

HOUSE OF ASSEMBLY

Thursday 27 May 2004

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

MARRIAGE, DEFINITION

Mr SCALZI (Hartley): I move:

That this house urges the Prime Minister and the federal opposition leader to support the established definition of marriage as being between a man and a woman, and reject any attempt to extend this definition to include same sex couples.

I would like to begin my speech today by saying that I never thought that I would see a time when such a motion was necessary. In 2001, the Netherlands became the first country to recognise same-sex marriage, followed by Belgium and Canada and the provinces of British Columbia and Ontario in 2003. Several European countries, including Sweden, recognise same-sex civil unions which provide the same rights as for heterosexual couples.

In April this year, the Swedish parliament was set to debate a change in marriage law to make it gender neutral, and thus eliminate the last distinction between the two kinds of union. Recently the State of Massachusetts Supreme Judicial Court ruled that same-sex couples could not be excluded from marriage under the state constitution. Here in Australia the subject of gay or same-sex marriage has also been controversial.

In recent times overseas developments have impacted on our court system. Same sex couples are able to marry in overseas jurisdictions and may then seek legal recognition through the Australian court system. Same sex couples may also choose to apply for marriage in Australia and upon refusal choose to mount a legal challenge.

The Age, on 4 February, reported the case of two Melbourne men married in Toronto, Canada, planning to apply to the Australian courts to have their union recognised. Newspaper reports have also featured two Melbourne women who married in Canada in August 2003. We must also reflect on the institution of marriage and the impact on families of reforms based on extending the definition of de facto or putative spouse to same-sex relationships.

Given that the state government level legislation in many areas is under review with a view to extending rights analogous to those afforded to married couples to same-sex couples, South Australia has passed superannuation entitlement legislation, and Western Australia, Tasmania and the ACT have legislated to allow adoption by same-sex partners.

At a federal level, Mark Latham has signalled the intention of a Labor led government to take this approach and to provide same sex couples with some legal rights, including access to medical superannuation care and parental entitlements, and financial status as heterosexual couples, as reported in the *Sunday Mail* on 4 January.

I consider it vital that we now affirm the status of marriage based on the traditional definition of marriage as being the union of a man and woman to the exclusion of all others, voluntarily entered into for life. Marriage is distinct from other types of relationships and should remain so. Marriage is a public contract. It is a legal binding contract between a man and a woman under federal legislation. The commonwealth's power with respect to marriage comes from section 51 of the Constitution, which provides:

The Parliament shall . . . have the power to make laws for the peace, order and good government of the Commonwealth with the respect to:—Marriage.

The effect of the Marriage Act 1961 and section 109 of the Constitution is that the Commonwealth has exclusive jurisdiction over the formation of marriages in Australia. Section 46(1) of the Marriage Act 1961 describes marriage as above. The High Court's consideration of section 51 leaves open whether parliament can determine the meaning of marriage or whether the term has a fixed intrinsic meaning.

De facto relationships are currently limited to opposite sex couples, but as there is no public contract entered into they are afforded legal status via the three-year eligibility criterion or the birth of a child. Marriage is different in that it affords immediate legitimacy and eligibility for a range of legislative provisions, entitlements and responsibilities.

The status of marriage and legislation attached to this relate to provisions for the desirable structure for upbringing of and support for children. The original intention of legislation, such as stamp duty exemptions, etc., was not to recognise the heterosexual relationships as such, but rather to recognise and support the family unit, whereby it was acknowledged that a financial disadvantage arose from time taken to raise a family.

For society and the law to endorse same sex relationships as marriage is either to abandon all idea of connection between marriage and children, in which case, why should the state be involved at all, in regulating essentially private relationships, or to openly tolerate deliberate bringing of a child into a fatherless or motherless family? Legislation must relate to the common good, rather than the private relationships and good of the minority. Tolerance and respect for an alternative lifestyle does not necessitate legislation legitimising such partnerships in the public sphere.

I believe that we must respect the basic human rights of all individuals. Some critics might say that this is wedge politics. I say it is about the public knowing where parliament stands on these important issues.

Ms Breuer interjecting:

Mr SCALZI: The honourable member opposite says, 'Parliament should stand on it.' Members would be aware of a recent survey put out by the *Reader's Digest*. It puts politicians at number 26, ambulance drivers ranking number 1. I trust, as representatives of the common good and as people representing all views in society, it is important that members of parliament and parliaments make it clear where they stand on this important issue.

The established definition of marriage was between a man and a woman. It was never intended to be otherwise. To say so, misinterprets what has been the established definition for thousands of years.

I do not oppose individuals' rights. Members would be aware that I introduced a bill in this place to ensure that same sex couples, carers, or whatever their personal relationships are, would be entitled to superannuation. I am not about discrimination, but equally I believe that society cannot pussyfoot around. They must say whether they support the definition of marriage between a man and a woman or that it makes no sense. If you say that it makes no sense, then vote accordingly, but let the public and your constituents know that that is the case. Do not hide behind saying that it is wedge politics, and do not say that we should not deal with these issues, because if we cannot deal with these issues then what issues are we supposed to deal with? What messages are we sending out to the electorate?

Ms Breuer interjecting:

Mr SCALZI: Individuals have rights. By all means they have rights, and I am the first one to defend them, but parliament and the community have the right to set parameters on how to bring up families. What we believe as a society should be the ideal parameters to ensure that individuals, especially children, are given the maximum protection. To those who support their right to have children, I say that they do not have rights: they have responsibilities, and they must be committed. Children have the right to be brought up in a society which gives them the greatest opportunity to maximise their potential. To do otherwise, I believe, is to deprive children of this. So, I urge members to support this motion.

Members will note that I refer in my motion to the Prime Minister and the federal Leader of the Opposition. I think that, as a parliament, we must signal that we intend to fight discrimination at all levels, that we must recognise carers and that we must recognise financial entitlements such as superannuation, and so on. I am with you in the fight for those rights, but we must make that clear, whether or not we support marriage as it is. There are no two ways about this: either you support the current definition of marriage or you oppose it. If you oppose it, then stand by your conviction and let the public judge you, as I allow my public and my constituents to judge me. Thank you.

The SPEAKER: I trust the honourable member for Hartley intended his remarks to be addressed to all honourable members and not just to the Speaker?

Mr SCALZI: Mr Speaker, I apologise if that was not made clear. My remarks were intended for all honourable members.

Mr BRINDAL (Unley): I move to amend the motion as follows:

Leave out 'urges' and insert 'notes the intention of'.

Leave out 'and the federal opposition leader' and insert 'to change the Marriage Act'.

Leave out 'reject any attempt to' and insert 'that in consequence, the federal parliament will not'.

After the word 'couples' insert 'and this house urges him to ensure that all those living in Australia enjoy an inalienable equality and equal and non-discriminatory access to human rights'.

What prompts the member for Hartley to bring this motion before this house? He was a teacher, so I immediately went to the dictionary, which (as he said) defines 'marriage' as 'a state of being united to a person or'—interestingly—'persons of the opposite sex, as husband and wife'. Quite clearly therefore, he might be trying to protect the language from corruption. If this is his aim as a modern King Canute, I wish him well. Maybe next week we will see him introduce a motion in defence of words such as 'wicked', 'cool', 'straight', 'gay', 'queer', and there are so many others that it would take 10 minutes to go through them all. Then I thought, no, he is an educated person and a profound thinker; so I considered that he might be trying to protect the institution which, again, is defined in the dictionary as that whereby men and women have joined in a special kind of social and legal dependence, especially as constituting the simplest form of a family. I give him credit for that. Our institutions—all our institutions—are worth defending.

