is not necessary. The developer will be able to acquire it pursuant to the terms of the arrangement they have with the council. I think what people seem to be missing here is that, with the council, just because people change elected office, it does not mean that the entity is not bound by the arrangements it formerly entered into. I mean, God knows that we have lots of contracts that we would rather be out of as well, that the previous government saddled us with, but we are stuck with them because we are a corporate entity, as is the council.

The Hon. R.G. KERIN (Leader of the Opposition): I have a supplementary question: has the minister sighted the agreement, and is he convinced that it actually exists?

The Hon. J.W. WEATHERILL: The proposition that has been put to us is that the council and the developer have legal entitlements to develop that site. That is the proposition that has been put. I am also aware—

Members interjecting:

The Hon. J.W. WEATHERILL: Look, I did enjoy being a lawyer but I do not go through and do all the reading of source documents myself. I rely upon advice.

Members interjecting:

The SPEAKER: Order! The honourable member for MacKillop. If the opposition keeps this up, Question Time will conclude fairly quickly. There will not be anyone able to ask a question.

The Hon. J.W. WEATHERILL: The legal advice is that the developer has an entitlement to develop this site. I am also aware that the council says that it is going to try to resist that. I would encourage the council to play a constructive role in relation to this matter. The council has spent an extraordinary number of ratepayer dollars in campaigning against the government in relation to this matter. I wonder whether it is prepared to account for the money it has spent thus far and the money it will need to spend in asserting some legal right to block the developer from pursuing this site. It will have a lot of explaining to do to ratepayers. There have been inserts into the Messenger, mailouts to the electorate, advertisements in *The Advertiser*, and I think also T-shirts—that I noticed the Hon. Angus Redford was sporting today. So, it seems that they have been spending quite a lot of taxpayers' dollars in resisting this proposition. I would ask that they now play a

constructive role, work with the developer, to bring this project to a conclusion.

TOURISM AWARDS

Ms CICCARELLO (Norwood): My question is to the Minister for Tourism. How did South Australia perform at the recent Australian Tourism Awards?

The Hon. J.D. LOMAX-SMITH (Minister for Tourism): The South Australian industry did exceptionally well with exceptionally high levels of support from the SATC. The government has always played an active role in supporting small and large operators in preparing submissions for the Tourism Awards. We do this through our own offices, our own staff and, of course, through Adelaide Institute of TAFE, which is actively involved in supporting and writing the documentation that is required to enter the competition.

To win a national award, an organisation or an operator has to win the state award in that category, and the submissions required relate to business plans, occupational health and safety, marketing, HR—a whole range of process issues to do with management—but, most importantly, the quality of the product and the quality of service delivery. Our national winners included the Naracoorte Caves National Park which is managed by the Department of Environment and Heritage and which is our only world heritage listed site in South Australia. It beat Scienceworks in Victoria, Questacon in the ACT and the Western Australian Maritime Museum to win the award. It is a very popular location, which is well managed both sustainably and on a customer service level.

The second winner was admitted to the hall of fame for three wins over three years, and I congratulate the Treasurer on the Clipsal 500. Three wins out of the state awards, the national hall of fame and now it has defeated in the Major Festivals and Events category Summernat 16, the Sydney Festival, V8 Supercars and the Johnnie Walker Classic to become the national winner. It is a well-deserved win, because it is not only a major tourist event and attraction but also a fabulous sporting event and a provider of top-shelf entertainment. I am particularly proud of the Murraylands Tourism Marketing, which won the Destination Promotion category for its innovative, creative and cost-effective methods of raising awareness of the region, including producing high quality marketing and implementing good campaigns. Channel 7's *Discover* won the Media category ahead of Channel 9 in Victoria, *Scoop Magazine* in the west, and TW Media in the Northern Territory. It clearly showcases our newest and best tourism products and services and encourages viewers to explore and visit unique and off-the-beaten track attractions. The program is particularly effective, because the operators who are showcased often contact the channel in the next few months to say, 'You did us proud and we have had hundreds of bookings. Thank you.' Clearly, it is a great promoter of South Australia.

The Radisson Playford won the Luxury Accommodation category, ahead of the Palazzo Versace Hotel in Queensland, the Hyatt Hotel Canberra, MGM Grand Darwin and the Crown Towers Victoria. It won because it has developed a reputation for providing superior guest service and accommodation, and the hotel certainly exceeds the AAA Tourism five-star ratings. Members will note that there were five winners in 27 categories. By rights we should have won two, at most three, categories. We achieved almost 20 per cent of the winners, and that is a fine accolade and a great win for South Australia.

GAMING MACHINES

The Hon. R.G. KERIN (Leader of the Opposition): My question is to the Treasurer. Has Treasury advised cabinet of what the impact on state revenue would be from the proposal introduced to reduce poker machine numbers? This morning on ABC radio, the Secretary of the Australian Hotels Association said Treasury was budgeting for 'a revenue neutral outcome on this issue'. The Treasurer was then reported as having said that he did not know what the impact would be.

The Hon. K.O. FOLEY (Treasurer): The government is clearly receiving advice from various sources about the extent of the impact of the proposals that have been put forward.

An honourable member interjecting:

The Hon. K.O. FOLEY: Sorry? I missed that bit.

The SPEAKER: Order! The Treasurer will answer the question and ignore interjections.

The Hon. K.O. FOLEY: Stephen Howells, the chair of the Independent Gambling Authority, says there will be significant impact on government revenue. I am advised that he has made it known on radio and in briefings that the authority has done its own assessment of the financial impact, and he is quoted as saying:

> We have no doubt that this will have an impact on revenue, and that is always unfortunate because one wants to see government able to carry out their programs and not be affected, but the reality is that this will have an impact on revenue.

Ms Chapman: How much?

The Hon. K.O. FOLEY: Do you want the answer or not?

Members interjecting:

The Hon. K.O. FOLEY: How about you listen!

Ms Chapman: How much?

The SPEAKER: Order, the member for Bragg!

The Hon. K.O. FOLEY: Thank you, sir. Initial Treasury advice on a no-change behaviour assumption is that, on balance, the overall tax revenue impact will be minor. However, the Independent Gambling Authority advises that if this measure, together with the other problem gambling measures they have recommended to government, is successful, then the behaviour change will cause a reduction in revenue. The Department of Treasury and Finance will continue to provide advice on the impact of these proposals. We will receive further advice closer to the forthcoming budget on what reductions in tax revenue in the forward estimates would be appropriate.

Forecasting the effect on tax revenue is extremely difficult and the true extent will not be known until any proposed reforms are implemented. The simple answer is this: if these measures are successful in reducing gambling, there will be a reduction in revenue; if they are not successful, there will not be a reduction. The truth is that at this stage it is too difficult to predict. It is anyone's guess and only time will tell. But the critical point (and the Minister for Gambling is better placed to give a more comprehensive answer) is that the advice given by the IGA is that you have to take the package in total and isolated measures on their own will not be sufficient.

It will be up to all members of the house to make their own judgment. I, for one, will fully support the Premier. I am happy for advice to be given. But the recommendation of the

IGA is that 3 000 machines should be taken out of the system. If the Leader of the Opposition wants to support that, that is fine: if he does not want to support it, he does not. It is his call. It is a conscience vote.

The Hon. D.C. Kotz: If you don't know the exact amount, just pull a figure out of the air.

The SPEAKER: Order, the member for Newland!

The Hon. K.O. FOLEY: The member for Newland is asking me to pluck a figure out of the air.

An honourable member interjecting:

The SPEAKER: Leave Jack Horner out of this.

The Hon. K.O. FOLEY: The difficulty in predicting is obvious, as I have said. Initial Treasury advice is that, taken on its own, the impact will be minimal but, taken in the context of advice from the IGA with all other measures, you have to get behaviour change. As the minister himself has said, a whole series of measures and codes of conduct are being implemented at present and a number of other measures will be put forward that, as a package, should affect behaviour. If behaviour is affected, there will be a reduction.

Ms Chapman: By how much?

The Hon. K.O. FOLEY: I have already given the answer. It is now up to every member to make a judgment according to their conscience when the bill is brought to the house.

The Hon. R.G. KERIN: I have a supplementary question, Sir. Given the Treasurer's answer, can I ask him two further questions? First, will he make Treasury advice available to all members who have to make this decision and, secondly, does he agree that the decision about the reduction of 3 000 machines should have been made in isolation from all the other measures he referred to?

The Hon. K.O. FOLEY: I was in this house when premier Olsen said enough was enough. I opposed the cap, and I made it very clear privately—

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. KERIN: I rise on a point of order concerning relevance. I thought my question was quite clear.

Members interjecting:

The SPEAKER: Order! The member for Unley is not Jack Horner. The Hon. the Treasurer has been asked whether he will make the advice available to all members of the house.

The Hon. K.O. FOLEY: When the bill is debated in the house, the minister will have Treasury officers here and the opposition and, indeed, my own colleagues (given that it is a conscience vote) can ask all the questions and Treasury will provide the answers. There will be no attempt by me to discourage Treasury officers from giving answers to all the questions asked by members at the time of the debate. That is what the committee process of this house is for. But I chuckle a bit because when we brought in the super tax on poker machines the opposition derided Treasury forecasts and took no comfort from them. The Australian Hotels Association derided Treasury's forecasts but now they want to support them. At the end of the day, forecasting can only be guesswork. This is a difficult process and until we see these measures we will not know whether behaviour has altered, but I would have thought that, if you take 3 000 machines out of the system, there has to be an impact.

Members interjecting:

The SPEAKER: Order!

QUEEN ELIZABETH HOSPITAL

Mr CAICA (Colton): My question is directed to the Minister for Health. Will the government's plans for the redevelopment of the Queen Elizabeth Hospital announced by the Premier maintain hospital services for the western metropolitan region; and has the plan developed in 1999 to downgrade the hospital been scrapped?

The Hon. L. STEVENS (Minister for Health): I thank the honourable member for his question and I acknowledge the interest of many members on this side of the house in relation to this particular issue. I pay tribute to the efforts of the member for Colton in a range of matters in getting constructive solutions and a great future for the Queen Elizabeth Hospital. The answer to this question is great news for the 250 000 people who live in the western metropolitan area of Adelaide. This government has committed $120 million to the Queen Elizabeth Hospital to cement the hospital's internationally renowned place in patient care and research. The new hospital will continue as a teaching hospital. There will be new, purpose-built research facilities. The new hospital will continue to provide acute services. It will continue to be the centre of excellence for renal transplantation, and for parents the new hospital will keep on delivering. There will be new state-of-the-art emergency, diagnostic and specialist facilities, as well as operating theatres.

As recommended by the generational health review, the Queen Elizabeth Hospital and associated health services will be operated as an integral part of the new central north metropolitan health region. The 1999 master plan of the previous government proposed downgrading tertiary teaching and research activities by shifting complex services to the Royal Adelaide Hospital and the Women's and Children's Hospital. That plan has been scrapped. I acknowledge the Queen Elizabeth Hospital Community Alliance and the clinical community, who provided strong advocacy for maintaining services at the hospital. We have accepted that view and we have scrapped the plan of the previous government.

The year 2004 promises to be a big year for the Queen Elizabeth Hospital as it prepares to embark on festivities later this month to mark its 50th anniversary. A new chief executive has been appointed. Ms Sue Belsham will join the team on 15 March. This government has repeatedly stated that it is committed to first-class health services for the western suburbs and a reinvigorated future for the Queen Elizabeth Hospital—and we have delivered it.

PROBLEM GAMBLING

Mr BROKENSHIRE (Mawson): What increased funding will the Treasurer provide to deliver additional rehabilitation programs and other initiatives for problem gamblers as a support to the proposal to remove 3 000 poker machines from licensed premises?

The Hon. J.W. WEATHERILL (Minister for Gambling): I think a series of lies have been put about the place that need to be scotched very early on. The independent gambling—

Mr BROKENSHIRE: I rise on a point of order, sir. I understand the minister has just said that there are lies being put around. I do not believe that is parliamentary language.

The SPEAKER: Unless the member for Mawson claims credit for them, he is not referring to any member of parlia-

ment. They may well be lies in the wider community. There is no point of order. The minister.

The Hon. J.W. WEATHERILL: Sir, obviously it has been difficult to communicate the elements of the numbers inquiry in the limited opportunity one has in some of the media grabs. Of course, it is a package of measures that has been formed by three broad principles. First is the principle of grappling with problem gamblers and asking them to take some responsibility for their own conduct. The way in which we are trying to do that is through the Minister for Social Justice's advertising campaign and the family protection orders that will be debated later in this place; and also to link up services to those problem gamblers once we have identified them and once they have identified themselves. It is easy from the cheap seats to throw abuse at this government when we are trying to constructively grapple with the question of problem gambling. We have put an extra $4 million over four years into the Gamblers Rehabilitation Fund for these very services, but there is a lively—

An honourable member interjecting:

The Hon. J.W. WEATHERILL: Not Christmas hampers, that is right, as was the wont of the previous government. What we are confronted with is an intractable social problem. Many of the people—

The Hon. K.O. Foley interjecting:

The SPEAKER: Order! The Minister for Gambling has the call. Although the question was directed to the Treasurer, the Minister for Gambling is answering it, and I invite the Treasurer to allow him to complete the answer without further interruption.

The Hon. J.W. WEATHERILL: Thank you, sir. One of the issues that arises with problem gamblers is that they do not immediately identify themselves as such. One of the measures that we are seeking to put in place is to empower families with the opportunity to identify the problem gambler themselves and before they do massive harm to themselves and their family, wreck the family finances, lose their home, lose their relationship or, in the worst cases, end up in gaol. We intervene before that occurs. The provision of services through the Gamblers Rehabilitation Fund is an important element of that matter.

The second approach is to look at venues and their responsibilities. People who make money out of this exercise have responsibilities of their own to address the harm of problem gambling. That is where the codes of practice, the first tranche of which have been put in place by the tabling of them yesterday—and further codes are on the way—address those issues. Yesterday I referred to the way gambling is advertised, the way staff are trained to identify problem gamblers, the way alcohol is served, and the way children are dealt with in and around gambling areas. There is a whole range of measures that are about placing responsibilities on venues to minimise the harm of problem gambling.

The third element, which was announced yesterday by the Premier, is the element of reducing gambling opportunities. The report does more than just take 3 000 machines out of the system. I invite all members to consider it carefully, because it is an intelligent report. It sets up a process of trade. The process of trade is directed at reducing the number of venues. It relies upon research which shows that density and gambling opportunities are positively correlated with problem gambling. It states that on their own these measures will not be enough—and they sit together as a package. I can tell you that this is the first government that has grappled with the harm of problem gambling.

Mr Brokenshire interjecting:

The SPEAKER: Order! The member for Mawson has his finger out of the holster again.

The Hon. J.W. WEATHERILL: When the freeze was imposed, an inquiry into gaming machine numbers was promised. No steps were taken by the previous government to implement that inquiry. We took those steps and we now have a high quality piece of work.

COMMUNITY BENEFIT SA

Mr SNELLING (Playford): My question is to the Minister for Social Justice. How has the government assisted community agencies and groups in South Australia through Community Benefit SA?

The SPEAKER: May I remind the minister that this, too, is not a carcass: it is just a bone.

The Hon. S.W. KEY (Minister for Social Justice): Community Benefit SA is an excellent program and also an excellent committee. Because of the work that has been done by this committee and through that fund, I saw no reason to make any changes to its membership or the method in which that committee has operated. I am forever grateful to that committee for the work they do in the community; not only do they look at all the different submissions from the community but they also inspect projects and follow-up on the grants that are made available. One of the important measures that our government took was to ensure that we increased the money that was available, and last year we were able to increase this amount to $4 million. In the latest round of grants more than 200 one-off projects worth $2.17 million were approved for the non-government community service organisations across South Australia, and I think everyone in this chamber is well aware of how much we rely on the community service organisations in South Australia, and it is good that we can follow-up on the one-off projects for which they apply.

This fund has helped upgrade or expand community facilities, run community training programs and assist with the purchase of information communications technology, office and program equipment and also vehicles. In the process, the community organisations have been empowered to help thousands of disadvantaged South Australians in improving their well-being, community participation and life management skills. I point to a few areas where groups of high need have benefited from the last round: Aboriginal communities have had a total of 37 projects worth a quarter of a million dollars; ethnic communities, 29 projects worth $402 000; and people with disabilities, 24 projects funded for $152 000. Another point that is really important to emphasise is that rural communities have also featured heavily in the Community Benefit SA funding round, with 65 projects worth $728 000 going to individual communities and 35 projects worth $119 000 to work across two or more rural areas. I must say it is very impressive that in the rural areas a number of organisations have come together so that they can provide services and projects.

In relation to community centres and neighbourhood houses, which I think we all agree are very important in our respective electorates, there have been 32 one-off programs and they have received a total of $288 000. There have also been 24 projects for families and children, and this comes in at $211 000. I know that the shadow minister for youth will be interested to know that 40 projects have been targeted at young people in our community at nearly half a million

dollars. The next funding round, which I am sure will be of interest to members because I know that many members in this chamber support and help write the submissions for the community groups to Community Benefit SA. They close on 1 March, so I expect that our electorate offices are very busy trying to assist community organisations. This is one of the areas in the community services portfolio for which I have responsibility that does have a very positive off spin in the community.

AUSTRALIAN CRIME COMMISSION INQUIRY

Mrs HALL (Morialta): My question is to the Minister for Police. Will the minister inform the house whether the government, or any agency of the government, will forward a submission to the Commonwealth Joint Committee on the Australian Crime Commission's Inquiry into Trafficking in Women for Sexual Servitude and, if so, when? The Inquiry into Trafficking in Women for Sexual Servitude is to report on the Australian Crime Commission's response to what is recognised as one of the world's largest criminal enterprises. Included in the terms of reference is the commission's relationship with the relevant state agencies. In the eight months since the inquiry was announced, submissions have been received from police, women's action bodies and legal groups from Queensland, New South Wales, Western Australia, the Northern Territory, Tasmania and Victoria but, as yet, no submission has been received from any South Australian government department or agency.

The Hon. K.O. FOLEY (Minister for Police): I am not sure of the answer, Mr Speaker. I will get a response. I am advised that we are doing some work in that area, but I am happy to get an answer and respond as soon as I can.

LEVEL CROSSING STRATEGY ADVISORY COMMITTEE

The Hon. M.R. BUCKBY (Light): My question is to the Minister for Transport. Will the minister clarify which actual date he forwarded a proposal by one of my constituents to open a new crossing on the Spains-Frost roads alignment to the Level Crossing Strategy Advisory Committee? In a recent response from the minister it states that on 7 October he referred a proposal to open a new crossing on the Spains-Frost roads to the state Level Crossing Strategy Advisory Committee, yet I did not forward the proposal from my constituent to the minister until 9 October 2003, which was two days later.

The Hon. M.J. WRIGHT (Minister for Transport): I will check that detail for the member for Light, but the most important thing is that this government is getting on with rail safety.

POLICE BUDGET

Mr BROKENSHIRE (Mawson): My question is to the Minister for Police. Does the minister believe that the $50 million extra the government claims to have allocated to the South Australia Police over four years is sufficient to cater for the overall police budget pressures? In discussions that I had with the Police Association, they indicated that there are serious problems with the recurrent police budget. Matters raised included members being refused paid overtime because of budgetary problems, mounting case loads and officers skipping meal breaks because of a lack of patrols. Police have also advised me that over 2 400 first instant warrants have not been served in the Port Adelaide and Elizabeth local service areas alone.