Then I considered that, like every other person in this chamber, the member for Hartley informs his debate through his background, his education, his customs and his beliefs. Sometimes, however, those beliefs do not give us the clear vision that should at all times be the expectation of the people

of this state. That is exactly why this chamber is adversarial with each and every proposition tested by debate and only declared valid by the majority will of this chamber. Like me, the member for Hartley is a member of another institution—and I am sure that he will not mind my mentioning this—called Christianity. That very institution has already profoundly changed the meaning of the word 'marriage'. Originally, marriage was not a monogamous institution, and other great religions of the world—Judaism, Islam and Buddhism—for periods of time have promoted and thought it not wrong to be polygamous. Even in Judaism, even in *The Old Testament*, there were several wives to a number of great prophets.

Mr Scalzi interjecting:

Mr BRINDAL: I heard the member for Hartley in silence; I ask that he give me the same courtesy. I remind the member for Hartley that, as I said, marriage was not originally a monogamous institution. It is in part—in fact, mainly—because of Christianity that monogamy is now the most widely practised form—indeed, the only form—generally recognised in countries that have been affected by Christianity. I remind the member for Hartley that his and my traditions both suggest that marriage is not a word and not an institution: it is a religious right of sacrament.

In many ways it is a pity that that is not what we are debating here today; it is a pity that that is still not the case. As a sacrament, it is a binding contract between two people in respect of their love, their fidelity and their ongoing commitment each to the other. Anyone from a faith background knows that the priest and the witnesses are of little account, since the third party to the deal is God. I will remember the words from the *Book of Common Prayer*—for the Attorney-General's benefit: 'Those whom God hath joined together, let no man put asunder.' In both our shared traditions—both the member for Hartley's and mine—it is God who looks into the heart and who decides and judges who is and who is not married.

I say to those who believe this (including the member for Hartley and others in this chamber): no change in word meaning, legislation or motion can ever alter this fact. As an aside, I say to this house that the learning of my faith leads me to hope that, with divorce running, some say, at more than 50 per cent, and with de facto relationships probably at least as common as marriage in the heterosexual community, many faithful and committed gay partnerships may well find more grace in the eyes of their Creator than those pious pharisees who scorn them and describe them as an abomination, and then say, 'I have got nothing against them.'

As far as I am concerned, let the member for Hartley, and whoever is so minded, have their word. Frankly, I share their sympathy for its traditions and its deepest meaning. If that was the whole of their motivation, I would be prepared to let it rest there, but what I will not concede to them, and what I urge every member of this house not to concede to them, is the bigotry, prejudice or hypocrisy that may well be implicit in this motion. I believe that at the core of this motion is a dangerous desire to pander to those who promptly stand in the middle of their churches and say, 'Lord, I thank you that I am better than everyone else. I thank you for making me God's personal spokesperson on earth.' If the member for Hartley feels that these are the people—

Mr SNELLING: I rise on a point of order, sir. Contrary to standing orders, the member for Unley is making personal reflections on the member for Hartley.

The SPEAKER: It is a dangerous piece of ground onto which the member for Unley has strayed. The point is that the member for Playford, while articulate and competent to do so, is not recognised in standing orders as being the spokesperson for the member for Hartley. If the member for Hartley takes umbrage, then it is for him to say so.

Mr SCALZI: The member for Unley has labelled me a Christian. In so doing, I forgive the member for Unley for making any reflection on me.

The SPEAKER: Does the member for Hartley complain of the member for Unley? There is no point of order. The member for Unley.

Mr BRINDAL: If that were to be the case—and I did not say it was—if these were the people to whom the member for Hartley appeals with this motion, then I say to him that, statistically, as a representative of 22 000 people, there are many people who are sexually inclined towards their own gender and who may well choose to judge the member for Hartley at the next election. Indeed, I wonder if we were sitting in the senate in Rome whether some honourable members would not be saying, ‘I know I’m supposed to represent the Christians, but they are so unpopular and so out of favour that we will feed them to the lions anyway.’ I thought our trust was for all people. The member for Hartley argues about non-discrimination. The member for Hartley now supports superannuation for gay couples—interestingly, so does the Prime Minister—but I remind the house of remarks previously made by members in this chamber where superannuation rights for gay couples was wrong, evil and in other ways generally bad. It alters according to the day.

I think this is the worst sort of motion to be brought before this house because I think it demeans this house. I think that gay people are not gay because they choose to be. I wish some members in this chamber would learn one simple maxim: if you would understand another person, first walk one mile in their shoes. It is easy to condemn people you do not understand; it is much harder to forgive them. It is easier to be a hypocrite than it is to be a person who practises a faith. I think that some of the best people I know, some of the greatest people I know, are openly and honestly gay. They tell me that it was not their choice. They truly believe that it is who they are and how they were created.

I think this house, in not seeking to understand those things, does itself and a whole proportion of our community an injustice. Therefore, I ask this house to reject the member for Hartley’s motion in its current form and that the motion as amended by me be the motion which is passed by this house. Sir, I cannot tell you the anger that I feel in having to stand up to debate this motion. I think the presence of this motion demeans this house. I think this motion is abhorrent and wrong, and I pray to God—and I mean this truly—that in the next generation we have spawned a race of South Australians who will not be so bigoted, prejudiced and biased as to waste this chamber’s time by debating motions of this nature. I commend the motion, as amended by me, to the house.

Mr SNELLING (Playford): I think I support the amendment moved by the member for Unley. The parliamentary Labor Party made a decision to support this motion but, as far as I can see, the amendment is fairly straightforward. I wish to make a couple of points. The member for Hartley rises as a great defender of the institution of marriage. I point out to him that, in relation to marriage, at least in its civil sense under Australian law, he has missed the boat because,

with the changes to the Family Law Act in the 1970s (steered by the then attorney-general), the concept of no-fault divorce was introduced, effectively meaning that marriage is a contract from which either party can extricate themselves unilaterally without any reason at all. It is a bit of a nonsense, 30 years after this happened, to be saying how the future of marriage is at stake. I honestly think that that battle was well and truly lost. However, if it remains anything at all, it remains an institution which can be contracted only between a man and a woman, and it is probably worth defending.

I have to ask, though, why the member for Hartley wants to raise this issue in this house. Marriage and the family law is something over which we have no jurisdiction whatsoever: it is entirely within the province of the commonwealth. Why should the member for Hartley be so determined to drag this issue into this house? There are two possible answers: a charitable answer and an uncharitable answer. The charitable answer is probably that this is an obsession of the member for Hartley. He does not have terribly many interests or terribly many things to worry about, so this whole issue has become an obsession for him.

Anyone who knows the member for Hartley—and I know he can be a pleasant little fellow—knows that he is absolutely obsessive, and when he gets his teeth into an issue he will not let go, and sometimes to his own detriment, as we found a few years ago with his obsession about forcing members of this house to renounce their citizenship of any other countries. Even when it was clearly detrimental to him, he insisted on pursuing this issue. Despite all the flak he was getting, he still held on and would not let go. Since the last election, we have seen a new obsession from the member for Hartley, that is, homosexuals and their relationships. That is my charitable take on the member for Hartley.

The uncharitable thing is that the member for Hartley has purely seen this as an issue with which to embarrass some members on this side of the house who, on social issues, take a fairly conservative line: it is purely about that. That is my uncharitable take on it. I hope I am wrong, but the more the member for Hartley goes on about these things, the more I am convinced that perhaps there is a darker side to the member for Hartley. It is a bit hard for me to tell from the amendment in front of me but it seems fairly straightforward. I am happy to amend it.

I think I am correct in my understanding that the federal parliamentary Labor Party is supporting the move of the Prime Minister. This is not something which should be politically divisive. However, I am certainly happy to support the member for Unley’s amendment, although he did become rather heated in its defence. As far as I can tell, I am happy with the motion and indicate to the house that the state parliamentary Labor Party has made a decision to support the motion.

Dr McFETRIDGE (Morphett): I rise in support and defence of the member for Hartley. Let me begin by referring to two quotes: first, from the Hon. Paul Keating who said, ‘Two blokes and a cocker spaniel do not make a family’; and, secondly, Graham Richardson—and every member in this chamber should listen to this one very carefully—who in his book said, ‘When principles and politics conflict, politics always wins.’ We have just seen the member for Playford attack the member for Hartley for sticking by his principles.

What we have before this house today is a question not only about the sanctity of marriage, religious beliefs or anything such as that but also where society is heading.

Whether you agree or disagree with this motion today, I want every member in this place to reflect on where they want South Australian society in 10 years, 20 years and 50 years' time. Reflect on that very carefully, because whatever you say, whether it is about this motion or any other motion which has the same sort of principles behind it, it will have an impact on where we will be in the future.

We stand in this place as the delegates for those who have elected us. We do not represent everyone in our electorate. There are people who did not vote for me—misguided as they might be—people who are atheists, fundamentalists, Christians, Muslims, Jews, Baha'is, agnostics, gays, straights and people who are so homophobic you cannot talk to them. Some people are right out of left field and others the right field, and then there are absolutely different people. However, I will defend their right to be represented in this place, no matter what they believe. They have a right to their beliefs, and we as members of parliament have every right to voice our own personal opinions.

The member for Hartley, in moving this motion, has been superseded a little because, according to the ABC news at 10 o'clock, the Prime Minister and the federal government will be moving to put the sanctity of marriage in their terms between a man and a woman. The point I wish to make is that we need to be very careful about where we are going. This is an issue with which we will be faced over and over again, as well as other like issues. The member for Giles said, 'What do we care what they do?' I care if people commit murder or deal with drugs; I care about many things. This is not one that rates very high on my care scale, but I know that many of my constituents care deeply about the sanctity of marriage.

Some people, including some of my relatives, are quite happy to live with their partners. When I had my veterinary practice, I had contact with many gay couples, and I had many discussions with them about the rights that they have and do not have as gay couples. I accept with all my heart that they have just as genuine loving relationships as any heterosexual couple, whether it is sanctified by marriage or whether they decide to live in a de facto relationship recognised by law.

The separation of the church, the judiciary and the state is something that we need to maintain. Many people come into this place who, unfortunately, pretend to represent the whole of their constituency, yet they do not, because their views in here are governed by their own ideology—not a political ideology, but it may be a religious ideology. Good on them for having those principles! I care that they have those principles. But they should not let those principles be overridden by the politics in this place. We have seen that in the past, and we will see it today on this vote. We will see people who have deep convictions, and they will vote against those convictions. I find that very upsetting, and I find it very disappointing for the people of South Australia who have put us here.

The practice of attacking an individual in this place for their principles, for what they care about, is something that we should examine. We should examine very carefully where society will be in five, 10 or 20 years' time. It is not just whether we sanctify gay marriage, whether we allow people to live in a de facto marriage, whether we give people rights under superannuation bills or anything like that: it is not that at all. It is about what sort of society we want and what role models we will provide for our children. We are trying to change the discrimination acts to allow males to be preferentially selected to become teachers, because we recognise that

there is a need for male role models in children's lives, particularly in boys' lives.

We have a lot to think about when we are standing in this place voicing our ideals and trying to represent the broad spectrum of the views of our constituents, so that we can continue to have a society of which we are proud. I am proud to be a South Australian: I am proud of this society. Even though we suffer many ills, they pale in comparison with those of many other societies around the world.

This issue is a very minor one in the full gamut of what we have to deal with in this place. But I want to emphasise this—and I have said it before and I will say it again: members should not let their politics overrule their principles all the time. We should be very careful about where we are going with respect to the way in which we are leading society down a path that will be like the veritable scrambled egg: it will be very hard to unscramble. We should think about what we are doing here today. It is not being homophobic and it is not being discriminatory. What we are here about is—

The Hon. M.J. Atkinson interjecting:

Dr McFETRIDGE: The Attorney-General is a member who has deep principles. He is calling on me to say which part of this motion I will support. I will tell him in a moment; he can just wait his turn. But I ask him to please remember his principles, to put his politics behind his principles for just one or two moments and just listen. What we have to do in this place is look at the society that we represent and make sure that we are looking after that society. What I am doing here is supporting the right of every person in this place to stand up and voice their principles without being ridiculed or personally attacked, as we are seeing; without having to suffer the vitriol of self-serving members opposite who have their own marginal seats to protect. We need to get above that. We need to progress.

I am happy to come in here and suffer the slings and arrows of robust debate. Every time I bring in schoolchildren I point out the blood line. That is what this place is about. Members should never be scared to stand up and speak about what is going on in the world, whether they agree or disagree.

I recognise the rights of gay couples, and I recognise the rights of deeply religious people to sanctify marriage. I have been married for 31 years, having been married in an Anglican church. I am proud of that fact. I am proud of the fact that my marriage is stable. I wish that other people out there had stable marriages such as mine: I wish they had children who were as well brought up and who are as well behaved and respectful of society and others in it as they are. I wish that upon everyone. But I do not see the guidelines that we are putting down here today as being consistent with all of that. Members should remember what they want for their children and their grandchildren. The most important thing for members is to stick by their principles. The member for Hartley is sticking by his principles, and that is why I support his right to stand here. I support his motion.

Mr RAU (Enfield): I came here today expecting to have a reasonably quiet time until we got to the budget, but I have been surprised, because the day has begun to get exciting from the very beginning. The member for Hartley is to be congratulated, because he has done something that I observed my uncle doing many years ago when he had a farm up in the Hills: he used to get a plastic egg and stick it in the hen house, and the plastic egg used to force the chickens to start laying eggs. I do not know why, but it did. What the member for Hartley has managed to do today is drop a great big

plastic egg right into the middle of this chamber and, like clockwork, everyone is coming in—and, I suppose, to that extent, I am one of those suckers as well. So, he has got me—I feel like chicken tonight! Let us think about this great big non-event in which we are all engaged at present.

An honourable member: It's called parliament.

Mr RAU: Good point. Let us have a look at the great big plastic egg dropped in here by the member for Hartley. Instead of spending our time debating this motion, the member for Hartley should have picked up his pen and a piece of paper and written a letter to the editor of *The Macquarie Dictionary* and said, 'Excuse me, can you make sure that, in future editions where you have the word 'marriage', you have next to it 'union between man and woman formalised and recognised by law? Thank you very much,' signed 'member for Hartley'. Then he would have achieved all that he is trying to achieve.

This complete non-event that we are having is an argument about semantics. It is an argument about what the member for Hartley thinks the word 'marriage' should mean, and unfortunately other people are coming in on far bigger things—with all due respect to the great wisdom of the member for Unley, who gave a very moving and passionate speech: but it was nothing more than a moving tribute to otherness. However, it does not hit the point. The point is: what do we think the word 'marriage' means?