The Hon. K.O. FOLEY (Minister for Police): Correct me if I am wrong, but I think I read about this press release put out by the member in *The Advertiser* about a week ago, and I think from memory—I could be wrong—that it was my fault that the repairs to the swimming pool at the Largs Bay Police Academy are delayed. That is my fault. I get blamed for a lot of things in this job, and I am happy to take the blame for a lot of things if it is my fault, but I have to say that I do not see how I personally could have delayed the repairs to the Largs Bay Police Academy swimming pool.

Mr Brokenshire: Because you did not give them enough money, that's why.

The Hon. K.O. FOLEY: I did not give them enough money. I think in the same article in *The Advertiser*, from memory, he also accused me of somehow being a shocking Treasurer and shocking minister because one police station borrowed a speeding camera from another police station. There was a broken speeding camera somewhere and another police station borrowed it. So, I am to blame for one broken speed camera and for delays in repairing a swimming pool. I am happy to take the blame for that, because I have to say after today's caucus meeting that is the least of the things for which I have been blamed. I can say that I am finishing the day better than I started it: a typical day in the life of a Treasurer—cop it from all sides. That is just joking, my colleagues love me, as you can tell, Mr Speaker.

The Hon. P.F. Conlon: I can feel a matter of privilege coming on.

The Hon. K.O. FOLEY: I say to the Leader of Government Business, if you want to accuse me of misleading the house, you have to move a substantive motion, otherwise you have to withdraw. I take my advice on the management of the police budget from the police commissioner. I have a lot to do and a lot of dialogue with Peter Alexander and the association for whom I have the highest regard, as I do Andy Dunn, but on issues relating to the management of the police portfolio and the budgetary position of the portfolio, I take my advice from the police commissioner in whom this government has total confidence and we will continue to do so—

An honourable member interjecting:

The Hon. K.O. FOLEY: Do members know what I am going to do? I am going to ring the police commissioner and say, 'How much do you need to fix that swimming pool?' No, I will not do that, because I will be accused of pork-barrelling my own electorate. The police will have to walk 200 metres and swim at the Largs beach until it is done. I think that I have answered it—somehow!

HOLDFAST SHORES DEVELOPMENT

Dr McFETRIDGE (Morphett): I seek leave to make a personal explanation.

Members interjecting:

The SPEAKER: Order!

Leave granted.

Dr McFETRIDGE: We heard earlier in question time the Minister for Urban Planning imply that I had been inconsistent in supporting good quality, sustainable development at Holdfast Shores. I understand that he said in the media—both on radio and television, and probably on the news tonight—that I was on-side with the government (and he said it in this

place during question time) and supporting this proposal. I assume by 'this proposal' he means the one that he announced in his press release today. I have been extremely consistent—100 per cent consistent—in supporting good quality, sustainable development at Holdfast Shores. I had a discussion with the minister (he said a few months ago, but I cannot remember how long ago) about obtaining the best result for finishing the Holdfast Shores development. The only option on the table at that stage was whether we had completion with either a 15-storey (or, perhaps, it may even have been 17) and a nine-storey development. What do you do if you are asked whether your would like your leg or your foot chopped off? You go for the lesser option, surely: nine-storeys. But that was the—

The SPEAKER: Order! Personal explanations are not about medical histories of hypothetical surgery: they are to be a statement of the facts where the honourable member claims to have been misrepresented and a statement as to what the true facts are in their place.

Dr McFETRIDGE: Thank you, Mr Speaker, for your guidance. There was no agreement. No deal was done here. I have been entirely consistent in supporting good quality development down there. To be misrepresented by saying that I support this development is entirely wrong. I support what is going on with the council. The minister—

The SPEAKER: Order! The Treasurer.

The Hon. K.O. FOLEY: I rise on a point of order, Mr Speaker. The honourable member cannot make the accusations he just did. If he is accusing the minister of misleading the house he must move a substantive motion; if not, he should withdraw.

The SPEAKER: I uphold the point of order. The honourable member must stick narrowly and explicitly to a statement of what were purported by others to be facts about his statements or positions that are wrong and simply state the true facts. This is not debate.

Dr McFETRIDGE: Not only did the minister say that I supported this plan, which is wrong, but also, with respect to Magic Mountain, he implied in his answer that I had said that I was wrong in saying there was no legal obligation between the City of Holdfast Bay and the developers. I have spoken to the CEO and the Mayor of the City of Holdfast Bay: there is no legal obligation for the council to sell the site known as Magic Mountain in the Local Government Act (Glenelg Amusement Area) to the developers.

GRIEVANCE DEBATE

EMPLOYMENT

Mr BRINDAL (Unley): I rise today not only on behalf of the 12 000 women in this state who are no longer in employment, not only on behalf of the 29.5 per cent of young people who remain unemployed but also on behalf of the 23 000 people who, since June last year, no longer find themselves in the employment market. We come in here at question time, we ask questions and it is the government's right to bat those questions. However, there is a stark reality. They are not our figures: they are the ABS figures. The stark reality is that, in the last 12 months, unemployment has not only flat-lined, it has declined. Under this government, about six months after—

The Hon. P.F. Conlon interjecting:

Mr BRINDAL: The leader of the business of the house said that I am talking only to him. I am talking to about seven members opposite, and I am grateful that those seven members are opposite, because I am talking for the benefit of members of this house about a problem, minister, that confronts South Australia and the South Australian people. I do not care how many of the media are listening: I care how many of my colleagues are listening, because it is up to us to do something about it.

Ms Thompson interjecting:

Mr BRINDAL: The honourable member raises participation rates. I point out for the honourable member's benefit that, rather than listen to the cant and rhetoric of her own minister, she should collect the ABS figures and look at how the participation rate has dropped since March last year, when it peaked at 62.1 per cent but was consistently higher than its current 61.8 per cent.

Ms Thompson interjecting:

Mr BRINDAL: I do not want to play games with the member opposite, because this is about people's lives. However, I do want to point out that, under her government, for one month we led the nation in our employment record and, since then, we have flat-lined and gone backwards. We were leading the nation. Now we are back in the position we were in when we came to office, and that is as the worst performing mainland state in Australia. Not once—

Ms Thompson interjecting:

Mr BRINDAL: I will go back in history. I will go back to when Mike Rann led 10 per cent unemployment.

The SPEAKER: Order! The member for Unley knows that the Premier must be referred to as either the member for his electorate of Ramsey or the Premier.

Mr BRINDAL: I apologise, sir, but I was referring to him in a previous eminence in the parliament, but I will defer to your ruling. When the Premier was minister for unemployment the figures were running well over 10 per cent. But I am not interested in playing games. I am interested in figures which, for the last six or seven months, have flat-lined and gone backwards. I am interested in the fact that we, in the eight years we were in government, could not completely solve the youth unemployment problem. We did not completely solve any employment problem, but we helped it to improve. The government helped it to improve in that it kept improving in the first few months it was in government, but it is not continuing to improve. I do not care what stupid, petty, political games you want to play for your own re-election: I am actually more interested in the people out there who are hurting and who cannot get jobs while you sit there piously and pretend to represent them, and then sit there with cant and hypocrisy, saying, 'This is right, that's right', as if you are a little child saying, 'I told you so.'

Ms THOMPSON: I rise on a point of order, sir. The honourable member is failing to address the chair or is otherwise accusing you of some very unusual activities.

The SPEAKER: Does the honourable member have a point of order? I was not quite sure of the point. The member for Unley knows the standing orders with respect to the fashion in which remarks are directed and that he must not direct them through the chair. I am not an interceder: it is the chair to which the honourable member addresses the remarks.

Mr BRINDAL: I hope that I did. I apologise if I did not, but I feel that I did. I generally do such things. If I am a bit

excited about this, I am excited because it annoys me when people can be reduced to political games, when 12 000 women are no longer in work and when kids in the long-term work force cannot get a job. That is a worry for you, sir, I know, and for all members of this house.

READING CHALLENGE

Ms THOMPSON (Reynell): I rise today to commend the Premier on his initiative with respect to the reading challenge, and also to comment on the initiative of the federal leader of the Labor Party with respect to his promise to distribute books to young people. I attend many meetings of the governing councils of schools in my electorate. One that stands out vividly in my mind is a meeting where a number of the members of the governing council who were learning assistants in their school talked about the rewards that they experienced in the learning assistance program. They talked about how they were able to make a difference in children's lives, and I was very pleased to hear that. But the stories that went before were somewhat horrifying.

One learning assistant talked about an eight-year-old boy who was now eagerly attending lessons each week clutching a nursery rhyme book. This child, at eight, had never experienced a nursery rhyme being read to him. The learning assistant knew, as I did and all the teachers in the room, that the fact that children do not learn nursery rhymes early in their lives means they have a great deal of difficulty in picking up the skills of reading when they get to school. The fact that the Premier and the federal Leader of the Opposition are both giving a very clear signal to the community that reading is important and that reading is fun helps to build the basis of a clever country. It sounds a bit strange that just giving parents a few books can change the way of our country and our standing and competence in international horizons, but other countries have already started to address the problem of the fact that some children do not have the benefit of being read to as babies.

Recently, I acquired a book called *Baby Power 'Give Your Child Real Learning Power!'*, which is something that comes out of a British project on this matter of introducing children to learning. The project is Bookstart, which is the Book Trust project first introduced in Birmingham in 1992. Librarians and health visitors worked in liaison to give a Bookstart pack to parents and babies. Librarians constructed the pack, which contained a book, a nursery rhyme card and information about book clubs and the local library, with an invitation to join. Health visitors gave the packs to parents and their babies at the nine-month hearing test, explained its purpose and encouraged parents to share the book and others with their baby.

The introduction to this book is quite interesting. It refers to some of the reasons why parents may not know about the importance of reading to their children, and states that in recent times there has been some talk about not teaching children to read before they get to school because this can, in fact, lead to the development of poor habits. The introduction points out the difference between teaching children to read and letting them know that books are enjoyable, that books are fun and that books are important. The *Baby Power* book gives a lot of very practical advice to parents about how to read comfortably with children, and it even tells them that, at times, perhaps it is more important to take some time out and sit down with your baby instead of doing the vacuuming. This project was evaluated by staff from the University of Birmingham, and it was found that children who had participated in the Bookstart project had a significantly improved introduction to both literacy and numeracy when they were at school.

So, what seems like a little stunt is, in fact, a very important project at both state and federal levels to help our children, our families and the community. I am certainly pleased to assist any of the schools in my community that may wish to participate in the Premier's reading challenge in any way they can, and I look forward to not hearing stories about children who get to school with no idea how to hold a book or how to turn the pages of a book. Those children have a really difficult time learning to read. It is no wonder they spend so much time playing with computers, because they just have not learnt reading skills.

WATER METER READING

The Hon. M.R. BUCKBY (Light): I rise today to highlight the lack of support that one of my constituents has received from SA Water and also from minister Weatherill. David Binyon is a constituent of mine, and this issue is about a water meter reading and a suggested amount of water that Mr Binyon has used. Mr Binyon has been at his present address in Gawler for 20 years. There are no water leaks on his property; he does not have a swimming pool; he does not have a water feature in his garden; he does not have an automatic watering system in his garden; and he waters his garden only when necessary. Only Mr Binyon and his wife live in the house.

On 26 June 2002, the water meter on his property was found to have stopped. An SA Water meter reader left a card stating it was determined that the meter had ceased to register and a water use of 123 kilolitres had been estimated, based on the previous usage and taking into account local and seasonal conditions. Just remember that figure, sir—123 kilolitres. On 26 June 2003 (just 12 months later), the meter reading was 2 448. That indicated that 2 300 kilolitres—or some 2 300 000 litres—had passed through the meter since the previous reading on 30 December 2002. My constituent received an account for some $2 277.75, when the average for this period in previous years was 127 kilolitres with an account of about $100.

It goes further. Mr Binyon and his wife were away when the meter was read on 26 June 2003. They arrived home on 25 July. The meter was still reading 2 448—proof that there was no leak on his side of the meter. In response to the complaint that he laid, an inspector called at the house and confirmed that there were no water leaks on the property. He also checked the meter, which at that time appeared to be working accurately. The meter was replaced on 14 August 2003 and taken away for further accuracy tests.

However, at a testing session on 29 August, Mr Binyon asked an SA Water representative if he would arrange for the meter to be stripped while he was present so the internal components could be checked for faults and wear. He was told that it was not possible to strip this type of meter, and that they could only continue running water through the meter in further tests in an effort to see if the meter would falter. There appears to be no foolproof way of testing this meter for faults or wear, and Mr Binyon expected SA Water would do as it did the previous year when the previous meter stopped working and send an account based on his history of usage. Not so!

Let us just look at the account—$2 277.75 for 2 300 kilolitres of water. Over 136 days (which is the time of the account), this equates to 16 911 litres per day, or 704 litres per hour. That amount of water would fill an Olympic size swimming pool, and one can only imagine what that would do to Mr Binyon's house and garden. The meter in question was only in for one year, and Mr Binyon questioned both accounts. His water supply from the meter allows for 24 litres per minute when it is on full. It would take 66.5 days with the tap to be running 24 hours a day for the 2 300 kilolitres of water to pass through the meter. Mr Binyon was away for 42 days of the reading period, and his house was checked twice daily.

The response from the minister was that the meter has been tested and that Mr Binyon must still pay the bill of $2 277. That is ridiculous. It is not an exercise in commonsense. An exercise in commonsense would have seen minister Weatherill step in in this situation and take Mr and Mrs Binyon's average use of water and apply that amount. Quite clearly, during that six-month period something has gone wrong with the meter. Had the meter read 248, Mr Binyon would have been quite satisfied, because that would have been a normal reading. But this is quite clearly outside of that. I call on the minister to act on this matter.

Time expired.

SCHOOLS, MODBURY PRIMARY

Ms BEDFORD (Florey): The approval for funding for the Modbury school community—and all of Modbury—announced this week is a good news story that heralds an exciting and important community capacity building initiative. Hopefully, it will prove its worth so successfully that soon similar projects will exist throughout the state. It is a fine example of how a community working together for a common goal can achieve great things and produce a win-win result. The project addresses the current and future needs of a number of age profiles in our area, and several community groups are already using the campus providing opportunities for others also to use the centre.

Modbury School celebrated its 125th year of operation last year and it is one of the oldest public schools in the state. It has a proud tradition of excellence and service and recently won a City of Tea Tree Gully award on Australia Day for community event of the year for its Palti, which is a coming-together and recognition of indigenous culture. The school is located in the heart of the regional centre and is a hub for learning activities. Over the years, several community groups have found homes on the school grounds, allowing access and opportunity for the people of Modbury. The Tea Tree Gully Community Toy Library services about 900 children in 500 families in the area, most of whom are local but some of whom come from further afield. The depth of operation there is impressive, and made more so when you see the small premises that they have used for so many years following their move from the Modbury FAYS office. The range of toys is astounding, and they have provided their service with the help of a group of dedicated volunteers and helpers who clean the toys on return and repair them as necessary. The library is looking forward to a larger space with improved parking access for parents and grandparents who bring their young people to use this very special library facility.

Another significant user group at Modbury is University of the Third Age—a fantastic activity for seniors in our area. With the expertise of U3A participants, instruction is provided in many areas. Some 500 registrations have been received in 56 classes offered in term one this year, and the list of subjects that can be pursued continues to grow at an astounding rate. The importance of engaging senior citizens in meaningful activities cannot be understated, particularly in maintaining well-being and good health. They also provide a great encouragement to the students at the Modbury School in joint programs, and they took a lead role in the 125th anniversary celebrations. This collaborative strategy will be enhanced through the new project.

Community art will also receive a higher profile with the project's opening, and the Off the Couch art group will occupy a larger space in the new complex. It is well known that art engages the community in a positive way, and I look forward to seeing big steps forward in the months to come, particularly as we forge relationships with the broader South Australian art fraternity. This will be possible with the help and advice of people such as Rod Taylor of the Adelaide Central School of Art and Mr Tony Stacey, who have both supported me greatly. I would also like to acknowledge the supporting role of councillor Kevin Knight from the City of Tea Tree Gully and the council's role in progressing negotiations around the site. Council has embarked upon a welcome promotion of the arts and has secured the services of Mr Greg Hordacre at the Golden Grove Recreation and Arts Centre. Greg has wide experience in the arts and has been responsible for many great activities at the centre in the past year. The council has played an integral role in progressing this project, and I congratulate the elected members and the CEO, Greg Perkins, on their role.

The community has been actively pursuing this project for approximately two years. Ms Lina Scalfino is the Principal of Modbury School and, along with the governing council and Mr David Jolliffe, the District Director, has worked collaboratively and tirelessly and always with the best interests of the school and students foremost. Other people at the school are Margaret Illman from the CPC, which will be relocated into the main building, and Caroline Hardy and Val Filmer from the Out of Hours School Care, who have also worked with the planning committee. Carol Coventry from Off the Couch has been an integral part of driving this project forward, and Betty White and Doug Smith from the University of the Third Age have also been tireless in their efforts. They approached me very early in the piece and have represented their constituents in the U3A with ferocity, so much so that I am sure that the Premier and the minister were very glad to accede to their requests.

In the early days of planning we were helped by Richard Angove from the Department of Premier and Cabinet, and I would like to acknowledge Joselyn Mazel's role, as well as John Gregory and Trevor Roach from the Department of Education; they made sure that the whole thing went through, which has been terrific. Peter McGinn came on board very early on; his role in NAVIGATE helped us with the community capacity-building aspect of the project. Last but not least, Lyn Turner and Jasmine Rose of the Tea Tree Gully Community Toy Library are to be commended wholeheartedly.

CHLORINATED WATER SUPPLY

Mr GOLDSWORTHY (Kavel): I would like to raise a quite serious issue that has come to my attention, potentially affecting some 90 residents in my electorate of Kavel. I understand that this issue has the potential to affect some 140

residents spread over two electorates: mine and the member for Schubert's. The issue is basically that of SA Water making a decision to cease the delivery of chlorinated water to these residences. That has come about because of an EPA licensing requirement that chlorinated water not be allowed to flow down natural watercourses because, I understand, it has a detrimental effect on the natural environment of those watercourses. What actually occurs is that SA Water transfers water along certain mains lines from the Adelaide-Mannum pipeline which then allows the water to flow down, for example, the River Torrens to the Kangaroo Creek Reservoir from the Millbrook Reservoir to the Little Para Reservoir via the Little Para River. The residents along those transfer mains take water from that pipeline for use in their homes.

The real concern is that the government agency, SA Water, has known about this EPA requirement for the best part of two years, but the residents received correspondence regarding this issue only in December last year: that they will receive unpotable water through the mains system in September this year. They have been offered an amount of $4 000 to assist them in installing a rainwater system. That supposedly allows them to install a 15 000 litre rainwater tank and an electric pump to connect rainwater to their home. I have to say that that is a totally inadequate offer. Residents would require at least $8 000 or more to install a rainwater tank of sufficient capacity and provide for the cost of an electric pump, site works, plumbing, electrical work—the list goes on—for an adequate supply of rainwater into their home to cater for the extended summer period.

I want to quote from a letter that I received from the minister. It states:

> The financial assistance offered will help customers in installing a 15kL rainwater tank and pump connected only to the house, taking into account the rainfall for the area and average domestic use . . . The unchlorinated water supply will continue, so rainwater will only be required for uses such as drinking and cooking, unchlorinated water is suitable for other uses.

I put the question to the Minister for Administrative Services: what about water used for bathing and in the bathroom? Unchlorinated water is not suitable for use in the bathroom. In his letter he makes no mention of that. The minister also talks about taking into consideration the rainfall in the area. Well, the rainfall across the northern part of the Adelaide Hills that is affected by this measure varies significantly. In the Inglewood-Paracombe area, where there are affected residents, the average rainfall there is approximately 35 inches, or 875 millimetres. Further east in the Birdwood-Mount Pleasant area, the rainfall decreases to the 20-inch mark, or 500 millimetres. So, the assumption that there is a uniform rainfall across this affected area is wrong. I think that the minister, and the agency, is taking a completely broad brush approach to this issue and appears to be totally intransigent on the matter.

TERTIARY EDUCATION

Ms BREUER (Giles): Dr McFetridge, I think this will be particularly relevant to you, too, being a country member. I refer to an issue that has concerned me for many years. I believe I have spoken on this before but it is particularly relevant at present for me with the start of the new university year. My daughter and her school friends are starting university next week in various courses, institutions and accommodation in Adelaide. The discriminatory situation for allowances and means testing for country students is once again brought home to me. It is not a new thing but it is significant because I am personally involved, as are so many of my friends, my daughter's friends and their families. Students come to Adelaide from various backgrounds in the country to attend university. They come from high income families, double income families, middle income families and, certainly, they come from low income and welfare families.

I would be seen as an upper income parent, and I do not question this, but I do question why I should be more penalised than my colleagues. For example, the member for Napier has children approaching university age, the Premier has children at that age, and the member for Colton will have children at university age in a few years. Why should I be penalised more than them and have to pay significant amounts without any way of redress? What about other parents in my community who do not have my income—this is my major concern. How many young people from rural and remote South Australia cannot attend university because their parents just cannot afford to send them? Particularly, I refer to those who are seen as earning a reasonable income around the $40 000 mark. How can they possibly manage to send their children to Adelaide? How many young people do not go to university because their families cannot afford it?

If you look at the average costs involved for country parents to send their children to university in Adelaide, it is quite mind-boggling, as I have just discovered. I compare this to metropolitan parents—and I quoted some examples from my own colleagues—who might drop their children off to university in the mornings or put them on a bus each morning. For us, as country parents (and my brother is also going through this at the moment) we are very aware of the situation and have talked this through and been quite shocked. Regarding accommodation costs for our children, it would cost $220 to send them to one of the university colleges, for example Aquinas College.

If we are looking for rental accommodation, it would cost $100-200 per week to put them into a flat. Once they are in there, you have to feed them; so, we have to look at food and utilities. We worked it out with $50 per week but I think that they would certainly be accustomed to the lifestyle they had at home and, whether or not they will manage on that is another thing. We have to wait and see. Then there are living expenses because they will have to have some social life, and one of the big problems for country students, of course, is acute homesickness. The only way you can really alleviate that is to go out with your friends. We looked at something like $50 per week and think that that is probably sufficient. We will see.

We have to consider transport within the metropolitan area because they will not have cars—we will have to put them on buses, which can be expensive. If we want the children to come home, say four times a year (and that would be minimal), it would cost between $50 and $300 per trip, depending on where you live and what sort of transport you use. For example, a child from Coober Pedy who comes home on the bus would spend about 20 hours of the weekend on the bus. If you fly them home, you are looking at $600 to $700, which is pretty tough on those kids. We need to buy a computer for our children because they cannot access the family computer, and so we also need to buy a desk and other furniture for them.

The allowances that are paid just do not cover this. If you are looking at youth allowance, you are looking at something like a parental income of $28 150 before it takes effect. Now,

$28 150 is certainly not a big income. Most families who are considering sending their children to Adelaide are on a higher income than that. However, if they get more than that, they would find it very difficult to access those allowances, if at all. There is some provision for other children in the family but, unless you are looking at a family of about 10 children, you are probably wasting your time. My calculations show that a family earning more than about $35 000 a year has absolutely no show of getting any assistance for their children. This is not fair. It is not a large income and it stops many families from sending their children to university in Adelaide. We are looking at a bare minimum of $10 000 per year to send a child to university in Adelaide—not many families can afford to do that for one, and if you have two children it would be absolutely impossible on a medium income.

HALLETT COVE BEACH

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

Leave granted.

The Hon. L. STEVENS: Following a question to me yesterday by the member for Bright in relation to the Hallett Cove beach, I have some further information that I would like to put on the record. Today, the Department of Human Services has released a statement as follows:

> Following further test results, the Department of Human Services is removing the health warning against contact with seawater at Hallett Cove and with water in Waterfall Creek.
>
> The beach is open to the public for swimming. Signs and barriers erected by Marion Council will be removed this afternoon.
>
> The health warning was issued following sewage spills from two sewer pump stations at Hallett Cove caused by an interruption to electricity supplies on Saturday.

So we can go back to swimming at Hallett Cove.

PASTORAL LAND MANAGEMENT AND CONSERVATION (INDIGENOUS LAND USE AGREEMENTS) AMENDMENT BILL

The Hon. M.J. ATKINSON (Attorney-General) obtained leave and introduced a bill for an act to amend the Pastoral Land Management and Conservation Act 1989. Read a first time.

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

> That this bill be now read a second time.

The state government supports negotiations to deal with Native Title claims in South Australia. Indigenous Land Use Agreements are voluntary agreements provided for in the Native Title Act 1993 of the commonwealth. The negotiation of an ILUA is one way of clarifying uncertainties that arise from Native Title claims and potentially conflicting rights about land affected by such claims. The government is pleased to continue working on the ILUA negotiations started under the previous government and we acknowledge the groundwork upon which the current negotiations are based.

Negotiations have involved pastoral lessees, the South Australian Farmers' Federation, Native Title claim groups, the Aboriginal Legal Rights Movement, and others, and have been occurring for years. The bill builds on the experience of those negotiations, and I would like to recognise the assistance from these and other groups in contributing to the proposed law. In South Australia, apart from land owned through Aboriginal community freehold, the great majority of land that has the potential for native title rights is land subject to pastoral lease.

A series of court cases, including the South Australian De Rose Hill decisions, have confirmed that native title rights may coexist with other land interests under pastoral lease. Since 1851, before self-government, Aboriginal people have had rights set out in pastoral leases and legislation to travel across, stay on and conduct traditional pursuits on pastoral land. An ILUA on pastoral land can deal with the ways in which such rights or possible rights are exercised.

An ILUA cannot determine native title rights or interests; only the courts can do that. An ILUA can, however, deal with practical matters in the coexistence of potential native title rights and other interests in the same land. An ILUA is a voluntary agreement that can, for example, provide a framework that might assist in better protection for Aboriginal heritage or diversification of land use, or deal with a range of non-native title matters. An ILUA has the potential to contribute to reconciliation between Aboriginal people, pastoral lessees and the public, and to build stronger Aboriginal communities. There are many areas, tourism and conservation being perhaps the most obvious, where cooperative ventures between native title groups and pastoral lessees could be mutually beneficial.

The bill makes changes to smooth the path of applying ILUAs to pastoral land. In particular, it deals with the interaction of state and commonwealth laws, allows for the recognition of the priority interests of traditional Aboriginal owners in undertaking traditional ceremonies in an area, and deals with the consequences of a new contractual relationship between ILUA parties. I am also pleased to report that I expect shortly to be signing on behalf of the state an ILUA for the Yankunyjatjara Antakirinja native title claim group and the lessees of the Todmorden pastoral lease near Oodnadatta. Agreement was reached some weeks ago and a ceremony on Todmorden is planned for next March.

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

Leave granted.

While this Bill facilitates ILUAs over pastoral land, it does not need to set out any requirements of an ILUA because these are dealt with in the *Native Title Act 1993* of the Commonwealth or are left to the parties involved to agree.

The Bill allows the terms of an ILUA to modify or limit access (and other) rights on pastoral land under section 47 of the *Pastoral Land Management and Conservation Act*. Historically, pastoral leases and the principal Act allowed all Aboriginal people the same rights to access any pastoral land. This may have been inconsistent with traditional Aboriginal law and custom which was at times based on very strict territorial rights and restrictions. These access rights, however, did recognise the impacts of European colonisation, which resulted in displacement of Aboriginal people from land used for agriculture and other intensive uses. Traditional law and custom could still operate to limit the practical effect of such rights.

It is generally expected that, in accordance with traditional law and custom, an ILUA will recognise priority rights for the native title groups over the relevant pastoral land, compared with Aboriginal people from other communities. Unless section 47 of the principal Act is modified, it is not possible to have an ILUA registered under the *Native Title Act 1993* of the Commonwealth where any such priority is proposed because of the inconsistent rights which would exist.

For example, most ILUA are likely to manage Aboriginal access on pastoral land in some way. This may involve a process of notification through representatives of the native title group and a pastoral lessee. Such a process cannot work if section 47 continues to allow effectively unrestricted access. A system of access rights managed through ILUA parties will provide a level of comfort and certainty which does not exist at present for any of the parties. Notice of activities can assist both parties in maintaining a level of privacy.

An ILUA can also introduce some flexibility in covering non-Aboriginal spouses, for example.

It is recognised that the ability to modify section 47 in an ILUA might result in a reduction of rights for Aboriginal people who are not included as a party to the ILUA. There are, however, significant protections:

- any proposed ILUA is subject to objection during an extensive period of public consultation;
- a native title party can negotiate access for Aboriginal persons outside the group as part of an ILUA;
- the general rights of the public under section 48 of the Act will be available to Aboriginal people; and
- the State must be a party to any such ILUA and can respond to any concerns.

An ILUA can not affect matters such as persons undertaking work for a pastoral lessee or access for government officers as this does not relate to section 47 access.

The Bill also provides that future lessees of the land will be bound by an ILUA, in the same way that an ILUA binds all future native title holders or claimants under the *Native Title Act 1993* of the Commonwealth.

The Bill also provides some flexibility regarding boundaries of an ILUA. In many cases the fences of a pastoral lease do not correspond to lease boundaries. The Bill allows an ILUA to cover the fenced area where this extends beyond the lease boundary and provides appropriate protection for the adjoining lessees involved.

The Bill provides in the proposed new section 46B some protection for the parties in terms of civil liability. Under section 47 it is clear that pastoral lessees and Aboriginal people exercise independent rights. Depending on the wording of an ILUA, it might result in Aboriginal people being seen at law as invitees of a lessee. This could result in additional obligations on a lessee to manage the potential risks associated with traditional pursuits. The Bill covers this by providing that a party to an ILUA cannot be liable for harm caused to third parties by another party to the ILUA. Overall, an ILUA can be expected to generally reduce risks of harm because of the increased information flow between the parties about their activities and the development of co-operative arrangements. The Bill also allows ILUA parties to negotiate their own arrangements relating to liability between themselves.

The Bill also offers protection to ILUA parties relating to trespassers on pastoral land. The difficulties of knowing who is allowed on pastoral land and of regulating access, combined with increasing numbers of visitors to outback areas causes potential liability risks. With the better management of access expected under an ILUA, the Government considers that it is appropriate to provide increased protection for ILUA parties by generally making trespassers responsible for their own safety on land under an ILUA.

The Bill also addresses issues related to general public access. These measures aim to remove inconsistencies between matters agreed in an ILUA and current public access rights. For example, an ILUA might result in a pastoral lessee agreeing to restrictions to areas of special cultural significance to the native title group. The Bill provides for similar restrictions to be applied to other members of the public entering the lease under section 48 of the principal Act.

The Bill provides for a public register to ensure that the effects of an ILUA on access to a pastoral lease can be readily discovered. This will include basic ILUA information plus material relevant to members of the claim group (need to give notice, for example), other Aboriginal people (need for approval from native title group or other access options, for example) and general public (any limits on current rights and the liability changes affecting trespassers, for example).

The Bill incorporates the provisions of section 17A of the *Summary Offences Act 1953* relating to trespassers on pastoral land. These provisions are currently available to pastoral lessees but are extended so a native title group that is party to an ILUA has the same opportunity as the lessee to prevent trespassers interfering with their activities.

The Bill demonstrates the Government's commitment to assisting pastoral lessees and native title groups negotiate agreements related to their respective activities on pastoral lands.

I commend the Bill to the House.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clause are formal.

Part 2—Amendment of *Pastoral Land Management and Conservation Act 1989*

4—Amendment of section 3—Interpretation

This clause inserts a number of definitions into section 3 of the principal Act.

5—Amendment of section 4—Objects of this Act

This clause makes a minor technical amendment.

6—Amendment of section 5—Duty of the Minister and the Board

This clause inserts a new paragraph (c) into section 5 of the principal Act requiring the Minister and the Board to have regard to the relevant terms of an ILUA when administering the principal Act, or exercising a power or discharging a function under that Act.

7—Insertion of Part 6 Division 2A

This clause inserts a new Division 2A into Part 6 of the principal Act. This Division inserts new sections 46A and 46B. New section 46A provides that an ILUA is binding on the current lessee of pastoral land, whether or not that was the person with whom the ILUA was made. The new section 46A also enables an ILUA to be made in relation to certain land contiguous to a pastoral lease.

New section 46B confers certain immunities from civil liability in relation to parties to an ILUA, and provides that an ILUA can modify the duty or standard of care required of a party to an ILUA, and may also limit one party's liability as against another party.

8—Amendment of section 47—Rights of Aboriginal persons

This clause amends section 47 of the principal Act to allow an ILUA to confer or modify certain rights relating to Aboriginal access under the section.

9—Amendment of section 48—Right to travel across and camp on pastoral land

This clause amends section 48 of the principal Act to allow an ILUA to confer or modify certain rights relating to public access under the section, and also requires action taken under the section to be consistent with relevant terms of an ILUA in force in relation to pastoral land.

10—Insertion of sections 48A and 48B

This clause inserts new section 48A, which requires the Minister keep a public register in relation to certain matters. The clause also inserts new section 48B, which confers on an authorised person similar powers to those contained in section 17A of the *Summary Offences Act 1953* relating to trespassers. The definition of *authorised persons* includes the lessee, the native title group and certain other persons.

Mr BROKENSHIRE secured the adjournment of the debate.

PROBLEM GAMBLING FAMILY PROTECTION ORDERS BILL

Adjourned debate on second reading.

(Continued from 27 November. Page 975.)

Mr BROKENSHIRE (Mawson): As lead speaker, I intend to make some comments on the bill and some that are relevant to problem gambling. It is the intention of the opposition to support this bill. However, in saying that, my colleagues and I have several concerns about the lack of a comprehensive strategy when it comes to dealing with the pros and cons of the industry. I also need to put on the public record that this government ought to look at some protection orders for itself because, if anyone is addicted to gambling in South Australia, it has to be the Rann Labor government.

We have heard the government's rhetoric, and I will touch on that in a moment, but it is worth looking at the work our government did, led by premier Olsen. The present Premier was rather critical of the fact that premier Olsen received some media exposure for his initiatives to address problem gambling, yet all we have seen from Premier Rann and his government is media announcement after media announcement. This government expects the industry to deliver more and do more, it expects gamblers to be responsible (and I do not have a problem with that and I will touch on it a little further), and basically blames everyone other than itself for

the significant number of people, up to 22 000 South Australians, according to the Independent Gambling Authority, who have a gambling problem.

From a tax revenue point of view, this government pulls in about $1 million a day every day of the year in gambling revenue—about $360 million to $370 million a year—with an upward expectation of increased revenue from gambling in the forward estimates over the next three years. From memory the projection is that gambling revenue will hit $400 million by about 2006 or 2007. So a huge amount of money is being pulled out of the industry for the government's slush fund. Yet, in the meantime, part of that money is clearly coming from a portion of the community with a gambling problem. I say 'a portion' because the majority of the community can go to a gaming or gambling venue, budget on an amount, have a bit of fun and leave without any negative impact on their or their family's future. However, for that other percentage, the effects are devastating, and initiatives must be put in place to address that, and I acknowledge that.

Putting the responsibility back on to the person who has a gambling problem is an initiative that everybody in the community would support, but the government must also act responsibly and provide proper and appropriate financial support to those government and non-government agencies at the coalface that deal with the difficult issues caused by problem gambling. The bigger picture is that, on a day-to-day basis, the government does not do much to address problem gambling. People who work for Family and Youth Services deal with it on a daily basis, but a large number of the problems are handled daily by non-government agencies such as church and welfare groups.

My heart goes out to those groups, because they are doing it tough. They are doing it tough from the point of view of the psychological impact on the men and women who deal every day with the trauma and devastation caused by someone who is addicted to gambling, because, almost without exception, if a person has a gambling addiction, damage will be done to that individual's broader family. They deal with that when they provide counselling and support services, food hampers and basic clothing. The welfare shops that can be found in a lot of church grounds provide for families who come to them because they cannot put shoes on their children's feet, because all of the pay packet has gone at a gambling venue. We are talking about $1 million a day, 365 days of the year. That is the amount that this government rips out of the industry and puts into Treasury. The bottom line is that if this government had the guts and compassion to deliver $7 million from one week a year—one lousy week out of 52 weeks in the year—to the non-government agency area, that would make a difference to problem gambling. It would make a genuine and bona fide difference.

But that does not suit the Rann government's agenda because, if they keep that $7 million during their four year term of office, they would have $28 million for special projects to scatter around the community like a salt and pepper shaker on the eve of an election, and that is the fundamental goal and dream of this Rann government. They should be assisting the community but they only want to assist themselves and have the best possible chance to get back into government. In the meantime, over this four year period, we see hardship in the community like members would not believe through problem gambling and not enough support in real terms—that is, effort and resources—to assist those problem gamblers.

I say to every member of this house, go and talk to the non-government agencies and the churches and they will tell you they would love to have some reasonable funding—and they are not greedy but they need reasonable funding—to assist them with their work. Why should the money from the pledges on a Sunday that go into the overall church funds go towards providing food hampers and funding counsellors and so on because this government is so greedy that it will not put enough money forward to assist them so that they do not have to use money from the general collection plate to address these issues?

Whilst many people have done well during the last six or seven years when we have had a strong and vibrant economy that started growing in 1997 after the State Bank mess was fixed, there is a sector out there that is still finding it really tough, and the church has enough to do with all the other problems they have to address without having to dip into limited collection plate funds to provide money for problem gambling matters.

I again appeal to the government—and will continue to do so when I get the chance—to get serious about putting money into this area. The Treasurer says that all we ever talk about is money, but we all know that, if we are going to have decent counselling and intervention services and a capacity to rehabilitate people in the area of problem gambling, they have to take responsibility themselves and be able to say, 'I have a problem and I want help,' just as at Alcoholics Anonymous meetings, but the fact is that it costs dollars to provide these services. The government knows it but it is not delivering.