Quite frankly, this parliament has zero jurisdiction over the word 'marriage'—zero, zip, nothing. What part of 'zip' do you not understand? I do not understand, first of all, why this is on the *Notice Paper*. Secondly, I do not understand why anyone, including myself, is speaking on this motion. Thirdly, I do not know why we just do not get on with the main business.

If the point of the motion is, as I suggested, simply to explore the semantic qualities of the word 'marriage', I would offer this observation to the member for Hartley—it might comfort him; it might not. This motion seeks to say that the word 'marriage' should mean a relationship formalised or recognised in law between a man and a woman. It is my view, having spoken to my constituents over time, that 90 per cent of them believe that a gay union may be many things, but they probably do not understand it to be marriage in that sense. That is neither here nor there. It is like saying: what do most people understand the word 'football' to mean? Do they understand it to mean an oval ball or a round ball? That is the extent of the debate that we are having here today. If members of the public could see us sitting here banging on about this now, I think they would be horrified. But I am going to make it worse by keeping it going for a little while.

The member for Playford made a very important point. He speculated on the fact that there could be two objectives in the member for Hartley's raising this matter. The first one he described as a charitable interpretation, which was simply that he is obsessed. He then went on briefly to explore the uncharitable possibility, namely, that the member for Hartley, in his own way, was attempting a bit of what I think is described in current parlance as wedging—although I always thought that had something to do with wearing a swimsuit when you jumped off a very high board in a swimming pool!

An honourable member: Cutting up potatoes.

Mr RAU: That's right. Assuming (to be uncharitable for a moment) that the member for Hartley was on about a bit of wedging, it occurs to me that he may have shot himself in the foot. I say that because, as the member for Playford observed, the only possible consequence of his trying a little bit of

wedging over here would be to embarrass people whose views might possibly be closer to his than others. What he has managed to do—if, indeed, that is his objective—is make life uncomfortable for those who empathise with his heartfelt views—if, indeed, there are any such people.

The honourable member is making them the object of ridicule amongst their fellows on this side. If he feels that the way to reward his colleagues in obsession is to actually have them ridiculed by their colleagues, I think he is a very unkind person. He should actually think about whether he is serving the purpose by doing this or whether that letter that I have urged him to write to *The Macquarie Dictionary* might not be a better way of dealing with the problem.

It just seems to me that, in this context, the member for Hartley reminds me of the sheriff in *Blazing Saddles*, at the point where he is about to be lynched. Some of you might remember this scene: the black sheriff is standing there, the crowd is going wild, he pulls out the gun and sticks it to his own head and says, 'Anyone moves and the sheriff gets it.' That is basically what the member for Hartley is doing and, sooner or later, someone is going to call his bluff. I think before we all go too far, he should pull out of this type of tactic, get rid of the plastic eggs, and let us move onto some more significant issues.

Mrs REDMOND (Heysen): I rise to support the amendment that has been moved by the member for Unley in this matter because it does two things. First of all, it recognises implicitly that we have no jurisdiction in any event and the Prime Minister has already announced his intention in relation to the Marriage Act. It also makes it clear that we should give certain rights to all citizens of this country. It seems to me that there is an awful lot of emotion in this debate that really does not belong here.

I agree, largely, with the comments of the member for Enfield in relation to this, but a couple of things have come up in the course of the debate this morning. The member for Playford referred to the fact that things changed in 1970. In fact, it was about 1975 by my recollection that the Marriage Act changed, thanks to Mr Murphy. At that time, of course, we introduced no-fault marriage; so, this idea that people are getting up and saying—

Mr Koutsantonis: Divorce.

Mrs REDMOND: Divorce, sorry. No-fault marriage—if only! There was this idea that, up until then, somehow marriage was a wonderful legal institution that had some fantastic sanctity and was a union for life—indeed, people still assert that that is the case. In fact, 50 per cent of people in this country, once they marry, divorce as well. It is not as though it is a union for life any more. The member for Hartley referred to it as a legal contract: well, it is a very strange legal contract, because it is one where 'breach' does not have any consequence in terms of the legal obligations. The way the law works does not operate on a standard contractual basis.

The other thing that seems to get in the way of this is the idea of using the term 'marriage'. In other jurisdictions around the world, for the most part, there is a recognition of domestic relationships other than the one we call marriage between a man and a woman. As the member for Enfield said, most people in the community in common parlance would say that marriage is between a man and a woman. However, the fact is that our society is moving on. Homosexuals have been here for as long as there have been people in this world, and no amount of legislating is going to stop

homosexuals from existing. To think that you are going to somehow make the world a magical place by saying, 'Tut-tut-tut we must not have homosexuals and we must not give them any recognition' is just a nonsense in my view.

I have acted over the years for many homosexual couples, and, although I am sure they have their ups and downs just like any heterosexual marriage, they are long-term, stable and loving relationships. I can see no reason why they should not be able to raise children; they often do raise children, and to assert that, for some reason, a relationship between a man and a woman is one in which children are going to be always better off is a nonsense. We all know how many families are dysfunctional in our society, and what we need to be addressing is not definitions of marriage: we need to be addressing where the problems are, where the children have problems, where there are dysfunctional families (be they homosexual or heterosexual) and address the causes of those problems so that our children have a better chance of coming out as mature, happy adults. We should not worry about the sexuality of the partners that form that family.

In spite of whatever the member for Hartley might want to happen in this world, the reality is that people are increasingly learning to accept that families come in all shapes and sizes and all configurations. What matters is the amount of love, respect and care that is given to the children as they grow up in those families—not the definition. The sanctity of marriage is not under threat by such a move: the sanctity of marriage will always be there. If you see the sanctity of marriage, as I do, it is simply recognising that a relationship between two people, who choose to make that relationship exclusive of all others and to live in domestic harmony (I use the word advisedly)—

Mr Koutsantonis: Bliss.

Mrs REDMOND: —or bliss, as the member for West Torrens says, is one for which we should all be grateful in our society. We should be looking towards how we make our society a group of people who behave better both as individuals and as groups. I do not have any difficulty with the idea that we move towards giving greater recognition to everybody who wants to have their relationship recognised. I cannot promise that I have looked at all the legislation, but certainly it is my understanding of what has happened in some Canadian provinces and Massachusetts most recently simply to give recognition to the relationship for legal purposes and not actually change the definition of marriage. It is not saying that it is a marriage: it is simply recognition of a genuine domestic relationship. For those reasons, I will be supporting the amendment that has been moved by the member for Unley.

The Hon. R.B. SUCH (Fisher): I think it is unfortunate that this matter has been brought before the house, but it is here. I am sure that the member for Hartley means well, but I think he is in danger of falling into the category that was referred to by the philosopher Malcolm Muggeridge, who said that there was a danger of people having sex on the brain. He pointed out that that was the worst place to have it!

I have some suspicions as to why there is a move not only here but also in the United States and elsewhere to attack a minority group in our community, namely, those who are homosexual or lesbian—roughly 8 per cent of the population, and you can argue about that. It is an attack on a minority group, and I think it is unfair and completely unjustified.

The irony of this is that often the people attacking should be coming from a position of Christian compassion and

tolerance, not one of homophobia that generates a hatred. I am not saying they have a hatred, but it creates in the community amongst those who are unthinking a response which is often violent, aggressive and hostile to those sorts of people. We have had plenty of examples in Adelaide of homosexuals being bashed. It is a derogatory term in our community, and it shows that we are still an immature community. What people do in private is their business if they are adults—we are not talking about children.