I want to touch on a press release of yesterday because it ties in with this bill and the overall matters affecting problem gambling. I need to put on the public record, and I think it is time the government came clean on this matter, that time and again the spin doctors on behalf of the Minister for Gambling put points in press releases such as, 'This inquiry was promised by the previous government and never delivered,' or 'The previous government didn't do anything,' or 'We are the first government in Australia to do this,' or 'We are doing more than ever in the history of the South Australian parliament.' This is the sort of rhetoric and nonsense that goes on. The community and the media are starting to wake up to this. I stand proudly on our record—

Mr Snelling: Have you even looked—

Mr BROKENSHIRE: Yes, I have. I stand proudly on our record. The problem gambling family protection order was a recommendation of the Independent Gambling Authority. Who set up the Independent Gambling Authority in the first place and restructured it from its old form into its new form? It was the Liberal government. Who set up the first portfolio for gambling in the history of Australia (and this is factual history, not fanciful history such as we hear from the Rann government every day)? It was the Olsen Liberal government that set it up. And other states and territories are now looking at that model. Then, of course, we brought in codes of practice. Not only did we bring in codes of practice, but we had also set up a round table with the welfare sector and the gaming and gambling industries looking to resolve the problems cooperatively. We also implemented a lot of other initiatives such as the voluntary code for barring oneself from venues. This is a step further than that.

Mr Snelling: You sat on your hands and did nothing.

Mr BROKENSHIRE: The honourable member sitting at the back really knows the facts on this. He is one of the most intelligent members on that side of the house and it is a pity they do not give him a go and put him on the front

bench and get rid of some of the ministers who cannot hack the pace. They are overlooking good quality people on their backbench because they are factionally locked in to having half of the front bench at least who are incompetent. We saw it again today, and we see it when the unemployment figures come out, and we see it when we look at the trend indicators. Sadly, the factions of this government (and the ministers in particular, because you cannot blame quality backbenchers like the honourable member for Playford because he cannot do anything back there, and they ought to give him a go) are so locked in that it is more about who someone likes rather than who is best for the job, and South Australia is starting to miss out. I can assure members that the community is waking up to that now.

I want to raise a couple of points in respect to this bill. I am pleased to see that this is modelled along similar lines to domestic orders in this state. I give credit where it is due and congratulate the IGA, and the minister for supporting its recommendation in this case. But, again, to put it on the public record, who came up with the innovative solution with respect to domestic orders? And who put all the effort into developing programs, policies, strategies and positive outcomes for another serious matter in this state, and that is domestic violence? It was the Liberal government. So, they have copied our structure in this particular bill, and I am proud to put that on the public record.

In his second reading speech the minister stated:

> A range of other measures focusing on the nature of the gambling product and the gambling environment is being developed to be implemented through compulsory codes of practice.

I support the base principles of compulsory codes of practice. I support this particular bill because it is a new initiative and anything like this is worth a go. But it will still not be easy because families will be under enormous pressure not to go to the IGA on behalf of one family member because they are encapsulated—almost entrapped—by the negative consequences of a problem gambler. It will not be easy for those families to make that step. I am sure that, at home, long before they get to the stage of getting a protection order, there will be a lot of strife in that home and a lot of bad nights, heartache and crying by the family members. There will be a lot of pressure on them by the problem gambler saying, 'Don't tell my mum and dad about my gambling problem,' 'Don't tell the bank manager why we can't pay the bills,' or 'Please don't tell my boss that I am spending an hour and a half at lunchtime gambling and I go there between jobs morning and afternoon.' That sort of thing is going on, and I see it when I move around. You can see corporate vehicles that are regularly at a hotel venue at 10 o'clock or 11 o'clock in the morning and again at 3 o'clock in the afternoon. Then, if you go past again at 10 o'clock at night, you will often see that vehicle there again. Blind Freddy can see that there is some sort of a problem there. That problem goes home.

While this initiative needs to be given a go—and I encourage people who have a problem to have a close look at the opportunity the government and the parliament is giving here—I again come back to the fact that we are not getting to the root cause of the problem with the right resources and support. Once someone gets to this stage, I would say that the family is already suffering enormously. It is also the fact that a marriage could be on the rocks well before one ever gets down this track. What I am trying to say is that this is a bill that is worth supporting, but I do not think it is real early intervention. I think this is intervention well after the intervention should occur. Clearly, if someone is going for a family protection order, they probably should or would have had the opportunity of voluntary barring. That voluntary barring ought to be a signal, through government cross-communication between agencies, that that person has a problem; and there ought to be counselling support for that person then, not once they get to the point of the family protection order.

I do agree with the government that they have to look at the harm minimisation initiatives that are available when someone does get a protection order, and the last thing that any member would want to see was a situation where the person was penalised through a court system. We do not want to see people with a gambling illness ending up with a criminal record. Of course, we also want to prevent those people from getting into a life of crime. Again, that is another problem with gambling, just as it is with drug addiction. I have looked at files of people over the years and, almost without exception, most who get involved in criminal activity have had a problem with gambling or drug addiction that has brought them into crime. I think that early intervention, a better and more committed focus by government to address these problem gamblers and the government's being a key player in the partnership that I heard the minister talking about during question time are still fundamental to addressing the problems.

This morning on radio the minister was asked, 'How many problem gamblers do we have? How do we identify problem gamblers?' The minister's answer was different from that of the chairman of the Independent Gambling Authority, because the chairman said that there were 22 000 problem gamblers. He knows that there are 22 000, which has to be put in perspective against the proportion of people in the state who play for recreational purposes and a bit of fun and who do not get into any trouble. The chairman was asked, 'How do you know? Is it a guess or a stab in the dark? What is it?' The chairman was precise and specific. He said, 'No, there are formulas. The medicos and those who deal with psychiatric assessments and the like have particular standards and guidelines. They can clearly identify where people fall into a problem gambling area.' Again, that reinforces to me that there is an opportunity, given that you can identify them, to get in there earlier than the point where you need a family protection order, because at that stage, I suggest, anyone coming to seek a family protection order would be in diabolical trouble and almost at the point where the horse has already bolted. Hopefully, a few of those horses might be prevented from bolting by this bill. That is why I support it.

In summary, I call on the government to stop the rhetoric and the spin and to listen to what the welfare sector, particularly the church groups, are saying; and also listen to what the industry is saying and to watch the lead of the industry. I believe this industry is being used for political point scoring by this government when it comes to gambling. I give credit to the gambling industry for the way in which it has tried to go about implementing sensible measures. The industry has supported initiatives of both Labor and Liberal governments and it has led the way with initiatives to be very responsible in the way in which it manages the gambling product, yet it is getting hammered. Today I was amazed, disappointed and concerned at the way in which the chairman of the Independent Gambling Authority had a go at an honourable and a decent man who has a compassionate heart when comes to the people who get caught up in problem gambling; and I talk about John Lewis, the South Australian AHA chief executive.

I was appalled by the personal attacks of Stephen Howells on that honourable man, John Lewis.

I congratulate the AHA for the way in which it has tried to go about this responsibly. It has been hammered very hard, mainly, I think, for political point scoring. As I said last week—and I am glad to see that the Premier finally listened to the opposition—the Premier needs to meet and work with industry with respect to the problem that occurred as a result of the drug overdose of those young girls in the Heaven nightclub last Saturday week. I said that he needs to meet with the industry because there are problems in that industry—and the industry knows that—and the industry could be part of the solution to those problems. The Premier was not prepared to meet with them last week. He should have; he should have met with them earlier than he did, but at least he met with them last night after calls from the opposition. Again, I say that the AHA and the gambling industry are responsible, by and large, when you look at everything they do. They have cooperated with initiatives put forward and they have led the way when it comes to—

Ms Thompson interjecting:

Mr BROKENSHIRE: The member for Reynell made a comment. I am not sure whether she disagrees with my point about the AHA being cooperative, but certainly my observations of the AHA indicate that it has been cooperative.

Ms Thompson: I notice your opinion has changed.

Mr BROKENSHIRE: The member for Reynell can say what she wants about my opinion of the AHA, but the bottom line is that the AHA, in my opinion, has been cooperative. In fact, when it comes to the Gamblers Rehabilitation Fund and other initiatives, I think you will find that, despite this government coming out with these other initiatives and this bill yesterday, last year they said they would put an extra $1 million a year into rehabilitation for four years. That is only one day of revenue. Even with that—one day's revenue out of 365 days at $1 million a day that the government is getting—I think they are probably line ball or on par with what the industry itself is putting into problem gambling. The industry has shown more commitment in dollar terms to address the problem of gambling than the state government—which is the biggest winner out of gambling. As I said, the government more than any other sector of the gambling industry is totally addicted to gambling. It is time the government had a really close look at what it is doing and started to readjust its tax take so that it puts in serious money to address the small but significant percentage of the South Australian community that are devastating their lives and those of their loved ones and families through problem gambling. Having said that, I support the bill.

Mr SNELLING (Playford): I also support the bill. It is a welcome change to the legislation to allow for early intervention. Despite the comments of the member for Mawson that it is not, it is quite clearly an early intervention measure and an attempt to prevent damage before it occurs. The voluntary bans, which are in place at the moment, have two problems.

The first problem is that a problem gambler undertaking to have a ban placed on himself from certain venues often takes that step only after the damage has been done—after significant harm has been done to that person's family. Secondly, the voluntary ban requires that the person wants to help themselves and, as with any addiction, the hardest step is to get the addicted person to reach the stage where they are willing to help themselves. This legislation seeks to allow other people—family members—to take the decision out of the hands of the problem gambler and to take it upon themselves to have bans placed.

I will be interested to see how it works. Obviously, it is not possible to have a ban placed on a problem gambler at every gambling venue in the state. It will be in place only at those venues which the gambler frequents but, nonetheless, I will be interested to see whether this is an effective way of helping problem gamblers and their families. The minister might want to address in his reply speech whether it would be possible (and, if not, why not) for family members who want to seek such an order to do so without their identities being revealed to the person against whom the order is being made. I can foresee that, after an order has been put in place, family relations will be rather difficult between the problem gambler and the family member who has sought the order.

I want to turn briefly—because it does not deserve any longer—to the contribution made by the member for Mawson. It was a rather extraordinary intervention. I do not think I can recall hearing a lead second reading speech from the opposition where the speaker clearly showed that he had not looked at the bill, had not read the bill and did not really have much knowledge of the bill. It is always easy to tell when that is the case, because members do not actually talk about the bill: they talk about everything but the bill. The member for Mawson talked about everything to do with government policy and his criticisms of it, and turned for only the briefest moment to what the bill did and how it worked. He attacks a government which has and continues to deliver important reforms in the area of gambling. From the way in which the member for Mawson speaks one would think that he had never served in government before. But every member in this house knows full well that the member for Mawson was not only a member of a government but also a member of a cabinet which sat on its hands in this area. It did not look at the issue. It was all too hard, and it failed to look at or undertake any reforms in this area to help problem gamblers. I am very pleased that, within the first two years of being in office, the present government has already undertaken significant reforms with regard to gambling; and, as the Premier announced in a ministerial statement yesterday, it will continue to undertake other important reforms.

Mr SCALZI: Mr Speaker, I draw your attention to the state of the house.

A quorum having been formed:

The Hon. J.W. WEATHERILL (Minister for Urban Development and Planning): I just want to make some brief remarks and thank the member for Mawson for his support for the legislation. I cannot say that I agree with all the points he made, especially about the government's commitment to rehabilitation of problem gamblers, but he did make a number of points that I think deserve a proper response. The first point he made was that it would not be easy for family members to take this step, and I think that is acknowledged. That is an important point to make. There is no doubt that family members are under a lot of pressure in circumstances where there is a problem gambler in the family, and we do not expect that this will be an easy matter for a member of the family to take advantage of. But we do know that many counsellors are seeing the family members of problem gamblers and treating them for the psychological and psychiatric difficulties they suffer as a result of the harm that is being caused to the family by the problem gambler. At the

moment there is no capacity to confront the problem gambler with the harm they are causing to their own family, and this bill provides that facility.

As I said, we do not expect it to be used in every case, but it does provide another tool in the tool kit to fight this difficult problem. It was suggested that this was not an early intervention order and that somehow it can be distinguished from a voluntary barring order, but can I say that the experience with voluntary barring orders is that, ordinarily, there has to be some crisis before someone is prepared to admit to themselves they have a problem of this magnitude. This measure attempts to get in when other people recognise that a person has a problem before they themselves recognise it. It is unfortunate if you have to lose your house, your relationship or, indeed, commit a crime before you acknowledge that you have a serious problem. It is not uncommon for problem gamblers to say that they are only borrowing money and that they are not stealing. It is a common problem.

Another point raised by the member for Mawson is that he has concerns that, somehow, this might catch up problem gamblers in the court system. We share those concerns. Every attempt is made to divert the problem gambler away from the court process and, in large measure, this may go to answering some of the questions that, I know, are occurring to you, Mr Speaker. The process is one of diversion away from the court process. The first step is to consider counselling and other diversionary measures, such as family conferencing, if appropriate. The making of an order should be a matter of last resort. Indeed, the confronting of the problem gambler with the harm they cause may be sufficient in itself for them to take the remedial steps and to volunteer to take counselling or, indeed, to volunteer that they bar themselves from premises.

Often we are talking about people not having a perception of the harm they are doing to themselves and to their families. This just provides a state sanctioned process to be able to intervene and confront people with the harm that they are causing. Responsibility is the message that I continue to hear from welfare groups when they raise issues about these matters. This measure has the strong support of the AHA and the welfare sector. It is true to say that some people are concerned about this level of intervention in families, but we have a crisis. We make no apologies for suggesting what is certainly a unique measure. We can find no other examples of measures of this sort anywhere in the world, let alone in Australia, so it is an innovative measure. But the problem is one that deserves that attention. I also know that some members have been concerned—and I know it is a concern that may be raised in your own mind, Mr Speaker—about the misuse of this provision by vexatious family members.

That matter was carefully considered in the drafting phase and I think that, perhaps, even as a consequence of your representations, specific measures have been contained within the legislation to require the Independent Gambling Authority to have regard to other proceedings that may be on foot—for instance, there may be a Family Court dispute on foot. It also gives the authority the capacity to cease inquiring into the matter and to dismiss the application if it has the view that it is frivolously or vexatiously managed. It will depend on the skill of the tribunal, as is often the case with these matters. It will depend on the skill and judgment of the tribunal to ensure that it is not enlisted in what otherwise may be some family grievance and this matter used in an inappropriate manner. But I think a specialist tribunal that is well used to understanding and recognising the marks of a problem gambler—the unpaid debts, the pattern of deceit—a well organised and expert tribunal such as the Independent Gambling Authority will be well placed to make sensible judgments about these matters.

The SPEAKER: I have some remarks that I wish to make about the measure. As the minister and other members have observed, this is groundbreaking legislation. It is a serious and, I believe, conscientious attempt to address the problems that are otherwise caused to families by virtue of the fact and in consequence of one of the members becoming an addict. However, nowhere during the course of the remarks made to the chamber has any member seriously attempted to describe the physiology of addiction. Without doing so, it is my sincere belief that the house has overlooked probably the most important, fundamental aspect of the legislation. It will not work unless those people involved in its administration are themselves conscious of and qualified with respect to the nature of the addiction to gambling and that (without delaying the house unduly) is a consequence of the stimulus of the thrill of the risk, producing hormones, enzymes and other downstream endocrine substances in the body as to stimulate the brain and the whole nervous system in a way that gives a heightened level of excitement to the gambler. It is at least as intoxicating as any drug, including alcohol. Unless that is understood by all of us, the nature of the problem is not understood and we seek to address a phenomenon, which is the behaviour arising from the problem, without knowing what the problem is.

I am gratified with the prospect of passage of this legislation on one hand, and gratified very strongly, because it will set in place a model by which we can also deal with problem drug taking without it, in turn, ruining a life. It may be that there is an adult member of a family who is not one of the parents of the children in that family—or any of the parents of the children in that family is perhaps a more contemporary term appropriate to this description. I need go no further in that direction other than to say that the behaviour of any member of a family who threatens the welfare of each and any, if not all, of the individual members of that family is something which those other members should be able to protect themselves from and, in a compassionate way, seek to have that behaviour modified before it becomes the basis upon which crime is committed, because once crime is committed it is a cost to society.

My contribution to this debate goes further than to make that observation. I thank the minister for anticipating my remarks in drawing attention to the fact that it is possible that other proceedings may be on foot, under the Family Court, for instance, and that account of those proceedings must be taken by anybody properly authorised by this act to deal with alleged problems drawn to the attention of the authority.

It would not be proper for us to pass this legislation without requiring the authority to carefully examine whether or not it is being brought in a vexatious way to stop somebody from doing what is a legitimate pastime for themselves, where they habitually enjoyed—without being in any sense addicted to gambling—going to the races or enjoyed going anywhere in which they may engage in gambling.

The reason I am saying that is that, if they were then set upon by proceedings taken under the provisions of this proposed legislation along with having been set upon under entirely inappropriate provisions in the family law at present, we could expect such vexatious pursuit of a family member—presumably one or other of the parents or spouse, partner, call

it whatever you will—to cause the rate of suicide amongst those who are accused to go up even further. As the patron of the Richard Hillman Foundation I would deplore that.

It would not be fair to allow people to say, 'You can't see your kids. You can't go and engage in seeing your friends and participate in your usual recreational activities'. That is because we say, or I say—me being the vexatious party in the first person—that you, the second person in this hypothetical case, are a problem gambler. That would be not only inappropriate but in my judgment wicked and evil. As legislators we need to be careful to ensure that it does not happen. I thank the house for its attention to my concerns.

Bill read a second time.

In committee.

Clauses 1 and 2 passed.

Clause 3.

Ms CHAPMAN: There appears to have been some confusion about the distribution of the amendments and I wish to place on record any apology that may be due from my office. I have a note to parliamentary counsel that the amendments are satisfactory and to issue them as I understood them to be on the file. It is certainly not my intention to have embarrassed the minister nor any other member of the house who proposes to speak on this matter or who has an interest in the same.

So that it is very clear, I will support the government's bill in relation to this matter. The amendments exclusively relate to clauses 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16 and 17 in so far only as they relate to the provision under this bill for the Independent Gambling Authority to be the body upon which protection orders be issued. If accepted, the amendments to each of those clauses would have the effect of substituting the Magistrates Court which has otherwise been defined in the proposed bill. That is the extent to which each of the amendments would apply. Each of the amendments to these clauses would be exclusively to that effect. Having defined as the issue of concern the sentiments expressed in this debate and the importance of providing some avenue to protect the victims of gambling addiction and members of their family, it is important that we do everything possible to assist them.

What has been provided by the minister to the house is that the proposed legislative model has been based on the Independent Gambling Authority's report and recommendation that this particular proposal and intervention scheme be administered in a different way to the domestic violence legislation operating in South Australia. This is because of two important differences. One is that there is no criminal penal sanction for breach of the orders once imposed. As is well known to members of the house, it would apply in the terms of a domestic violence order under the other legislation. The second aspect, as the minister has explained and which appears to be the authority's view on the matter, is, as much as possible in the initial stages of protection orders, to provide an atmosphere which will have the capacity to, and if possible, endeavour to encourage families to address the problem by counselling and mediation. In other words, an early diversion process. The reason I move these amendments is that, even if the authority has the power to deal with this matter and if there is no criminal penalty or an attempt to look at counselling and mediation as a first option (and the latter is available in the court system in any event) nevertheless, the gambling authority will be vested with extraordinary powers in the application of this gambling protection order.

It is not just a question of issuing a protection order to say that you cannot gamble or even confine it to gambling in a particular venue. It would give power to the authority to go much further than that, and that is to bar a person from even going into a certain locality. We have had the problem with this locality type of provision in the domestic violence legislation which could effectively give the power to prohibit someone from a whole suburb. We have had a history of trying to deal with that. This power would also have the effect of isolating an alleged victim of gambling addiction in this situation from their entire assets and wealth, save and except sufficient for them to provide for themselves as reasonably needed by a family member. So, we are looking at a power being granted to the authority under this proposal—this early intervention scheme—which is very broad. It will prohibit people from going into a certain area, so that there is a major restriction on their freedom, and provide alienation from their asset base, save and except what may be needed for their general living expenses. It also has the power to return certain assets and property, and to restrict access to other family members and movement in their place of residence or home.

Whilst the intent of the legislation is to protect against a certain type of gambling activity which is deemed to be detrimental to the wealth and health of both the victim and other family members, it in fact goes much further. It is for that reason that I think it falls short simply to say that, because there is no specific penalty attached to this, it does not justify it going to a court. Our Speaker has made a contribution to the house in which he has highlighted circumstances where there could be a frivolous or vexatious action by an aggrieved family member. Sadly, it is not uncommon that, where there is family disharmony, circumstances may arise where a spouse, child or other immediate family member—stepchildren for example—may act to invoke this provision and have the effect of severely isolating someone from their property and restricting their freedom of movement. We need to appreciate that, in the troubled times that families face, this situation sadly provides an opportunity for some most unsatisfactory behaviour of others which can be mischievous and entirely detrimental to that person. It may, in fact, have no bearing to the real issue of trying to protect the family against loss of financial support or the diminution of assets arising out of the addiction.

So, I appreciate the contribution by the Speaker, because that seems to be a very important factor to take into account. Again, it is all the more reason why it is important that qualified persons be able to deal with this, even at the early intervention stage. It may be a case where a magistrate feels that the best way to deal with the matter—before granting a protection order or in the determination of whether there has been a breach of a protection order—is to recommend that the family undertake some personal counselling or family mediation to deal with the issue. That could be in relation to financial management, the transfer of assets or the voluntary alienation of assets to protect them for the benefit of supporting spouses or minors in a family situation.

So, it concerns me that we are granting a significant power to the Independent Gambling Authority which would otherwise be granted to only a magistrate or judge. I think the question of the authority being able to deal with those sorts of issues without recourse to legal processes leaves some deficiency.

In those circumstances, I appreciate that the government has indicated that it opposes this approach and insists that the authority has the jurisdiction to deal with these matters for the reasons I have set out that that would be inappropriate. The only other matter I wish to raise is how the authority would

undertake this process. It is interesting that the drafting of this legislation is very similar to that undertaken by a magistrate in relation to the hearing and determination of a domestic violence order. In the first instance, the authority needs to receive a complaint, which one would expect would be from an aggrieved family member or someone concerned for the health of the victim of the addiction, or from another family member who has no reliance on the financial support but is concerned for the health and welfare of the whole family.

The bill provides that the authority may make the protection order if:

(a) there is a reasonable apprehension that the respondent may cause serious harm to family members because of problem gambling; and
(b) the authority is satisfied that the making of the order is appropriate in the circumstances.

Again, there is a similar threshold in relation to the domestic violence legislation. In other words, there has to be some reasonable basis for it to occur and that if it did not occur it would leave open the continued circumstances to the detriment of the family.

Those two things are necessary as a prerequisite. The authority has the power to grant an order if it has before it only the statement of the complainant. Clause 4(3) contains a further definition in relation to the reasonable apprehension that the respondent may cause serious harm to family members and that the pattern of behaviour will continue. Again, some guidance is given in the proposed legislation as to how the authority might deal with the reasonable apprehension, but it is devoid of any instruction to the Independent Gambling Authority. How is the authority to determine this, other than what is presumed here, which would be to receive an oral or written complaint from a complainant? How will the authority receive other evidence? Is it necessary for there to be some opportunity for the alleged victim of the addiction to be able to come before the authority?

The authority has power to make ex parte orders, etc., although it is not specified in the legislation. In the ordinary course, this sort of matter would be dealt with in a court where there would be continued access to the usual protections by the aggrieved family, the complainant (who may be someone separate) and the alleged victim of the addiction. In those circumstances, the capacity for the authority to deal with this matter, other than in a very informal way, could lead to considerable abuse—even inadvertently—of the rights of any of the parties in relation to the hearing and determination of both the protection order and any finding that there has been a breach.

If the matter gets beyond that situation and there has been other complaint, it is proposed that the authority will have power to refer this matter to the magistrate. In my view, it is critical that this early stage be dealt with properly and with all the protection of the parties concerned. So, on the outcome for the victim in relation to their restriction of freedom with respect to locality and of property, asset and income, and on the guidance that is given in the legislation for the authority to operate under, both those aspects support us dealing with this matter in the court.

I would ask the government to seriously reconsider that aspect, bearing in mind the important point that the government has highlighted, quite rightly, that it is trying to achieve some process of dealing with this issue without there being findings, court determination and financial penalties by virtue of a fine or any other penalty. I understand that argument. The early intervention aspect of it has considerable merit, but I suggest that, in a court process, that is able to be done in exactly the same way that domestic violence orders are dealt with in a Magistrates Court environment; that is, with all the protections of the law but open to the magistrate to be able to assist the family to take up counselling and mediation options, and for the opportunity in those circumstances, particularly when someone is placed on a bond in that scenario, to undertake counselling in relation to the victim of the addiction. In those circumstances I commend the amendments to the house and ask the government to seriously reconsider its position on that aspect.

The Hon. J.W. WEATHERILL: In framing this bill, the government carefully considered the questions that were raised by the honourable member, so I am in a position to be able to respond because her proposition involves a suggestion that we considered and rejected, for a number of reasons. First, there is an important distinction between domestic violence orders and these family protection orders. Domestic violence is otherwise illegal, so the conduct that is complained of amounts to a criminal offence already—the assault, for instance, that is the subject of the domestic violence order. Indeed, the apprehension of violence in some circumstances could be the subject of a criminal offence in itself.

Problem gambling conduct is not illegal. It is conduct that triggers the capacity to seek an order but it is not otherwise illegal, and we have been at pains to ensure that we do not criminalise gambling conduct. That point was made by the member for Mawson, and it was one that our consultations threw up consistently, so we have gone to significant lengths to ensure that that impression is neither created nor given.

The mechanism by which we have chosen to do that is to give it to a specialist tribunal—the Independent Gambling Authority. The contribution that has just been made tends to devalue the expertise of the Independent Gambling Authority. It is presided over by a lawyer with not less than 10 years' experience. It involves a number of other persons who have expertise in relation to these questions. It is a specialist tribunal that already has experience with the granting of voluntary barring orders, so it understands the nature and extent of the issues that will be dealt with. It has the capacity to deal sensitively with these issues.

If one is concerned about criminalising this conduct, I would have thought that the last place that you would ask for these orders to be dealt with is by a court, because that will create that impression. The other problem that is created by going straight to the court is that it leads one into the difficulties that we are all trying to avoid, and that is frivolous and vexatious application. It seems that the frivolous and vexatious application will be far more damaging if the application is made to a court than if it is made to a tribunal. This tribunal can choose to sit in whatever circumstances it considers appropriate. It may choose to sit in a closed fashion, and it most likely will do so in relation to the granting of ex parte orders.

So, it can deal with these issues discreetly in a way which respects the sensitivities involved and it can wisely discern those applications which are about trying to get some third party leverage on a family member. It is counter-productive if the first port of call is the Magistrates Court. Clause 14 allows orders of the Independent Gambling Authority to be registered as orders of the Magistrates Court. That is necessary, because if this system is to have any efficacy at all, ultimately there has to be an enforceable order. We have had discussions with the Chief Magistrate, and it is his intention

if he is confronted with a situation where someone is in breach of a registered order of the Independent Gambling Authority—no doubt you would proceed to registration of that order in circumstances where the order was being flouted—that his first port of call would be to seek diversionary arrangements. He would use the range of diversionary measures that he has at his disposal to ensure that he did not criminalise the matter.

This system has been carefully designed to ensure that it is not escalated at an early stage. Having the application dealt with by the Magistrates Court would indeed escalate it. I conclude by saying that the fundamental problem with the proposition of handing it to the court and not to the IGA is that it completely devalues the role of the specialist tribunal. The presiding member is required to be a lawyer with at least 10 years' experience. That needs to be contrasted with a magistrate who can be appointed with only five years' experience. So, it is a significant tribunal; it has significant status; and it deals with these issues in a specialist way. So, it could be argued that it is a much better place to deal with some of the complexities of a particular problem gambling issue.

Amendment negatived; clause passed.

Clause 4 passed.

Clause 5.

Mrs HALL: I wish to address some remarks to the minister related specifically to several parts of this clause. Before I do that, I would like to say that I support measures that will assist those who become victims of a family member's addiction—and I think that the word 'addiction' applies in the circumstances we are talking about. I acknowledge that this bill will provide the opportunity to confront a loved one with their gambling habits. I accept many of the remarks that have already been made by the minister and my colleague the member for Mawson.

The section of the bill that I have questions about specifically relates to the issue of barring. I seek a response from the minister in relation to the existing barring provisions in the other legislation. I looked on the internet and obtained the Independent Gambling Authority Request for Voluntary Barring—Gaming Venues form and read it through, plus some additional attached information for gaming venues and casinos. Then I got the chart that they produce showing barring activity by quarter from October 2001 to March 2002, and I am sure the minister is familiar with the very dramatic increases that have taken place since then. I discussed this barring form and the application with a number of venues within my electorate and beyond, and it became obvious to me that great difficulties exist in the operation of this particular barring provision. Can the minister give us some additional information on how this barring provision will work within this piece of legislation?

One of the things that concern me, for example, is that the existing measures currently focus specifically on the individual but, when the individual fails to adhere to the barring provisions, it is the nominated premises that cop the fine. It bothers me that you can bar yourself from the three venues in a particular location but, as we well know, there are in excess of 500 other hotels or 88-plus clubs that an addict can go to within the state, which seems absolutely absurd. Therefore, I seek some additional information from the minister on how these two barring provisions may or may not interlink and if there are any plans to amend the forms currently in operation and the provisions. Also, can the minister address the fact that, whilst the individual might cop a $2 500 fine, the venues cop a $10 000 fine? That seems to me to be extraordinarily out of sync, and I would be interested to hear the minister's remarks on this question.

The Hon. J.W. WEATHERILL: They are all very good questions. In fact, if this bill passes, there will be three regimes—the licensee barring, where the licensee can initiate the barring of a person (which is an existing provision); the voluntary barring the member has just referred to, obtained from and supervised by the Independent Gambling Authority; and then, of course, our proposed problem gambling family protection order. There is no doubt that the existing provisions have a different regime, and they do provide for penalties on the venue. We have not gone down that path with this legislation, and this legislation has the strong support of the Australian Hotels Association on behalf of its members.

There is no doubt that there are difficulties, and we will have to continue working with industry as to how this will apply in practice. If people are determined to defy the order and they are detected, obviously the next level up is enforcement in the Magistrates Court, and finally it becomes a criminal matter if they continue to flout the orders. It is to be remembered, though, that with our orders there is another interested party, the person who made the order, so there will presumably be some supervision by that person or those people affected. It is not just the case of the venue finding someone or someone giving a voluntary barring when they may just be a stranger to the venue. That does raise the degree of difficulty for the venue. But we will continue to work with the venues and, indeed, counselling services that may be part of this system.

However, it is to be remembered that some of the effect of this is not necessarily the physical catching of someone and barring them and then enforcing the barring; it is actually confronting them with the harm they are doing. I note that language such as addiction, illness and those sorts of things has been used. There are different ways of describing problem gambling conduct. It can be described as a type of conduct or even as a psychiatric illness, but I do not think it can be said that there is no discretion, that someone does not have any choices about their conduct, and I suppose it is on that premise that we put this measure in place. We do believe that in many cases the perpetrator of the problem gambling conduct is not aware of the harm they are actually causing to their family, let alone to themselves, and there is a lot of self-deceit around these issues.

The mere fact of their being confronted with the harm that they are causing to their family will often be an important step to their going off and receiving assistance. But the points made are good. In due course it may be appropriate to review the voluntary barring and licensee barring but, because we are dealing with a serious problem, we are very keen to get this measure happening and then perhaps monitor the effect of this provision. There is no doubt that in practice this will need to be monitored.

Mrs HALL: I thank the minister for that response. He may care to provide the committee with some information about the monitoring process. The reason why I raise that is that, talking to some of the people involved in the industry, from venues that I have taken the trouble to speak to, they tell me that it is not always easy to get assistance from the IGA when they are discussing those people who have voluntarily given their names to the three venues from which they wish to be barred: it is quite often industry cooperation and

networking amongst themselves and the venues providing additional assistance to each other.

I would be interested if the minister could provide us with some detail about monitoring because, when looking at monitoring for the particular legislation we are now debating, it might be that a template could be put in place that also provides some additional resources to the IGA to look at education and cooperation with the industry. Certainly, some of the venues that I have had discussions with say that the assistance that they are receiving now is pretty limited.

The Hon. J.W. WEATHERILL: What needs to be understood is that there is a new attitude emerging within the hotel industry about its responsibilities in relation to problem gambling conduct. The level of engagement in dialogue between the industry and the welfare sector really has dramatically increased lately, and the codes of practice have kickstarted that dialogue. There is a fine balance here between the industry saying 'The regulator needs to deal with this; this is not our problem; the regulator looks after problem gambling conduct', and the industry playing an active role.

What we are seeing is the industry now playing an active role. I pay credit to the networking that is occurring now around hotels. There are new ideas emerging about hotels pooling on a regional basis to employ counsellors to move between premises. There is a whole range of very exciting and innovative ideas about grappling with these issues that shows how serious the industry is becoming about these questions. I will take on board the suggestion that there is a perception of a lack of assistance in relation to their present efforts in the voluntary barring area. I will certainly communicate that back to the authority. I know that the authority has been responsible for kickstarting this dialogue. There is no doubt that the authority has created some degree of controversy within the industry about the way it has promoted its measures, but, frankly, people were not engaging—and that includes both the welfare sector and the hotels—with these issues. Practical measures were not being put up. Now we are getting serious practical measures which are likely to grapple with the harm of problem gambling. Obviously, the government needs to do its bit to support industry in that regard. I will take on board the criticisms; I take them seriously and I will communicate them back. I also add that the IGA has had an extraordinary workload with codes of practice, problem gambling, order and the numbers inquiry. That may be another explanation.

Mrs HALL: I will ask one more question. I do not expect an absolute definitive answer, but the minister mentioned 'counsellors' and that he understood that the hotel industry was looking at employing counsellors. I would have thought that in relation to the employment of counsellors to monitor and work with this piece of legislation, which obviously will go through both chambers, that the government would have some responsibility to employ those counsellors. I wonder whether the minister might perhaps share with the house his views as to the extra resources that will be made available to the IGA to employ the appropriate number of counsellors that may be required, bearing in mind that this is such a dramatic problem.

The Hon. J.W. WEATHERILL: I am only making observations about the voluntary measures that are being discussed. I know the GRF provides quite a bit of funding to counsellors. The casino, for instance, supplies its own counsellors and pays for them itself. They are not yet finalised, but I understood there are some discussions around the provision of counsellors on a regional basis. I cannot be definitive about the precise arrangements for that because I know they are at an early stage, but it indicates the sorts of new things which are now being put on the table and which are likely to have a real effect. If this comes to pass and these people learn about a premises, they are also likely to learn about the regulars who fall into this category of 'problem gambler'. I take on board the suggestion. Obviously, the government has responsibility. The GRF does provide its own funding.

Ms CHAPMAN: I think in the debate so far some $1 million, or some portion of that, is to be made available. Is it correct that it is to be allocated to provide the extra services proposed under this legislation?

The Hon. J.W. WEATHERILL: What I referred to earlier in question time is that an extra $1 million over four years has been provided by this government to the Gamblers Rehabilitation Fund. That was done in our first budget. There is a pool of money in relation to the Gamblers Rehabilitation Fund that is applied generally in relation to counselling services. What proportion of that in the future may be earmarked for this particular exercise is a matter that I do not think has been identified. There will be a need. To the extent there is someone who appears before the authority, has a need for services and orders are made, there will need to be a mechanism by which we put that person in touch with the services. I would have thought, although I cannot be definitive, that it would be a proper role for the Gamblers Rehabilitation Fund.

Ms CHAPMAN: The authority itself comprises a number of persons under the act. Is it proposed that the hearing determination for the issue of the protection orders is to be done by only one of the authority or does it have to be a full committee to hear them? If so, what assurance can the minister give that at least one of the group that might hear the matter would have to be a legal practitioner of some experience?

The Hon. J.W. WEATHERILL: The conduct of proceedings is dealt with in clause 11(2), which provides:

> The Authority must be constituted of the presiding member of the Authority or his or her deputy—

who also has to have 10 years' legal experience—

> and at least one other member of the authority for the purpose of the conduct of proceedings under this act.

It also goes on to note that the presiding member or his deputy will decide questions of law arising from proceedings under this act.

Ms CHAPMAN: I am sure the minister would be aware that the convening of the authority to hear the initial application may well be quite straightforward. There would be no need necessarily for that to be urgent, but the authority in that composition would need to be available, for the monitoring of this, to be able to urgently convene for the purposes of dealing with the matter. It is not a standing body as I understand it in the sense that they are not there every day—certainly not the requisite members for the purpose of hearing this matter. What concerns me is not so much the process of the requisite body being in place for the purpose of the initial hearing of the matter, but its implementation and a determination to come together to change a condition, add one quickly or relieve urgently, should the party who is the subject of the order need to immediately get access to money. What process is in place to ensure that this authority can convene quickly, that is, within 24 hours, as would ordinarily be accessible to a court?

The Hon. J.W. WEATHERILL: There are a number of questions. First, there are provisions within the Independent Gambling Authority Act that provide that members do not need to be physically present to discharge their functions. Obviously there is a deputy, which provides some flexibility in terms of who is presently available. In relation to the voluntary barring scheme presently in place, a process exists where there is a preceding interview with officers of the authority to assist with the smooth dealing of the application. It is envisaged that that process may occur in relation to these applications.

Clause passed.

Clauses 6 and 7 passed.

Clause 8.

Ms CHAPMAN: This clause enables a child to make an application if over the age of 14 years and certain persons can be appointed to do that. This is rather unusual legislation, the minister would agree. Why is this necessary in a situation where the complainant does not have to be the child—it can be a guardian or parent in the situation? Why do children have to be called in or even be given the opportunity where, if there were some misdirection of purpose for this application, they would be called up in this?

The Hon. J.W. WEATHERILL: There is an obvious need to have the capacity to make an application on behalf of a child. That seems to be reasonably straightforward, if there is just a two person family and the child has become the victim of a family protection order. It is true that that third person would have the right to act on behalf of the child, but I think there is an important principle about the rights of children to be able to protect themselves, albeit in this case through an adult and a filtering process. The acknowledgment of the right of children to have access to a remedy and not to rely upon some third person to initiate it but, rather, that they initiate the request is also consistent with the provisions of the Domestic Violence Act 1994.