The usual definition of marriage is that it is the condition where men and women are united for the purpose of living together and usually procreating. It also has legalistic meanings and covers such terms as ceremonies and procedures. The real issue here comes down to that point of definition. I do not believe that the term marriage needs to be used in relation to couples of the same sex who are living together. I also point out that many of those people of the same sex are not necessarily having sex.

As it was pointed out to me recently by friends, who are two adult women living together and they say, 'We are not lesbians', but people naturally assume that they are having a sexual relationship. The extended point is that you could look at marriage in a legal sense and you could look at the quality of the marriage. There are a lot of sham marriages going on. I remember a professional woman who told me that when she wanted something from her husband it was usually conditional on some sexual activity. To me, she was a prostitute, but she was married to someone. That was her attitude: if I want something, it will be in exchange for sex.

The point I am making is that within marriage you have a whole range of qualities of relationships that vary over time. Marriages have their ups and downs, and some heterosexual marriages may not have a lot of sexual activity in them. So, let us be quite clear what we are talking about and not generalise and get carried away. I find this whole approach of being homophobic not only unacceptable but also very negative. In this country we have developed multiculturalism, which does have aspects of which sometimes I am critical, but the great aspect of multiculturalism has been tolerance. That is the thing that distinguishes it: being accepting and tolerant of others.

Do we want to go back to a time when people who were homosexual or lesbian were burnt at the stake or hanged? That is the sort of thing you will get if you go down what I call this Talibanesque path of attacking minorities that do not conform to your particular view of the world. I think it is very dangerous. I would make this point to the member for Hartley, for whom I have considerable affection as a friend. I would ask all members of the Liberal Party to have a look at the definition of 'liberal'. No matter what dictionary you look at, it means 'directed to the general broadening of the mind; giving freely; generous; open-minded; favourable to democratic reform and individual liberty; the holder of humane views;' and so it goes on. The attack on homosexuals and lesbians, whether by George W. Bush or others, certainly does not come into the category of a liberal approach to life or liberalism.

It is a negative, unproductive and, I think, quite cruel aspect of life, which we should keep away from and certainly not encourage. We are building up this motion into something that is unnecessary. I am not saying that I have the correct approach, but what we need is a term that accurately reflects same sex couples, those living together of the same sex, without using the traditional term 'marriage'. I am not saying that I have the answer today, but I think that is the way to go,

where you can indicate that there is an ongoing relationship, care and concern, but we are not trying to say that it is the same as a heterosexual relationship in its form. I make quite clear that it should not result in any discrimination, but we need a term which can be used in everyday language and which covers the situation of people of the same sex living together.

One should not assume that that always means there is sexual interaction between people of the same sex. If you think of some of the religious orders, you would have to come up with a pretty interesting analysis in that respect. Just to conclude, it is unfortunate that this is being put forward. It is a divisive measure. It is not warranted. We should be able to accept people who have a different sexuality. We live in a society that should be tolerant. We are being tolerant to people of different cultural backgrounds and, the sooner we get away from having sex on the brain, the better off we will all be.

Ms BREUER (Giles): A couple of weeks ago, like probably 95 per cent of the female population and about 60 per cent of the male population of Australia, I was enthralled by the royal wedding between our own Australian princess and the Crown Prince of Denmark. It was a very exciting event and I was amazed that I sat and watched the wedding, because up to that date I had taken absolutely no interest in any of the proceedings and knew nothing of either of the couple until that night. The only thing of interest to me—and I would like the house to note this—was that at the royal banquets kingfish was served from Fitzgerald Bay from my part of the state. It was served at both royal banquets, one for the Australians the week before and on the night of the wedding. I would like this house to note that our kingfish was served at those royal banquets. That was the highlight of the whole wedding for me!

However, like many other Australians I sat and watched that wedding that night. I sat down in front of the television when I got home, the wedding came on and I thought I would watch it for 10 minutes—and I sat there until 3 o'clock in the morning! And I have to say that I was just so pleased to see that union, to see the love between that young couple. It restored my faith in marriage because, quite frankly, I do not know why we are here today arguing about marriage. Why would anyone get married? This is based on my experience and the experience of many of my friends. I get so angry about this fixation that the only way in life is a happy marriage and the only way for children to be raised is in a happy marriage with a loving mother and loving father. It is absolute crap! I know thousands and thousands of people out there who can say that it is not the only way.

It is an ideal way, it is a wonderful way if your children can have that sort of upbringing, but for so many of us it is not a possibility. I have raised my two children in a single parent family, and I do not think they have turned out too badly. I think they have had a very warm, loving home to grow up in. They are not perfect—I can certainly point that out—but they have grown up to be a bit of a credit to me. I raised them singlehandedly. That was not through choice: it was one of those things that happened; but they were raised well. At one point I thought about going back to my husband, because he had started to hang around a bit and we had started to get together, and I thought that perhaps we should because maybe we need to have this perfect family living there together with loving dad and loving mum and two children being raised in this perfect family.

I thought about it for a while and then my son, who was about 14 at the time, said to me, 'Mum, we are far better off without him; we're much happier.' That was true. It is no reflection on the father, but it is a reflection on the marriage and the state that it was in. We did not need to be together. My children were far better off without having that relationship. I would like to have met my handsome prince, as most women do, but I never did. So I raised them from when Kate was two years old, and she is now a wonderful young woman of 18. So, why are we putting up with this?

I was really angry with the federal Treasurer's budget when it was geared so much at families and this perfect family that had to have mum and dad and the children. Life does not have to be like that. How do you think families like mine feel when they are told that we are dysfunctional, that there is something wrong with us because we do not fit this perfect mould? There are thousands of people out there, same sex couples who are raising children, and you do not even know about it half the time. This happens. Those children are happy and well adjusted, probably far more well adjusted than the children of so-called perfect marriages.

As a single mother, a single woman, I have a lot of compatriots on this side of the house. There are successful women here who are in successful marriages, but a heck of a lot of us are single, and you would appreciate that yourself, madam acting Speaker. As a single woman I can tell members that there are a hell of a lot of married men out there where the vows they made when they got married mean very little to them, and I could name a dozen in this place now, but I will not. But those marriages mean very little to those men. And there are also very many women out there whose marriage vows mean nothing to them. They are rooting as hard as they can go wherever they can and as often as they can. So, do not give me this bullshit about sanctity of marriage, because it is absolute rubbish. These things happen everywhere.

Mrs REDMOND: On a point of order, Madam Acting Speaker, I draw your attention to the language just used, which I do not choose to repeat but which I think is highly inappropriate in a parliamentary context.

The ACTING SPEAKER (Ms Ciccarello): It is the honourable member's choice of words, and I would suggest that it is not unparliamentary.

Ms BREUER: I do not think I said anything that was unparliamentary but, if I did, I withdraw. However, I am just trying to get the point across that all this talk about the wonderful sanctity of marriage is—in many cases—rubbish. There are some wonderful marriages out there, and on the night of the royal wedding I think we saw one. You only had to look to see that they truly loved each other; and I got choked up when he cried when she came in, and I got choked up when she cried as well.

Marriage can be a wonderful thing, but it is not the only way. I am saying that I have raised my children very successfully as a single parent, and many of my friends have also raised their children very successfully. As the member for Florey describes herself, I also consider myself to be a dormant heterosexual. I am not a gay person. I have not met my handsome prince: I have kissed a lot of frogs but none of them have turned into a handsome prince. There are many same sex couples out there who are raising children and who are raising them very successfully. There are many same sex couples who are living in relationships that are very successful—far more successful and actually far more faithful than

many of my friends' marriages, and many of the marriages of people I work with and deal with.