Clause passed.

Remaining clauses (9 to 17), schedule and title passed.

Bill reported without amendment.

The Hon. J.W. WEATHERILL (Minister for Gambling) I move:

That this bill be now read a third time.

I thank all members for their contribution and thoughtful questions and I commend the bill to the house.

Bill read a third time.

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

SUMMARY OFFENCES (CONSUMPTION OF DOGS AND CATS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 16 February. Page 1193.)

Dr McFETRIDGE (Morphett): I rise to support this bill. Some people have said that it is populist politics on behalf the government; however, in this case, I do not care. I do not think anybody in Australian society can agree with the consumption of cats and dogs. However, some societies around the world quite regularly eat dogs and, perhaps to a lesser extent, cats. Some in society do not eat any meat at all, and that is their choice. They think that any meat from any source is abhorrent. The animal libbers will tell you that animal rights allow animals to live without the fear of being eaten; that is not my opinion. I am a dedicated omnivore, but some may say I am a dedicated carnivore.

I hope that I have never eaten dog or cat; however I would not really know. I remember that, when I was at university, in biochemistry we did protein analysis of some meat pies. That analysis revealed everything apart from beef or sheep, but there was no dog or cat. This was a long time ago, and I can guarantee that producers of meat pies today do not include anything other than what is stated on the packet. However, in those days, there were some anecdotes about species other than beef or lamb being put in the meat pies. That was definitely the case—the protein analysis proved it.

Nobody in their right mind agrees with eating their dog or cat, but we need to recognise the fact that not only dogs or cats are close family pets, and this is something that the Premier should consider. They are just a small part of the spectrum of family pets. Some people believe that their pets should never be eaten. I remember talking to a lady about euthanasing her horse, and for her it was like putting down a very close family relative. When I suggested that it be used for dog meat, I had to console a near hysterical woman, and I regret that to this day.

There are rumours that the price of horse meat goes up at the Peterborough abattoirs at the start of the footy season, but I think those are scurrilous rumours. Certainly, in some countries horse meat is eaten but not, to my knowledge, in Australia. You would not know it anyway, because it is probably sold as deer, or something like that; however, I should not be mischievous.

Many people have pigs as family pets. Pigs are, reputedly, as intelligent as dogs. A number of members in this place have certainly related stories to me about families they know (indeed, sometimes their own families) who have had pet pigs that have become part of the family menagerie—and I do not say part of the family, but part of the family menagerie. When we first came back to South Australia 20 years ago, we had two pigs, Stinky and Winky (we used them to get rid of the bracken fern on our property), and it was quite sad when we sent them off to the abattoir.

Sheep are one of the most stoic of creatures, but they can become very close pets. I recall very vividly going to a Coromandel Valley property to drench some horses and where there were always two sheep. I went there once and there was only one sheep, and I asked the owners where the other sheep was. They told me a tragic story. Their daughter went to a 21st birthday party where there was a sheep on a spit. She asked the people conducting the party where they got the sheep and they said, 'It was fantastic luck. It was just running down the road, so we grabbed it.' It turned out that it was her sheep. She was distraught. So, it is not just dogs and cats that are close family friends; it can be other creatures as well.

I know a former member of federal parliament who has a menagerie of guinea pigs. She is very close to them, and they share part of the sunroom in her home. I was invited to go to a restaurant where guinea pigs were on the menu, but I suggested that it may not be good for a vet to be seen eating his patients.

I do know that a very good friend of mine in Western Australia had a veterinary practice next door to a Chinese restaurant, and some scurrilous accusations were made about what happened to the poor deceased patients of this vet. They were scurrilous accusations. The list goes on about people and the compassion they have for their pets, and they would

not want them eaten. Certainly, some people would be quite happy to eat snake, but I know that many of my clients who had reptiles as pets would have been aghast at the prospect of eating their snakes. Even the good old chook—some of my clients who had chooks let them inside the house and they sat on their furniture and were part of the family.

Then we come back to the common old rabbit. We all eat rabbit. Some people have said that cats are just long-tailed rabbits. During the war I am told that it was quite a common occurrence to see a bit of long-tailed rabbit in butcher shops. I cannot support the eating of dogs and cats. I do raise the issue, though, that I understand that some indigenous people in the Aboriginal lands quite regularly chase the feral cats, kill them, cook them and eat them. I think that is a traditional part of hunting and gathering in those lands and not something we should get in the way of.

I ask the government to at least look at that. Certainly, as part of feral cat control, it may form only part of the whole overall program but anything is better than nothing. People have said to me that the only good feral cat is a dead feral cat. Another vet friend of mine asked me, 'What is the definition of a feral cat?' It is any cat outside a lounge room. I support this bill. It is not a world-shattering bill but, certainly, it will have some impact on people's attitudes in society who may not have the same—

Mr Hanna: It won't make any difference at all.

Dr McFETRIDGE: —mores as others. I do not know how it will be policed. That is the part that bothers me about any legislation. You can introduce lots of pieces of legislation, but I really have my doubts, as the member for Mitchell says, whether it will make any difference, but the sentiments are in the right place. I support the bill.

Mrs REDMOND (Heysen): I, too, rise to support the bill although with some hesitation, not because I am against the sentiment of the bill but because I do not see any need for it. As the member for Mitchell has just pointed out, it is not likely to make any difference. I am not aware of any groundswell of people going about eating dogs and cats.

The Hon. M.J. Atkinson: It may depend where you live.

Mrs REDMOND: Yes, certainly, it is not a prominent problem in Stirling, I can assure the Attorney. It is certainly not a problem that I have come across. Whilst a number of people have commented about how they do not know whether they have eaten dog or cat, I am reasonably confident that one would notice the difference most of the time. I did have the opportunity to eat wombat which is something that most Australians do not get to eat but which indigenous Australians are allowed to eat. When I was acting for an Aboriginal tribe they used to try to get a bit of fresh road kill, so we would aim at the wombats.

I did have the opportunity to eat a bit of fresh baked wombat. It was very similar to pork but, nevertheless, different enough that you did notice the difference. I would be confident that, if I was served up dog or cat, I would notice the difference. The bill, to my mind, does not really achieve very much in the sense that I am not aware of any communities eating dog and cat. Nevertheless, it is reasonable to assume that this society, as it presently stands, would prefer that we do not consume those animals which we normally regard as domesticated pets.

Interestingly, when I looked to see where it was going to be included into the Summary Offences Act (because, of course, the bill simply slots a new provision into that act), I noticed that it will be slotted between the 'supply of methylated spirits', which is an offence under section 9A and 'avoiding payment of an entrance fee', which is section 11A. There is no indication, unfortunately, of precisely what section 9 used to say because it has been deleted, what section 10 used to say because it is no longer there or what section 11 used to say.

The Hon. M.J. Atkinson: You could find out if you wanted to. Do a bit of research.

Mrs REDMOND: The Attorney suggests I do a bit of research on that, and I could. If I thought that this was a really important bill I would have gone to the bother of doing some research on that topic, but I do not want to delay the parliament unnecessarily. I just thought it was interesting to note where it was to slot in as a summary offence. My comment in that regard is simply that society changes and, hence, what were sections 9, 10 and 11 of the act are no longer so offensive to our society that they need to be included as summary offences and we—

The Hon. M.J. Atkinson interjecting:

Mrs REDMOND: Mr Deputy Speaker, I would ask for your protection from the Attorney's continual interruptions, simply because—

An honourable member interjecting:

The DEPUTY SPEAKER: Order! It is unusual to ask one of the senior ministers who is supposed to uphold the law to observe the law of the parliament. I uphold the point from the member for Heysen.

Mrs REDMOND: He has never practised the law, and perhaps that is where he falls down a bit. But he does not like us to remind the parliament of that. It is my pleasure to support this bill. As I said, I do not think it will be a major issue. I do not think it will really affect anyone but, out of an abundance of caution (that is a term we love to use in legal argument), it is appropriate to ensure that people cannot breed, sell or do other things and also that they cannot use these domestic pets—cats and dogs—for human consumption.

I would ask the Attorney, when he responds at the end of the second reading speech, to comment on whether there is still a possibility, under the legislation as it will exist once this bill passes, for dogs or cats to be killed or otherwise processed for the purpose of consumption by the pet of—

Dr McFetridge interjecting:

Mrs REDMOND: No, for the purpose of consumption by the dog or cat owned by the person. It just seems to me that maybe it is an avenue that has not been explored, and the Attorney might care to turn his erudite legal mind to the question of whether it is still possible to use them not for human consumption but for consumption by other animal species. Having said that, I do not think that there was any earthly reason for bringing this bill before the parliament. It is purely a matter of trying to generate a bit of public support. There is no-one who will not support the basic concept, but—

Ms Breuer: What about ferrets?

Mrs REDMOND: As the member for Giles quite rightly asks, 'What about ferrets?' I think the member for Bragg in her speech yesterday mentioned pet budgies and tortoises, and we could go through the entire list of the pets that we might not think are appropriate to consume. We could create a schedule, Mr Attorney, of the pets that should not be consumed by humans. I think that, really, this is a bit of nonsense, out of which the government is hoping to get some positive publicity, for no good reason whatsoever. Nevertheless, it is not appropriate to oppose the bill because it is simply not something that is an issue in our society.

The Hon. M.J. ATKINSON (Attorney-General): In the second reading explanation for this bill on 15 October, I quoted figures from PetNet, which is operated by the Petcare Information and Advisory Service Australia Pty Ltd, about the extent of pet ownership in South Australia in 1998. Since that time, I have received a report from the Australian Companion Animal Council Incorporated, namely, 'Contribution of the pet care industry to the Australian economy. Fifth edition, 2003'. The report reinforces the conclusion that the government derived from the earlier published figures. The conclusion was that dogs and cats hold a special place in our society. According to the more recent report in 2002, South Australia had a population of 318 000 pet dogs and 228 000 pet cats.

Ms Chapman: Half of them were strays.

The Hon. M.J. ATKINSON: That's right. In this state, in 2002, we spent a total of $211 million on our pet dogs and $94 million on our pet cats. In contrast, spending on all other pets combined was a mere $29 million. Therefore, in South Australia, 63 percent of all expenditure on pet care in 2002 was spent on dogs and 28 percent on cats. Spending on these two species therefore represented 91 percent of all pet care expenditure in South Australia.

Since this bill was introduced to parliament I have received written comments from the President of the RSPCA, John Strachan, who survived an attempted putsch against him by once and future Liberal MP, Susan Jeanes. Mr Strachan said that the society welcomes the initiative of the government and stated, 'I hope and trust that the bill has a smooth passage through parliament.'

Dr McFetridge: You have always been too trusting.

The Hon. M.J. ATKINSON: As the member for Morphett says, I take his point. The Legal Services Commission raised the suggestion that the bill might be culturally offensive to the Asian community, and the Law Society raised similar concerns.

Ms Chapman interjecting:

The Hon. M.J. ATKINSON: The Legal Services Commission and the Law Society are institutions that are always willing to be offended on behalf of other people, I find.

Ms Chapman: Especially by you.

The Hon. M.J. ATKINSON: No; I have a perfectly good relationship with both the Legal Services Commission and the Law Society. Their relationship with the Premier is another matter altogether. The Law Society criticised the bill as culturally idiosyncratic and suggested that it had been introduced by the government to deal with community discomfort at the thought of cats and dogs being eaten. In response to these criticisms I accept the view that the bill might be criticised on the grounds that it reflects a culturally dominant attitude to dogs and cats.

Mr Hanna: Precisely!

The Hon. M.J. ATKINSON: I accept the criticism of the member for Mitchell, and I hope he will take his opposition to its logical conclusion on the second reading. However, I suggest that many of our laws reflect values held by our dominant culture. A recent example is the Australian Food Standards Code enforced in South Australia under the Food Act 2001. Under this code, meat is defined to include only buffalo, camel, cattle, deer, goat, hare, pig, poultry, rabbit or sheep, slaughtered other than in the wild state. The selection of these species and no others as suitable for sale as meat might be similarly criticised on cultural grounds. On the other hand, eating cat or dog meat is not, to the best of my knowledge, an essential element of any nation's culture, though it may so for sub-cultures in some nations. The abhorrence that many Australians have about this practice does not amount to a prejudice against or a rejection of any culture.

The Law Society also pointed out that the bill does not acknowledge and respect the protected status of cows in some eastern religions—

Ms Chapman interjecting:

The Hon. M.J. ATKINSON: They educated you well at Wilderness didn't they? You didn't miss a trick when you were at Wilderness.

An honourable member: She did not go to Wilderness.

The Hon. M.J. ATKINSON: I'm sorry. St Peter's Girls?

Ms Chapman: Parndana Area School.

The Hon. M.J. ATKINSON: Oh, right. I am looking for where you finished, though.

Ms Chapman: Switzerland.

The Hon. M.J. ATKINSON: —or advert to the cultural beliefs of indigenous peoples. However, those matters are clearly outside its scope. I assume the Law Society was not advocating a ban on beef. This bill must also be read in context with a list of indigenous species protected under the National Parks and Wildlife Act 1972. The reasons for selecting only dogs and cats for inclusion in the bill are outlined in my second reading explanation. Before drafting this bill, the government sought comments from what is now Multicultural SA, and there were no objections to the policy proposed.

Finally, the Law Society questioned whether dingoes would be included under the definition of dogs. My advice is that since 1993 scientists have recognised all dogs, including dingoes and wolves, as being part of the same species. Therefore, canis familiaris and canis lupus are regarded as equivalent. The bill uses the term canis familiaris because the same term is used in the Dog and Cat Management Act 1995. Dingoes are included within this definition and, accordingly, there is no need to mention dingoes separately.

Members interjecting:

The DEPUTY SPEAKER: Order! The Attorney has the call.

The Hon. M.J. ATKINSON: The member for Heysen asked whether dog and cat meat may be turned into pet food. Cannibalism! I raised that matter with the Minister for Agriculture, Food and Fisheries and the minister—a very sensible man, who made a good attorney-general—responded that, to ensure consistency, the regulations under the Meat Hygiene Act 1994 will be amended to specifically prohibit the processing of dogs and cats and other companion animals for pet food. I am advised that this amendment has not yet been effected. The member for Morphett said that some indigenous people chase and eat feral cats. I suggest that the SA police would use their prosecutorial discretion as sensibly as they always do.

No states other than Victoria and South Australia have attempted to prohibit the backyard or non-commercial slaughter of any species. In Victoria, the Animals Legislation (Animal Welfare) Act 2003 received assent on 9 December last and came into operation on 10 December. The Victorian act amended section 35 of the Meat Industry Act 1993 to insert a new subsection (6), as follows:

> A person must not slaughter for human consumption an animal that is not a consumable animal.
>
> Penalty: first offence 100 penalty units. Second or subsequent offence 500 penalty units or imprisonment for 24 months or both.

The Victorian legislation and the Summary Offences (Consumption of Dogs and Cats) Amendment Bill 2003 have one main thing in common: they both extend an existing prohibition on the commercial provision of dog or cat meat to prohibit any slaughter of dogs and cats for food, even non-commercially (for example, in backyards).

However, there are three main differences in the two legislative schemes. First, the Victorian amendments apply to any animal that is not a consumable animal. The Victorian act and regulations list the species that may be killed for food: they prohibit the backyard slaughter of any other species. The Victorian list is similar to the list of species that may be commercially processed in any state. I hope that clarifies things for the member for Heysen. In other words, the Victorian act makes backyard or non-commercial killing subject to the same restrictions that apply to commercial abattoirs. In Victoria, therefore, the amendments do not tolerate any unusual customs or tastes in meat, even when such customs are practised in private premises. For example, the Victorian amendments would prohibit the backyard non-commercial slaughter of rabbits, guinea pigs or even snails. I cannot see that going down well in my electorate of Croydon, where backyard slaughter is rich and diverse.

In South Australia the government has chosen the opposite legislative model, sensible people that we are. Rather than prohibit everything other than a list of defined species, we have chosen to prohibit the backyard slaughter of two select species: dogs and cats. The government has taken that policy position in recognition of the special place that dogs and cats occupy in our society. Secondly, the Victorian amendments create only one offence, that of slaughtering for human consumption. In contrast our bill creates three offences—

Members interjecting:

The Hon. M.J. ATKINSON: This is South Australia under the Rann Labor government. It creates three offences: knowingly slaughtering for human consumption, knowing supplying for human consumption and knowingly consuming dog or cat meat. Thirdly, in Victoria the maximum penalty for a first offence is $10 000. The maximum for a subsequent offence is $50 000 and up to two years imprisonment. The Summary Offences (Consumption of Dogs and Cats) Amendment Bill 2003 proposes a maximum penalty of only $1 250. That is consistent with the penalties for comparable offences in the Summary Offences Act 1953.

Ms Chapman interjecting:

The Hon. M.J. ATKINSON: As the member for Bragg says: soft on law and order.

The house divided on the second reading:

AYES (40)

Atkinson, M. J. (teller)	Bedford, F. E.
Breuer, L. R.	Brokenshire, R. L.
Buckby, M. R.	Caica, P.
Chapman, V. A.	Ciccarello, V.
Conlon, P. F.	Evans, I. F.
Foley, K. O.	Goldsworthy, R. M.
Gunn, G. M.	Hall, J. L.
Hamilton-Smith, M. L. J.	Hill, J. D.
Kerin, R. G.	Key, S. W.
Kotz, D. C.	Koutsantonis, T.
Lomax-Smith, J. D.	Maywald, K. A.
McEwen, R. J.	McFetridge, D.
Meier, E. J.	O'Brien, M. F.
Penfold, E. M.	Rankine, J. M.
Rann, M. D.	Rau, J. R.
Redmond, I. M.	Scalzi, G.

AYES (cont.)

Snelling, J. J.	Stevens, L.
Such, R. B.	Thompson, M. G.
Venning, I. H.	Weatherill, J. W.
White, P. L.	Wright, M. J.

NOES (3)

Brindal, M. K.	Hanna, K. (teller)
Williams, M. R.	

Majority of 37 for the ayes.

Bill thus read a second time.

The SPEAKER: Before honourable members resume their seats may I say that this is a classic illustration of what the press does not understand about this parliament or my humble part in it. I have not been consulted about this legislation. I would have voted in favour of its going into committee, because I believe that amendment needs to be made in order to accommodate two elements which do not presently appear in the legislation and which are not permitted. Honourable members would know that there are some cultures, for instance, in which the consumption of such animals (canines and felines) is undertaken, for whatever reason, and they are not all because such people are primitive or, for that matter, eccentric. For example, in Korea people regularly eat properly farmed dog meat. In the homes in which they have lived for thousands of years (that is, low-thatched cottages with high floors of beechwood), in a climate which would otherwise be fairly humid, having cattle at one end and a kitchen at the other, the warm air was trapped under the roof and TB was epidemic. However, almost 3 000 years ago, those tribes which ate dog meat did not contract TB.

Koreans still eat dog meat on regular occasions (but not in great number) throughout the year to ensure that the antibodies in their bloodstream are sufficiently high as a consequence of the fact, whether by design or by chance, that canines produce antibodies to TB which are immediately transferred to humans; they are not destroyed in the manner in which they have been cooked traditionally. Other cultures and societies across Asia do likewise.

Another reason is that, quite simply, we pride ourselves as a society in being multicultural and inclusive. I believe that, whilst we should properly ban the consumption of canine and feline meat in restaurants, there should still be a means by which it is possible to apply for and obtain a permit, for whatever reason, so that those people who would otherwise want to exercise that right can do so without breaking the law and without putting themselves at risk of contracting other diseases which, if the animals are not properly farmed and cared for, they will contract, the most recent example of which has been the introduction of SARS into Homo sapiens from felines. I see no reason why that cannot happen. The third, if not the most significant, reason is that by doing this we offend those other cultures which do not see anything wrong with the consumption of this meat, to the extent that they will simply say that we are savages to eat kangaroo.

In committee.

Clauses 1 to 3 passed.

Clause 4.

Mr BRINDAL: I would like to know what the Attorney has to say about the constructive comments of Mr Speaker, because I would be minded to change my vote if he can say that this is not a discriminatory measure. Mr Speaker made

some valuable points and he encapsulated the reasons that I voted against the second reading. I cannot see why, when most people in this chamber—

The Hon. M.J. Atkinson: You didn't know why you voted against it until the Speaker spoke.

Mr BRINDAL: That is not quite true because the party room can vouch for the fact that I said much as Mr Speaker said in the party room. Notwithstanding that—

Ms Breuer interjecting:

The CHAIRMAN: Order! The member for Giles does not have the call.

Mr BRINDAL: Exactly. Notwithstanding that, most people in this chamber can and do choose to consume pork, a matter that is found highly offensive by people of the Muslim faith who live in our community.

An honourable member: The Islamic faith.

Mr BRINDAL: Sorry, the Islamic faith—as do people of the Jewish faith. If we can justify that for mainstream society, how can we not justify the consumption of dog and cat by cultures which, as Mr Speaker said, see that as a legitimate practice and a legitimate dietary regime in their own countries?

The Hon. M.J. Atkinson: I shall discuss these matters with Mr Speaker. I have always paid the most careful attention to his legislative desires.

Mr BRINDAL: With due deference, if you want to stay here a lot longer than you intend, the Attorney—

The Hon. M.J. Atkinson: You haven't got the intellectual capital to keep us here.

Mr BRINDAL: I will ignore that remark as gratuitous and unbecoming of someone who occupies the office of attorney-general. It is more befitting of previous attorneys-general such as the Hon. Mr Duncan.

The CHAIRMAN: Order! The committee is degenerating. The member for Unley will put his question and the Attorney will refrain from making unhelpful comments.

Mr BRINDAL: I would ask you, sir, to consider whether the Attorney is being contemptuous of the committee. I asked a question, and the honourable member's answer was simply, 'I will talk to Mr Speaker about what he said.' Mr Speaker gave his views in the face of the house and I ask for the Attorney-General's opinion on his views to be shared with the committee. If the Attorney is so arrogant as to give the answer he did, the Attorney does not deserve to be attorney and he has a contempt for this place.

The CHAIRMAN: Does the Attorney wish to respond?

The Hon. M.J. ATKINSON: I am a member of parliament of extraordinary humility, as the parishioners at my local church and the listeners to Radio 5AA know. I was just challenging the member for Unley to see whether he had the wherewithal to keep the committee going, as he threatened to do for a wholly illicit purpose, and I think my response was proportionate.

The Speaker introduced wholly new material to the debate after the vote was taken. Given that that is so, I will take time to listen to what Mr Speaker has to say, but I am not in a position now to comment on what he said. What he said is entirely new material arising from his being a much-travelled member of parliament and widely read, and I will give it due consideration. To say that is not to be arrogant: it is just to be sensible.

I am not in a position now to respond to the points Mr Speaker makes, but I am sure that, after I have had an extended conversation with him about these matters, I will be in a better position to respond, and the government will respond accordingly in the other place or in this place when the bill is returned amended, as it may well be.

I just do not understand the member for Unley's indignation. He did not follow the debate. He loudly proclaimed on the floor of the chamber that he was not going to follow the debate because I was speaking. He has now come back into the chamber and been one of three members to vote against the bill. I put it to the house that the member for Unley was in two minds at the point that the matter was submitted for a vote. He chose, on balance, to oppose it at the very last minute, and now he is waxing lyrical and indignant that the government proposes to go ahead with the bill on the grounds of remarks that Mr Speaker made in the immediate aftermath of an overwhelming vote in favour of the bill. I do not think the member for Unley's objections are soundly based.

Mr BRINDAL: In deference to my sometime regard for the Attorney, let me absolutely assure him that every member on this side of the house can clearly tell him (both privately and publicly) what my attitude to this bill has been for months. My objections to this bill, as espoused in my party room to all of my colleagues—I lost in the party room, as he will see by the vote—

An honourable member interjecting:

Mr BRINDAL: No, I was talking about my opinion. My objections were, in fact, on the grounds that—

Ms Rankine interjecting:

Mr BRINDAL: Well, there she goes again, this great champion of multiculturalism, equality and all things wonderful, unless her government tells her to wag her little tail in the direction they want her to. What I am totally offended by is a party that espouses multiculturalism until some populist cause comes up that does not suit them. We can have Turkish people dancing, Turkish delight and Greek coffee and all sorts of things, provided—

Mr Snelling interjecting:

Mr BRINDAL: I know that, but most of your colleagues wouldn't. The intelligence on your side I have to say is quite limited. The fact is that they can make all these twee little concessions to what they call multiculturalism, but when it comes to something that they do not like they are quick to get up and condemn it and say that we cannot do it here.

The Hon. M.J. Atkinson: How did you vote on female genital circumcision?

Mr BRINDAL: I spoke very strongly for the need for the mainstream to have a predominant view, and the Attorney knows that, but I also pointed out in that debate that we were being somewhat hypocritical in terms of multiculturalism. This is not the party that generally stands up and gives claptrap lip service and turns out in 10s and 12s to every multicultural function pretending how on side they are with the multicultural ethnic community. I really wish they could see the difference between the way you turn out at Vietnamese functions and things like that and the way you act in this chamber because (through you, Mr Chairman, to the Attorney) you are hypocrites. You stood in the middle of the temple and said, 'Lord, I thank you that I am not as other people.'

The Hon. M.J. ATKINSON: I rise on a point of order, Mr Chairman.

Mr Brindal interjecting:

The CHAIRMAN: Order!

Mr Brindal interjecting:

The CHAIRMAN: Order! The member for Unley will not speak over the chair.

The Hon. M.J. ATKINSON: The member for Unley has just referred to me and my colleagues on the government side of the chamber as hypocrites. I take objection to that. It is not a fair reflection upon us. The term 'hypocrites' is always unparliamentary. I ask that the member for Unley withdraw forthwith and abjectly.

The CHAIRMAN: I uphold the point of order. The member for Unley should not describe people as hypocrites. He can talk about a hypocritical argument, but he cannot refer to members as hypocrites. It is unparliamentary, and I ask him to withdraw.

Mr BRINDAL: If it is unparliamentary, in deference to my respect for this chamber, I unreservedly apologise and withdraw. In future I will keep these thoughts that I hold dear and true to myself in my head, because it is unparliamentary to express them in this chamber.

As I was saying—and I am not going to delay my colleagues because they have better things to do and I have laboured this debate with them—I find this measure offensive. I do not think that in my lifetime I will consume cat or dog—I do not choose to do so. But I notice the minister has not put guinea pigs in the bill. Plenty of people keep guinea pigs, and it is a great delicacy in South America. So when my neighbours over the fence are butchering the guinea pigs and I object, I hope that when I rush in here the government will pass a bill to protect all the guinea pigs. And the goldfish. I notice goldfish are not in the bill: does the Chinese chamber donate too much to the Labor Party for us to put goldfish in it?

Ms Rankine: This is being silly.

Mr BRINDAL: Is it? If there is going to be—

The Hon. M.J. ATKINSON: I rise on a point of order, sir. The member for Unley suggested that the parliamentary Labor Party casts its vote in this chamber in proportion to political donations, in particular—

Mr Brindal: I didn't suggest that. You might.

The Hon. M.J. ATKINSON: —donations from the Chinese chamber of commerce. The innuendo is offensive and I ask the member for Unley to withdraw it.

The CHAIRMAN: I think the member for Unley is getting very close to being unparliamentary in terms of that insinuation but I did not take it as a clear-cut reference to improper behaviour by members of the government. But, for the sake of cordial relationships, perhaps the member for Unley would want to clarify that point or withdraw it.

Mr BRINDAL: I did not actually take it as anything other than a vague suggestion of appropriate motivation.

The Hon. M.J. Atkinson: Then you can withdraw it.

Mr BRINDAL: The Attorney is being a little bit precious tonight. If the Attorney wants me to withdraw that—

Honourable Members: Precious?

Mr BRINDAL: He sounds exactly—

Mr Snelling: Coming from Gollum! Gollum on the other side!

Mr BRINDAL: The member prating now sounds exactly like Gollum. He should have applied to be the voice in the movie and he probably would have won the part and been more noted than he is now sitting in the little back corner all the time.

The CHAIRMAN: The member for Unley is straying from the substance of the debate.

Mr BRINDAL: In terms of your asking me to withdraw, sir, it was not an instruction. I did not intend any offence. But I would be prepared to withdraw it if some of the snide, nasty and downright rude remarks that are daily cast across this chamber during question time at me and all my colleagues were treated similarly. I do not mind the Attorney coming here and saying, 'You should not imply this,' and 'You should not imply that.' He has every right to say that. But he wants to look at his own house and hear what is hurled across the floor daily. Some of the most—

The CHAIRMAN: Order! The member for Unley has made his point and I think he was asked to withdraw or clarify.

Mr BRINDAL: I have clarified, sir. I finish by asking the Attorney again: why legislate regarding dogs and cats? Why not a plethora of other animals? And, as the Speaker said, why penalise communities who do not find it offensive because it is part of their cultural practice to consume dogs and cats? Why do we have this bill, apart from the purpose of appealing to all the dog and cat lovers whose dog and cat I hope I, the member for Bragg or the member for Newland are not, in fact, going to consume?

The Hon. M.J. ATKINSON: I made it clear in my second reading reply that, overwhelmingly, South Australians have dogs and cats as companion animals and pets and, as far as expenditure on pets is concerned, only 9 per cent of expenditure is not on dogs and cats in South Australia. So, clearly, the South Australian population regards it as abhorrent that anyone within our borders slaughters for human consumption the principal companion animals of the state. This is a democracy. The government has brought the bill into parliament, it has been carried overwhelmingly, and the Speaker has made some good points of which the government was not previously aware. We will take them into account in the course of the bill's progress through the parliament. I think the reason the government is doing this is obvious.

Mr WILLIAMS: As a person who has spent a lifetime producing protein for human consumption, I find this piece of legislation rather absurd. It is purely by historical accident that as Australians we consume, by and large, meat derived from ovine and bovine species (that is, we eat sheep and cows) and, to a lesser extent, pigs and chickens. But it is by historical accident. There would be literally thousands of species that we are quite adapted to consuming. There are literally hundreds of species that different communities and cultures throughout this world consume to derive the protein for their very existence. The minister just told the committee that, as he said in his second reading explanation, one of the reason why the government introduced the bill in this form, using these terms, and picked on these particular species is that, by and large, Australians have selected these species to be their companion animals. Why do we not find pigeons here on the list, because pigeons—

The Hon. M.J. Atkinson interjecting:

Mr WILLIAMS: I will offer the minister part of what might become his answer: pigeons have historically been used by Australians both as food and as a companion animal. I think that destroys the argument that the minister has put to the committee—

Mr Brindal: Budgies?

Mr WILLIAMS: I don't know of too many people eating budgies. The problem with budgies is that they are only about half a mouthful. There is a large and possibly growing number of people in our community who find that eating any other animal species is abhorrent. There are also a number of people in our community who, because of their cultural background, find the consumption of dogs and cats quite normal. Why on earth has the government come into this

place with a piece of nonsensical legislation aimed at curing a non-existent problem and picked on two species when there are literally thousands of species? If there was some principle behind what the minister was asking us to support, there would be thousands of species listed in this bill and not two.

The Hon. M.J. ATKINSON: Not so long ago I was pleased to attend the Croydon home of my ministerial assistant for justice, where he served me a lovely dish of pigeon, and I hope to enjoy such a dish again at some time. The reasons the government has introduced this proposal have been amply stated in the news release announcing it and in the two contributions I made during the second reading debate. I refer the member for MacKillop to those statements.

Mr WILLIAMS: I want to take the opportunity to make a couple of comments. The minister's reply to my earlier question was, I think, totally inadequate. He did not address the reason why he has picked on two particular species. I must confess to the committee that I have never had the pleasure or displeasure of attempting to consume dog or cat, and I do not know that I would be very keen to do so. There are a lot of things which have been placed before me on a plate and which I have shunned. There are a lot of things which, I am sure, I have consumed that other people, if they knew what they were, would shun. I think it is a nonsense that this parliament in this land would bother to clutter our statute book with this sort of legislation.

As the member for Unley said, this government purports to be a strong supporter of multiculturalism. This minister and his Premier will beat the multicultural drum every day of the week if and when it serves their purposes. They will also bring in nonsensical legislation such as this at any time it serves their political purposes. It is time we got beyond the spin. This is a small piece of nonsense. I guarantee that in the next hundred years of this state not one person will be prosecuted under this piece of legislation. It is a nonsense and I might say that if one person was prosecuted under this piece of legislation I believe it would be a gross travesty of justice.

I also ask the minister why this clause provides as follows:

[It is an] offence to consume etc dogs or cats

(1) A person who knowingly—

(a) kills or otherwise processes a dog or cat for the purpose of human consumption; or

(b) supplies to another person a dog or cat (whether alive or not)—

Ms Chapman interjecting:

Mr WILLIAMS: Great cruelty from time to time is inflicted upon animals, whether or not they are companion animals. We do have laws to prevent that sort of cruelty from happening. Why on earth are we preventing those people with the cultural background to whom this is a perfectly normal practice from carrying on their culture in this country when we profess to be a multicultural and tolerant society?

The Hon. M.J. ATKINSON: The origin of this proposed law is that at Niddrie in Melbourne a non-English speaking man was seen with a puppy or puppies in a bag. He indicated to people present, I think at a shopping mall or in a retail district in Niddrie, that he was intending to slaughter the puppies and eat them. My understanding is that he was relieved of the puppies by a bystander or policeman. Some members of the public asked, 'What is the government going to do about it?' We have decided to prohibit the slaughter for human consumption of the two principal companion animals in South Australia, namely, dogs and cats. I know that the member for MacKillop is a sturdy gentleman. I know that he is robust, but I do not believe that even he is prepared, really, to see members of certain subcultures in South Australia go to markets and pet shops to buy puppies for the purpose of slaughtering them and eating them. I do not think even he has the stomach to allow that to go on. That is why the bill is in the house and I note that we manage to like our own cultural predilections sufficiently that I think 40 out of 47 voted for the bill.

Mr WILLIAMS: I assure the minister that I am, and always have been, very close to a number of animals of the species *canis familiaris*. I have worked daily with working sheep dogs and have a great deal of respect for the animal. I have much less respect for the species *felis catus*. I do not happen to think that cats are a particularly nice animal for a whole host of reasons, yet a number of people adore their cats, and a number of people adore their dogs even more than I do. I will not allow a dog into my home—I draw the line at that—but I am very familiar with dogs and have been for years. However, I still have a problem with saying that you are allowed to eat a pigeon, a cow and a calf. I have made a living for 30 or 40 years from raising and selling lambs and they are a very cute little animal. People who raise pigs, particularly a small number of pigs, will tell you (if you want to go out and receive the anecdotal evidence) that pigs are a more cute and accommodating friendly companion animal than is a dog. They are an amazing animal. We allow the consumption of horse meat. One of the most noble creatures other than man on this planet is it horse—a magnificent animal—yet we will allow the consumption—

The Hon. M.J. Atkinson interjecting:

Mr WILLIAMS: That is only because you did not win the wager on them, and did not respect them for what they are. They are a noble animal. If the minister and his Premier and the government were really serious about the issue on which they are trying to make political capital-

The Hon. M.J. Atkinson: We are not doing that again are we?

Mr WILLIAMS: You certainly are. You have been doing it for two years and I expect you will do it for the next two, because you do not know any other way. There is no risk that this bill addresses, but there is a serious risk of the production of garments from the pelts of these animals.

The Hon. M.J. Atkinson: That's fine.

Mr WILLIAMS: The minister said, 'That's fine.' He is supposedly introducing this legislation to protect the sensibilities of people who have selected cats and dogs as their companion animal. He said that it is quite all right for them to breed and kill those animals to produce pelts for garments, but that it offends our sensibilities to eat them. The reality is that there is a very real risk (and I am sure it happens in this state) that dog and cat pelts are being converted into garments, yet the government chooses not to address that very real risk to these companion animals, which it would have us believe it is so concerned about, yet would try to address a non-existing risk that people would consume the animals.

Why do we have this legislation addressing a nonexistent risk, yet the same animals, I believe, are subject to a definite risk of being converted into pelts to be traded on the world market for garments; animals which have no less sentimental meaning to their owners or to bystanders who see them as cute and cuddly. As I say, any number of city based bystanders who would come to my farm would find it probably quite abhorrent that the lambs I produce on my farm would end up on their dinner plate. If they could only see the process right through, I think we would probably be surrounded by many more vegetarians. Thank God society today

has become somewhat removed from that because the life and ability of a farmer to produce and supply protein to the masses would be diminished even more.

The point is why are we talking about purely the consumption of the meat from the animal, whereas we are not concerning ourselves with use of the pelt from the animal, which is a very real risk and I have no doubt is happening in this state today.

The Hon. M.J. ATKINSON: Hitherto, I was unaware that companion animals—

Mr Brindal: Another thing you didn't know.

The Hon. M.J. ATKINSON: Yes, the member for Unley is right, I didn't know. I was hitherto unaware before the member for McKillop rose that domestic dogs and cats were being seized on the streets of Adelaide and in our country towns, spirited away from their owners and companions, slaughtered and their pelts sold to earn Australia export income—

An honourable member interjecting:

The Hon. M.J. ATKINSON: I did not know that Cruella DeVil was operating in South Australia. If the member for McKillop has information on that—and he has told the house that he does, he has asserted that domestic pets such as cats and dogs are being slaughtered for their pelts in South Australia, he has assured the house that that is occurring—I would like him to share that with the government. On the question of why the bill is before the house, each night that parliament sits I try to report to the court of public opinion through radio 5AA and radio 5DN what has been going on in parliament. Indeed, I had a conversation with one of the presenters this afternoon and he said that he wanted to—

Ms Chapman interjecting:

The CHAIRMAN: Order! The Attorney has the call.

The Hon. M.J. ATKINSON: —prerecord an interview with me, and I will be doing that at 10 o'clock. What I suggest is that the members for McKillop and Unley accompany me to the studios of radio 5DN and radio 5AA—I am sure I can arrange it in the next 10 minutes—and we can have a debate on air about this bill, and we will see what the people of South Australia think after they have heard both sides of the debate. If the members for Unley and McKillop have their heart and soul where their mouth is, I am available from 9 o'clock.