This motion today is absolute rubbish and, as so many people have commented before, I do not know why we are even bothering to get up and speak about it. We should have taken advice and just sat down and shut up and not said anything. It is a waste of everyone's time. It is a waste of this place when we have issues out there such as children getting beaten and savaged and abused all over the state, when we have got homeless families, children who cannot find jobs, people who are breaking their hearts in relationship break-ups. Yet we sit here and argue about something as silly as this. I think it is time that the member for Hartley started to get his priorities right and started to think about the real problems in this society. I certainly do not see two gay people being married or otherwise as being a threat to our society.

Mr KOUTSANTONIS (West Torrens): I believe that the member for Hartley is a good man. I know that he is a man who has raised his family on his own, and I believe that he is not someone who has any prejudices or—

An honourable member interjecting:

Mr KOUTSANTONIS: No: he is not a saint, but what does concern me is that there are some people who have been saying to me that the member for Hartley's sole motivation in moving this motion is to wedge and embarrass those of us on this side of the house who might share some of the views that the member for Hartley has, and I am coming to the point where I agree with them.

The member for Hartley is moving this motion not because he can actually do anything about same sex marriages—because, as we have been told, this parliament is incapable of doing that—he is doing it because he wants to embarrass people like me, like the member for Playford, like the Attorney-General, and anyone else on this side who might be considered to be a conservative Christian.

Mr Brindal: The amendment won't embarrass you, Tom.

Mr KOUTSANTONIS: It will not embarrass me. But my point is that, if homosexual couples want recognition under the law, then I have no problem with that. We cannot deny them that and I do not think that we should, but what the member for Hartley is doing, along with the Prime Minister, is trying to play politics with people's faith, and I think that is the most abhorrent type of politics that any member of parliament can bring into this place or into the federal parliament. You have not seen any Labor MPs who hold Christian conservative values attacking the federal health minister, Tony Abbott, for still fully funding abortions under Medicare. You have not seen the Labor conservative Christians attack Liberal MPs like Kevin Andrews and Tony Abbott for not having changed the family legislation. I have not seen any Labor MP doing mail-outs or moving motions to try to wedge conservative Christian MPs on their eight years in government, but time and again conservative Liberal MPs get up in this place and in the federal parliament and try to embarrass conservative Christians on the Labor side. I do not want to see it become like the United States—

Mrs Geraghty: You aren't conservative.

Mr KOUTSANTONIS: I'm not conservative, but I am a Christian. I do not want to see our political system become like the United States where there are only two types of political parties: the Republicans and the Democrats—and there is nothing in common between either of them. I find it sad that the member for Hartley is doing what he is doing, because I think he is a good man and I think he is motivated

to do what he thinks is just and right, but sometimes he should think about the consequences of moving a motion to the people who might support him on issues that are really important. I think the member for Hartley should consider that maybe he needs people on this side of the house who share some of the same views as he does, or does he want to see a day when there is no-one on this side of the house who shares his views.

I think that is his main aim: to try to rid the Labor Party of people like me and the member for Playford and the Attorney-General, to continually wedge us to the point where we can no longer fit into the Australian Labor Party. Well, I can tell the member for Hartley that my love of the Australian Labor Party and the Labor movement in terms of industrial relations will never wane. He can move as many wedge motions as he likes and embarrass me as often as he likes. I will ensure that there are people like me in the Labor Party for a long time to come. He can try as hard as he likes.

Mr O'BRIEN (Napier): I would like to speak in favour of the motion because I think that it allows for the possibility, at a later date, of there being some recognition of same sex relationships. The reason I am speaking on this motion is that I came into this parliament because of my concern that South Australia was slipping ever further behind the rest of Australia in terms of economic development. For four years I was a national manager and then an international manager with Elders IXL through their agribusiness, and then for a further 11 years I ran my own business. Over that 15 year period I was out of the state for up to four months of the year spending an inordinate amount of time in other capital cities. Every time I returned to Adelaide I realised how far we were falling behind Sydney, Melbourne, Perth and Brisbane. There was very little construction activity, very high rates of unemployment, wage levels below the national norm, and very poor health outcomes for much of the population. The perception was—particularly in Sydney and Melbourne—that this really was the nation's Sleepy Hollow, that there was a lack of dynamism within the business sector and that, effectively, the state was a basket case.

On gaining preselection for the seat of Napier and familiarising myself with the northern suburbs after an absence of about 20 years, I was absolutely astonished at the extremely poor educational results being achieved in the electorate of Napier, effectively the worst in the nation. It had the highest rates of youth unemployment in the nation, the highest levels of ill-health in the nation, and in today's *Advertiser* I think we have also been given the accolade—if one can call it that—of having the highest rate of disablement in the nation. So, I came into this house and this parliament thinking that I could make a contribution in terms of engendering economic development within South Australia which would, I hoped, in turn lead to better educational outcomes, higher rates of employment, higher earning rates and all the rest of it. However, I have found the large bulk of my time in here is spent dealing with absolute waffle, and I find that rather disconcerting. I would characterise this motion as falling into that category.

What particularly concerns me about this motion is that international studies show that the most economically vibrant centres in the world, the most creative economic centres in the world, are those with a high homosexual population. Adelaide has tried to pride itself on its Festival of Arts and, in priding itself on that cultural activity, I think it has hoped to attract young and vibrant people into South Australia with

the view that they may make a broader contribution above and beyond just activity in the arts.

What particularly concerns me about this motion is that it yet again reinforces this notion that is held interstate that this is dead-endsville; that this is an intolerant, narrow-minded, parochial state that is the national basket-case, that it is a mendicant state supported by New South Wales and the Victoria, in particular, where the Labor government in New South Wales can run advertisements in its national press pointing out that New South Wales taxpayers educate South Australian schoolchildren.

We have really got a problem in turning around a national perception of this state, and starting the long arduous process of economic development. We had a near death experience last week with Mitsubishi. If we are going to retain young people in South Australia, and prevent them from going to the bright lights of Melbourne and Sydney in particular, but also to the west coast of the United States, we have got to give them the perception that this is a vibrant, culturally innovative and tolerant state. This type of motion coming before the parliament does the state a grave disservice.

Mr GOLDSWORTHY (Kavel): I want to commend the member for Hartley for bringing this matter to the attention of the house. I do not agree with members opposite and some members of this side of the house that it might be playing wedge politics. I do not believe that was the intention of the member for Hartley in moving this motion in the house. I commend him for his courage of conviction in terms of bringing forward a belief or an issue that he feels strongly about. Whether we agree with him or not is not necessarily the point. The point is that the member for Hartley believes in this strongly enough to bring it before this place for debate. That is exactly what he has done.

I do agree to a certain extent with the comments from the member for Enfield that this is a real life example of how something can get a little out of control. We had the member for Fisher talking about the Taliban, for goodness sake. It is an example of how a debate can run out of control, with members raising issues that they think relate to the essence of the debate. I must admit that I am at a loss with it. I have a high regard for the member for Enfield. I think he is an intelligent person who brings a level of intellectual acumen to the parliament.

Mr Caica interjecting:

Mr GOLDSWORTHY: I did not hear what the member for Colton said then, but just reading the amendment moved by the member for Unley—and, as we know, the amendments talk about leaving out words and inserting words here and there—I have written down what the motion will be. It reads:

This house notes the intention of the Prime Minister to change the Marriage Act to support the established definition of marriage as being between a man and a woman and that in consequence the federal parliament will not extend this definition to include same sex couples; and this house urges him to ensure that all those living in Australia enjoy an inalienable equality and non discriminatory access to human rights.