The CHAIRMAN: The member for Unley technically has had his three questions but because of the confusion at the start, the chair is very tolerant of a quick question.

Mr BRINDAL: I thank the chair for its graciousness. If I and indeed the member for McKillop can accept that this is a piece of legislation about companion animals and it addresses the sensibilities of mainstream South Australians because mainstream South Australians find it offensive to consume cat and dog, we will impose the mainstream will on a community that does not—

The Hon. M.J. Atkinson: People do that in democracies.

Mr BRINDAL: Yes. Could I also ask the Attorney seriously why then his government is not considering the sensibilities of those people who, on genuine and deeply held religious grounds in the case of Hindus, find the consumption of beef totally offensive? Hindus living here in Adelaide and Moslems—

An honourable member interjecting:

Mr BRINDAL: No, it is the principle—find the consumption of pork totally apparent offensive, to the point where a Muslim will go to great lengths not to consume any meat products that they believe might contain any part of a pig and sometimes will not dine in a restaurant in case the utensils have been used in connection with pork. That is how profoundly Muslims and Jews feel about the consumption of pork. Hindus on the consumption of beef are no different.

If we can come here and pass legislation about the sensibilities of mainstream South Australians as to companion animals, why cannot we consider the religious views of other important members of our society and put them in the legislation, too? If we start legislating for people's taste, let us legislate for their religious rights and uphold the principle that these people not be offended because the rest of us happen to like pork or beef, and then see what the member for MacKillop says.

The Hon. M.J. ATKINSON: I do not know where to start with the member for Unley, who advocates an amendment to this bill to ban the consumption of beef and pork. I hope that a transcript of this debate is conveyed as soon as possible to Di Hill in the electoral college for the state district of Unley so that she and the Liberal Party can see what the member for Unley gets up to on a lazy night in state parliament. I think that I invited the member for Unley, for whom I have great regard, to the blessing of my ministerial office in—

Mr Brindal: And I came.

The Hon. M.J. ATKINSON: And he came—good. He will recall that the clergy officiating at the blessing were Brother Paul Mihailovic of the Serbian Orthodox Church, Father John Fleming of the Roman Catholic Church and my own parish priest, Father Stephen Nicholls. Father Stephen Nicholls gave, I thought, an excellent homily about the relationship between religion and politics in a modern rule of law democracy.

Father Stephen mentioned that some people in South Australia—only very few of us—believe that it is desirable that people not eat flesh on Fridays (I am one of those people) for reasons that most Christians can easily grasp. However, he said that it was not appropriate for me, as a member of parliament, to campaign for a ban on eating flesh on Fridays, and no sane person would stand outside butchers' shops on Fridays campaigning against the sale of meat, although at one stage in his vocation as a priest he had one parishioner who did just that. So, I think that is the answer to the member for Unley.

To refresh the memory of the committee, we are debating a government bill that would ban the slaughter, for the purposes of consumption, of dogs and cats. We are at that stage in the committee debate where two Liberal members of parliament (the member for Unley and the member for MacKillop) are arguing against the government bill. Having failed in the vote, they are now proposing an amendment that the government, to be consistent, should support an amendment to ban the consumption of beef because it offends the Hindu minority in South Australia, and that the government should also move a further amendment to the bill to ban the consumption of pork because it might offend Jews and Muslims living in South Australia.

As the minister representing the government in this chamber, I am supposed to take the member for Unley and the member for MacKillop seriously. I have invited them—

Members interjecting:

The Hon. M.J. ATKINSON: Look, they have just lost the division, 40 votes to three, but that, apparently, has not dampened their ardour. These Liberal Party members want the people of South Australia to take them seriously when they oppose an amendment to the consumption of pork and

beef in South Australia because it might offend some subculture. Well, if they cannot work out the distinction between banning, in our 21st century South Australia, the slaughter for human consumption of dogs and cats and the slaughter for human consumption of cows and pigs, then I cannot help them. Either you get it or you don't.

Mr BRINDAL: I rise on a point of order, sir. If my ears serve me correctly, the Attorney suggested, quite wrongly, that the member for MacKillop and I have asked to debate an amendment. We asked no such thing. I claim to have been misrepresented, and I want the Attorney to correct the record.

The CHAIRMAN: Order! The member for Unley has no foreshadowed or tabled amendment, as far as I am aware. He is discussing and proposing an idea. The member for MacKillop has asked three questions.

Mr WILLIAMS: I pray your indulgence, Mr Chairman. I am well aware that I have had three opportunities to speak to clause 4 but, as I understand it, the minister has spent the past four or five minutes talking to a hypothetical amendment—

The Hon. M.J. Atkinson: Which you raised.

The CHAIRMAN: Order! There is no amendment before the chair. The committee is now degenerating into unnecessary usage of time.

Mr WILLIAMS: Mr Chairman, under the circumstances, as I said, I pray your indulgence. The minister has raised a hypothetical amendment and, by interjection just now, said that I raised it. I never raised that and, sir, I seek your indulgence to have the opportunity to debate the point the minister has just made. I am fully aware that I have had three opportunities.

The CHAIRMAN: Order! The honourable member has made it clear that he has no such amendment either before the chair or proposed. I think he has made his point. That is rebuttal.

An honourable member interjecting:

The CHAIRMAN: The member for MacKillop has asked his three questions.

Mr Williams: The minister has had his three opportunities.

The CHAIRMAN: The minister is not subject to the same rule.

The Hon. M.J. ATKINSON: We are in government; you are not.

The CHAIRMAN: Order! The Attorney will make his point.

Members interjecting:

The CHAIRMAN: Order! The Attorney will make his point.

The Hon. M.J. ATKINSON: Let us just go back a few minutes and examine who it was who introduced to the committee the notion of banning the slaughter for human consumption of cows and pigs. It was the member for MacKillop who introduced the notion. The government did not introduce the notion. No other speaker introduced the notion other than the members for MacKillop and Unley. That is why I am discussing it. The members for MacKillop and Unley argued that if the government was going to be consistent, to follow its own logic, then, as well as banning the slaughter for human consumption of dogs and cats, it would ban the slaughter—

Ms CHAPMAN: Mr Chairman, I rise on a point of order. A standing order talks about repetition. I think that the Attorney has adequately put the government's position on this point. It is repetitive and, sir, I ask that you rule.

The CHAIRMAN: The longer it goes, the less worthy the debate becomes. Can the Attorney just make his point and sit down.

The Hon. M.J. ATKINSON: Yes, I will wrap up. I was asked why was not the government supporting an amendment to ban the slaughter for human consumption of cows and pigs and I have just told the committee why, and I think my reasons are sensible. One does not change the criminal law of the state to remove from possible offence something that may be disliked by a subculture within society. I mix frequently with Jewish people and with members of the Islamic faith, unlike the member for MacKillop. Many Muslim people live in my electorate, and if you look at the statistics you will see that the number of Muslims living in Croydon exceeds the number living in McKillop.

Mr WILLIAMS: Sir, I rise on a point of order. The minister has just made an assertion that has no basis in fact—

The Hon. M.J. Atkinson: Well, it does.

The CHAIRMAN: Order! The point of order has to relate to the standing orders. There is no point of order. The Attorney was making a comment. It can be—

The Hon. M.J. Atkinson interjecting:

The CHAIRMAN: Order! The member for MacKillop may not like the comment, but it is not unparliamentary. It may be inaccurate, it may be political rhetoric, but it is not unparliamentary for the Attorney to say that he has more Muslims or that he interacts with them more so than does the member for MacKillop. The member for MacKillop can respond at the appropriate time.

The Hon. D.C. KOTZ: Mr Chairman, I rise on a point of order. My point of order is that you ruled that the member for MacKillop had had three questions. He was not allowed to ask his question. If the minister rises to his feet when a question has not been asked, I can only presume that the minister is concluding the debate. There was no response. If you, sir, had ruled—

The CHAIRMAN: Order! The minister is not bound by the same rule of three questions.

The Hon. D.C. KOTZ: No, I am not talking about three questions. You ruled that the member for MacKillop had had his three questions—

The CHAIRMAN: And that is correct.

The Hon. D.C. KOTZ: —therefore, there was no answer to be had by the minister at the bench. He is on his feet—

The CHAIRMAN: Order! The member for Newland will resume her seat. The member for MacKillop had his three questions. The Attorney is not bound by that same rule. He can make a general response.

The Hon. D.C. KOTZ: There was nothing to respond to. That is the point of order.

The CHAIRMAN: Order! The standing orders allow the Attorney to respond or to make a general point.

The Hon. M.J. ATKINSON: The member for MacKillop made great play of the government's interacting with multicultural subcultures. He as good as condemned the government for its interaction with minority religious groups and with ethnic minorities. Well, it is perfectly true. Most of my weekends are spent in the delightful company of people of a non-English speaking background. I have had the portfolio in government and in opposition for more than 10 years, and not once at any of those functions have I ever seen the member for MacKillop. My electorate—

Members interjecting:

The CHAIRMAN: Order! The Attorney has the call.

Mr BRINDAL: On a point of order, sir, I ask you very carefully: the standing orders are specific. Every member in this committee is allowed to ask three questions on every clause, and the minister responsible at the table is allowed to respond each time to each question. The general principle in all debates in this house is that if a member speaks to a proposition the government is allowed to answer. However, in this case the question was disallowed yet the government is allowed to answer, and that is not fair under the rules of debating.

The CHAIRMAN: As I take it, the Attorney is still responding to the third question.

The Hon. M.J. ATKINSON: There are no fewer than 50 people of the Islamic faith living in the suburb in which I live.

Ms CHAPMAN: I have a point of order, Mr Chairman.

The CHAIRMAN: Order! Can I make the point that the Attorney-General can make the statement even if he is not responding to a question. He does not have to respond to questions in the same way that members, who are restricted to three questions per clause, do. He can make a point irrespective of whether there are three questions being asked or 33. The member for Bragg.

Ms CHAPMAN: Mr Chairman, I respect your point in relation to the response. However, could you receive my point of order on two grounds. One is relevance. The question of multicultural minorities and those who might live in different electorates in South Australia is completely irrelevant to this debate. The preceding issue which the Attorney-General raised was on the question of responding again to this question of the fictitious beef and pork amendment. That, sir, you ruled on in my favour. He had covered that topic and it was repetitious on both those issues. I ask that you rule.

The CHAIRMAN: The point has been made. There was no formal amendment and none was foreshadowed but, in discussion, members raised the point of consistency in the government's bill. It is not a formal amendment. It is a discussion in terms of consistency. The Attorney.

The Hon. M.J. ATKINSON: I am responding to the assertion by the members for MacKillop and Unley. For those members of the committee who have not been here the whole time, the members for MacKillop and Unley challenged the government to ban the slaughter for human consumption of cows and pigs because it would offend Jewish and Muslim people in South Australia. I am still trying to explain to the committee why the government is not going to do that.

The members for Bragg and Kavel might think that the members for MacKillop and Unley are wallies who are embarrassing the opposition. I do not make that judgement. The members for MacKillop and Unley introduced certain material into this debate that I would have thought was tangential. But having introduced that material it does not lie in the mouths of their opposition colleagues to say that when I respond to that new material I am not within the bounds of relevance.

I am giving the committee perfectly good reasons why the government is not going to move an amendment to ban the slaughter for human consumption of cows and pigs. I would have thought that anyone who thought the government should introduce such an amendment is a brick short of a load.

The only Islamic school in this state is in my electorate of Croydon. I have one of the highest proportions of people of the Islamic faith in my electorate: people from Jordan, Palestine, Israel, Syria, Lebanon, Malaysia, Eritrea, Somalia and Ethiopia. I doorknock many of them and spend time with them. Not one of them is offended by this legislation—

Ms Chapman: Point of order.

The CHAIRMAN: Order! Member for Bragg, I think we are degenerating into unnecessary points of order. I think the debate has become repetitious. The Attorney has made his point. The member for Bragg.

Ms CHAPMAN: You having made that statement, sir, I do not wish to speak.

The CHAIRMAN: The member for Hartley.

Mr SCALZI: Thank you, Mr Chairman. I was not going to contribute to this debate, but I note that if we continue the way we have, some members will ultimately believe that pigs will fly!

Members interjecting:

The CHAIRMAN: Order! The member for Hartley has the call.

Mr SCALZI: The fact that the votes were so overwhelmingly in favour of the legislation is not due to the fact that the government has proposed good and necessary legislation: the fact is that it was unnecessary and there was no need for serious debate.

The Hon. M.J. Atkinson: So, why did you vote for it?

Mr SCALZI: Because it was a 'pethood' statement, a 'pethood' bill. Who is going to disagree with it? So, one would ask the question: why was it introduced? For the Attorney-General to go on with the rhetoric about two members of the Liberal Party really took the debate to the ridiculous point where it became a bidding war between members on who attends more multicultural functions. This is not the purpose of the bill, so let us get back to the point. Yes, we agree to it. This side of the house believes that it is not necessary to have such a bill. Usually, legislation is brought when there is an overwhelming need for such legislation. Road traffic legislation, for example, is brought in if there is a need—that is why legislation is brought in.

The Hon. M.J. Atkinson: The Barton Road amendment, for instance.

Mr SCALZI: The member goes on about his favourite subject. There has been no need for this legislation. Whilst we agree with it, it does not mean that we agree with the government's reasoning behind it. We do not agree with the spin on why this legislation was brought in. I think that it is an offence to the whole multicultural community that the debate was reduced to going on about who has more multicultural people in their electorate and who attends more functions. If we continue with this, as I have said, some members will believe that pigs will fly.

I also note that, when asked by the member for Unley to reflect on the Speaker's comments, the Attorney-General said that he would consider them at a later date. However, going into the hypothetical, there was no consideration, no coming back; he launched straight into the debate and then asked the member to withdraw when he was referring to the hypocritical. Well, I have been listening silently to this toing and froing, and I find it offensive, first, that this debate has been brought to this chamber—because it was totally unnecessary—and, secondly, because of the opportunism of using it to see who is closer to the multicultural community. Surely, this was not the intent of the legislation in the first place.

The CHAIRMAN: Order! The Attorney does not have to respond; it is not obligatory.

The Hon. M.J. ATKINSON: Yes, I do, actually. Not so long ago when Ferryden Park was in my electorate a group of bikies and ne'er-do-wells got together in a public park and

used a newly installed coin-operated barbecue to cook a cat for human consumption.

Ms Bedford: How do we know that?

The Hon. M.J. ATKINSON: We know this, because the police arrived.

The Hon. R.G. Kerin: There is no law against it.

The Hon. M.J. ATKINSON: Precisely! The Leader of the Opposition says, 'There is no law against it.' And he is right, unless there is cruelty to the cat. But I say that, when the police turn up at such a ceremony, the public of South Australia expects that they will be able to do something about it, to disperse the gathering and prevent the consumption of a dog or a cat. And that is the proposition that the government is defending.

The CHAIRMAN: I think the point has been amply covered.

Clause passed.

Long title passed.

Bill read a third time and passed.

ADJOURNMENT DEBATE

The Hon. M.J. ATKINSON (Attorney-General): I move:

That the house do now adjourn.

Mr GOLDSWORTHY (Kavel): I would like to continue the remarks that I was making earlier this afternoon during the grievance debate. I did not finish what I wanted to talk about and raise in the house concerning the issue of SA Water and the Minister for Administrative Services making the decision to cease the delivery of chlorinated water to quite a number of residents in the Kavel electorate. Some 90 residents are potentially affected by this decision.

I advise the house that I wrote to the minister on two separate occasions: towards the end of last year and earlier this year. I offered options to the minister that could be explored and considered in delivering potable water to those residents. I received a response from the minister that I regard as totally inadequate. There was no mention of the options or suggestions that I put to the minister: not one word, not one sentence. In talking to the local residents who are affected, they believe that they were options and suggestions that should have been given due consideration.

The residents and I believe that the minister is taking a completely broad-brush approach to this issue and appears to be totally intransigent on the matter. I have been working with the shadow minister on this matter. He has been liaising with officers in SA Water and I hope and trust that the minister listens to and implements any constructive suggestions made by the department to deliver potable water to those affected residents. To say that the local affected residents are extremely concerned is an understatement. What is really being expected by this government is that those local residents are to receive water of a quality delivered some 30 years ago.

Residents in the Adelaide Hills 30 or 40 years ago received unchlorinated water that was not fluorinated and, more recently, a large percentage of the Adelaide Hills residents received filtered water. That is one major concern of my constituents. The other is the financial constrains that will be placed on these people to provide additional funds to install a rainwater tank of a capacity that will supply them water through the extended summer period. In my comments this afternoon I spoke of the quite significant variance in the annual winter rainfall that is received throughout the Adelaide Hills region. An even lesser amount of rain falls on the Murray Plain in the Palmer-Tungkillo area, which is actually the member for Schubert's electorate, and is affected by this current decision.

Another issue is the new agreements that are being presented to the residents by SA Water. They are really being forced into a position to either accept the current offer—that is, $4 000 to assist with the installation of a rainwater tank and pump and the like—or receiving nothing at all. It is a 'take it or leave it' approach. These are only two or three concerns that the residents have raised and there are many more. The residents held a private meeting last week and I understand that 40 or 50 affected people attended. I understand that there were also two or three officials from SA Water there. I did not attend that meeting at the request of the residents because it was deemed to be a private meeting. They did not invite any media or any politicians because they did not want it to be politicised. However, I advised the spokesman for the residents that I would definitely be raising this in the house.

As a result of that meeting last week, held at the Paracombe Hall, the officials from SA Water listened to their concerns—did not necessarily agree with them—but they have undertaken to further discuss and assess them and have agreed to meet again in early March. Time is of the essence in this matter. Residents have been advised that the chlorination will cease in September this year. However, if the only option for residents is to install rainwater tanks, then the work involved in installing them must be completed before the break in the season, really before April when the winter rains actually start. It is no good putting in a 50 000 litre rainwater tank in August, expecting that tank to fill up over September and October, because the rainfall that will actually fall will not be sufficient to fill that capacity so that it will meet that home's demands over the extended summer period.

I quoted from a letter by the Minister for Administrative Services, who has the portfolio responsibilities for SA Water, which says that the 15 000 litre tank would provide sufficient water. That flies in the face of, and contradicts, some advice that I have received from the Department of Environment and Conservation. I refer specifically to a document from that department entitled 'Rainwater Tanks—Their Selection, Use and Maintenance.' That calculates that a tank in excess of 50 000 litres (around 12 000 gallons) is necessary to provide sufficient domestic needs for an average household. That directly contradicts what the minister said in his reply to me: that 15 000 litres and not 50 000 litres is sufficient for average domestic use. This is an important issue that the minister, his officers and SA Water need to address.

In closing, I want to remind the minister that there are not two South Australias. These residents, constituents of mine, are not expecting any more than they are presently receiving. Why should these people be expected to receive a service that residents in Adelaide do not receive? The government is expecting them to receive the quality of water that was put through the mains system some 30 or 35 years ago. Governments are expected to maintain or improve the delivery of services, not reduce them. When in opposition, the Premier went around the state campaigning on a platform that 'Labor listens', but it is blatantly obvious that neither he nor his minister is listening. The minister needs to act on this matter now.

Motion carried.

At 9.21 p.m. the house adjourned until Wednesday 18 February at 2 p.m.