It can be difficult just looking at a notice of motion and an amendment to a motion until you actually read it in full. I had written it out myself before the member for Unley had distributed this handwritten copy. In doing that, I do not have a huge problem with the amended motion put by the member for Unley. I want to pick up on a couple of points made during the course of this debate.

The member for Giles raised a couple, I think, of quite valid points. Whilst the marriage, the union between a man and a woman, is the ideal environment in which to raise children, the reality of the situation, because we all know the foibles of human nature, is that even in a marriage between a man and a woman it cannot always be an ideal relationship. As other members said, you do have your ups and downs, and there obviously are differences of opinion between a man and a woman in their relationship. The road is not always smooth. I can certainly attest to that in my 18 years of marriage. Whilst I regard my marriage as an extremely fulfilling and loving relationship, and that I am as a person far better off in all aspects of my life being married, there have been times when we have not always agreed on every single issue that has come before our relationship. But on the other hand that does not mean that an ideal relationship is where you do not have your differences of opinion, either. It is up to the individuals to determine.

We have also obviously had the issue of Christianity brought into the debate. I believe in the Christian faith, and I trust that I do practise and outwardly exhibit and reflect my beliefs in the Christian faith. When time does permit—when I do not have electorate commitments to attend—I do attend our local church in the parish where I grew up as a boy. It is also how you view this particular issue: whether, in the particular denomination that you are a part of, that denomination really looks to *The Old Testament* or *The New Testament* in terms of not necessarily its belief but the way it interprets the Bible.

The Old Testament we know talks about fire and brimstone and holding the fear of God and so on, and *The New Testament*, the new covenant, which relates to post-crucifixion of Christ and the like, talks about love, compassion, care and forgiveness. How you approach this issue I guess determines whether you hold the beliefs firmly of *The Old Testament* or of *The New Testament*. It all comes down to interpretation.

I have quite a percentage of constituents who are firm believers of the Lutheran faith, and also of the Catholic faith, but I am a member of the Uniting Church. The church that I am a member of has somewhat more liberal—using that term—views on same sex relationships. I do not necessarily adhere to all the views the Uniting Church has on this issue, or others. That is just one example of how, perhaps, it contrasts to interpretation of other denominations, particularly some evangelical churches, where they regard the teachings of *The Old Testament* to be more relevant to their view of the Christian faith. I do not have any real difficulty with the member for Unley's amendment. I think the comments in the last part of the motion—that all Australians should enjoy non-discriminatory access to human rights—as a person who believes in the Christian faith, I agree with this.

Mr MEIER (Goyder): I think that this house needs to be very clearly advised of the intent of what the member for Hartley sought to have this house agree to, when he put this motion forward, and that is: that this house urges the Prime Minister and the federal opposition leader to support the established definition of marriage as being between a man and a woman. I can understand the member for Hartley wishing to do this, because so often in the lead up to a federal election the opposition parties, generally decide—but it can at times be governing parties—to hop on to what they regard as a vote catcher. We have seen it over decades and we have seen it over the last few months in the lead up to this federal

election with two or three things that Mark Latham has sought to highlight—one of them being the withdrawal of troops from Iraq. Certainly I believe it was designed principally as a vote catcher, because the implications were not thought through at all.

What the member for Hartley is clearly seeking to say is, 'Look, in the run up to this federal election, let's make sure that the established definition of marriage, as that being between a man and a woman, is maintained.' In other words, saying to the opposition leader, saying to the Australian Democrats, saying to other minor groups, 'Well, I hope you will also get behind it and seek to make sure that everything is done to protect and promote that institution, which has been a key part of the stability of this country over such a long period of time.'

There is no question at all that marriage is not the only relationship and we have heard some significant contributions from other members, and certainly I will not seek to deny that for a moment—it is a fact of life—however, I believe that the word 'marriage' needs to be maintained between a man and a woman. If you wish to use other terms, perhaps members could start thinking about what other terms they might like to use: a partnership is one or legal partnership; *de facto* has been used in our legislation for many years; domestic relationship is another term that might be used; and, without doubt, there are many people of the same sex who live together, who have absolutely no sexual relations, and a domestic relationship—it can surely apply to them and would surely apply to them—and if people want to get that into a legislative framework, so be it.

I do not believe that we should try and say that any solid domestic relationship is therefore going to be marriage. Marriage is very different. It is very much a relationship between a man and a woman, and whilst unfortunately in this day and age marriages do not seem to work out quite as well as in earlier days—although I guess that is only on statistical figures—if you speak to people who are much older than myself they say, 'I remember so and so back in the 1950s, and they rowed something terrible, and they didn't have a happy relationship at all, but they stuck together.' We acknowledge that Gough Whitlam and Lionel Murphy (who I suppose brought it in) made divorce a much easier situation through the no-fault divorce.

I believe that the amendment by the member for Unley has sought to modify this motion to such an extent that it is verging on another motion. As a result, I will move a further amendment to the amendment. I move:

Leave out 'urges' and insert—
supports the intention of

Leave out 'and the federal opposition leader' and insert—
to change the Marriage Act

Leave out 'reject any attempt to' and insert—
and notes that as a consequence the federal parliament will not

The motion will then read:

That this house supports the intention of the Prime Minister to change the Marriage Act to support the established definition of marriage as being between a man and a woman, and notes that in consequence the federal parliament will not extend this definition to include same sex couples.

I believe the amendment brings this motion back to the original intention of the member for Hartley. It takes away the issue of the federal opposition leader for those members who were concerned that it was trying to be political and vie one leader against another. It ensures that the definition of marriage is continued as being the principal thing that needs

to be highlighted in our society, and certainly it continues to highlight—as the member for Hartley wanted to highlight—the fact that same sex couples are not included in the definition in the Marriage Act.

I acknowledge what some members have said that perhaps debate on this motion has certainly taken much longer than was thought. The member for Enfield said that he thought it would be a fairly dull and uninteresting day today, but that is never the case in this house—or it is never the case when one least expects it. I hope members will look carefully at my amendment.

Mr HANNA (Mitchell): The member for Hartley brings a motion before the parliament to urge the Prime Minister and the federal opposition leader to support the established definition of marriage as being between a man and a woman and to reject any attempt to extend this definition to include same sex couples. The member for Hartley, whether consciously or not, founds his appeal on bigotry. It is founded on discrimination against those with a particular sexual orientation. It is also profoundly discriminatory in a religious sense because it draws on a traditional Christian definition of marriage. That would be all very well if we were truly a Christian country, but I would dispute that: for example, sending people to war in Iraq; and, the way we treat our least advantaged citizens, namely, those on the AP lands.

It is extraordinary that the member for Hartley brings this discriminatory motion in Reconciliation Week this year. It is reminiscent of the sentiments of the Christian missionaries who so doggedly and dogmatically forced Aboriginal people to give up their traditional culture and way of life and to live on missions and, at least outwardly, subscribe to the ornaments of Christianity.

Earlier this week I received my church newsletter, and I read from a short prayer as follows:

Loving God, we are an odd mob. We thank you for the widely different types of people and expressions of faith which constitute the membership of your church in this century. Lover of diversity, God of all souls, continue to give us the grace to treasure each other with all our oddness and to use these differences, as we minister to the diversity of people who share this 21st century with us, to your praise and glory, amen.

That is a very nice expression of what Christianity is about, according to my understanding. Christianity is unnatural—and that is the beauty of it. It calls upon us to rise above our base passions and desires, above lust and greed, but it also calls upon to rise above dogma of all kinds, even religious dogma. That is what I would like to say to the member for Hartley and to those who think that way.

There is a more fundamental reason why I oppose this motion, that is, because the honourable member seeks to impose his religious dogma on secular Australia. Our commonwealth parliament, rightly, has a Marriage Act to govern relations between our citizens. In our contemporary understanding, there is no reason to discriminate between people, according to the rights and benefits of civil law, by virtue of their sexual orientation, or their religion for that matter. However, if churches wish to maintain a concept of marriage which is exclusive and discriminatory, I entirely support their right and prerogative to do so, but I have a fundamental difficulty when members of parliament or political parties attempt to impose religious dogma on the affairs of the state.

In my view, Christianity took a most unfortunate and regrettable turn when the Emperor Konstantinos adopted

Christianity as the official religion of his empire some 1 700 years ago, because it became not only fashionable but also a path of secular advancement to adopt Christianity and show the outward signs of it. Because men and women who are true Christians are nonetheless living in the world and are subject to the passions and temptations of the world, there are those who will use that vehicle for their temporal advancement—and that cuts squarely against the essence of Christianity. That mingling of nationalistic or temporal power with the spiritual development, which surely is the essential holy aim of the religion, is the most regrettable development in the entire history of Christianity. We still see it being played out in the Australian and the South Australian parliaments today with this motion. It is most regrettable, and I maintain that the affairs of the state should ensure that there is no discrimination between people because of their sexual orientation, religion or race, and that is what our laws should mandate.

Mr WILLIAMS (MacKillop): As did a number of other speakers on this motion, I confess that I am not quite sure why I am speaking, other than to indicate my support for the motion moved by the member for Hartley, and obviously indicate why I support it and question some of the comments made by other members. I fail to see how some members have drawn the conclusions that they have about the motives of the member for Hartley for bringing this matter before the house. This is a very simple matter which has been made very complicated by a number of members who have spoken. I say it is a simple matter because this motion has been moved by the member for Hartley to try to protect something on which our society has been built. That is not to say that I, the member for Hartley, or anyone else who would support this motion does not recognise diversity in our society and does not accept that diversity.

This is not about being unacceptable of diversity, whether it be religious or sexual orientation, or whatever. This is about protecting something upon which our society is founded; that is, the family unit, the marriage contract between a man and a woman—and that contract has traditionally been recognised as one in which children will be brought up. That is what marriage is about. Marriage is about a man and a woman who want to make a contract between themselves, with their families and their friends that, if blessed with children, they will work together within that contract to raise those children. That is what marriage has been about ever since marriage was first introduced in a formal sense.

I am sure that the member for Hartley does not have a problem with people who want to live in other sorts of relationships or who do not want to make a formal commitment to each other, particularly for the protection of any children which might result from their relationship. If people want to do something different from that, that is fine; that is not a problem. It reminds me of what we have done to our language, and one little thing that comes to mind is that sometimes, because of the Christian names parents give to their children, it is hard to tell whether they are male or female. It was easy when I was a young man in that I could tell that an actor was a male and actress was a female, but now we have so corrupted our language that we have to refer to them as a female actor or a male actor because, through the process of political correctness, we have dropped by the wayside the word 'actress'.

What are we going to do? Are we now going to introduce into the language, if we do not support what the member for Hartley is saying, the term a same sex marriage or a mixed

sex marriage? Why do we not just call a marriage a marriage, and have an understanding of what we mean by the word 'marriage'.

If other people want to live in other sorts of relationships, I am sure the member for Hartley would not have a problem—I certainly do not—if they decided on a word to describe their relationship and had that introduced into the common language. I think it was the member for Enfield who suggested that the member for Hartley should have handled this process by writing to the compilers of *The Macquarie Dictionary*. I suggest that all members who have a problem with what the member for Hartley is doing come up with some other word, or even a series of words, to describe each of the various relationships which they think need a word to describe them. Let us not get too hung up on this. What is wrong with having the word 'marriage' referring to a contract between a man and a woman? I think that is quite simple. I do not see why we are getting hung up on it.

Maybe there is something sinister behind the attitude of some of the members who have spoken this morning. Maybe people who live in other sorts of relationships—and I do not have a problem with them, but maybe some other members do—want to deny that their relationship is different from a marriage. Maybe people who are living in another sort of relationship are ashamed of their relationship and want to pretend that they are living in a marriage. I do not know; that is mere speculation on my part.

I have been forced to speculate because, for the life of me, I cannot understand some of the claptrap that has been put about this chamber this morning on this very simple issue. I certainly commend the member for Hartley for bringing this matter to the attention of the house. We have had a number of members bemoan the fact that we are even discussing this issue because it is outside our jurisdiction. I would have thought our wont as a parliament to protect marriage and what it stands for and the family unit as the foundation of our society is something that should be very near and dear to this house.

I can assure the house that I think discussion on this matter is far more important than 80 or 90 per cent of the matters which are brought before this chamber in private members' time. I think this is far more important than congratulating the local football team or someone who plays for the Crows—the normal sort of motions that we get during this time. I certainly congratulate the member for Hartley for bringing this to the attention of the house, and in so doing ensuring that this very valuable debate has occurred. By the mere fact that a significant number of members have chosen to contribute to this debate shows that they also agree that this is an important debate. I congratulate the member. I support his original motion, but the reality is that I will probably end up supporting the amendment moved by the member for Goyder.

Mrs GERAGHTY (Torrens): I move:

That the debate be adjourned.

Motion negatived.

Mr SCALZI (Hartley): I have been accused of many things in the past, and today I have been accused of discrimination and being anti-gay. I have also been told that this motion should not have been brought before the house. Members would have noted that, when I spoke to my motion, I did not talk about religion or *The Bible*. It was members who opposed my motion who raised the concept of religion

and Christianity. The simple fact is that the established definition of 'marriage' in Australia has been between a man and a woman, at the exclusion of all others. I do not support discrimination against any individuals in all areas that this does not include. I am specifically saying that, as a society, we have had this definition and that, as a parliament, we have a right and, indeed, a responsibility to let the community know whether or not we still support the current definition.

I have been accused of playing wedge politics. The member for Unley in his amendment (and I commend him for the great thought that he has put behind it) is really taking out the Leader of the Opposition and including basic human rights, and so on. I support that; that is not in question. I have not been discriminatory. Indeed, I introduced a bill in this house that would remove sexuality with respect to the rights of carers and domestic co-dependants.

Mr Williams: Out of the statutes.

Mr SCALZI: Out of the statutes. The members who opposed me perpetuated that discrimination by saying that people who were not in a sexual union did not, and should not, have the same rights. I believe that they have been discriminatory today, not I. I stand by what I have done in this important area in the past and what I will continue to do.

Marriage is different. It is what our society has been based on since Federation—nothing to do with the church. Whilst I respect the member for Mitchell and others for making their contributions (and I am pleased that I brought a motion into the house that excited members enough to be here during private members' time), given the announcement by the Prime Minister of the intention to change the act, as the member for Unley and others in their contributions have rightly pointed out (and the article in *The Australian*), I believe that we should support the member for Goyder's amendment which, in effect, would be that this house supports the intention of the Prime Minister to change the Marriage Act and notes that, in consequence, the federal parliament will not extend this definition to include same sex couples. It is as simple as that.

The member for Unley's amended motion tries to achieve the same thing but makes it political, because it takes out the federal Leader of the Opposition and specifically puts the onus on the Prime Minister. This is a matter beyond politics. We are urging the federal parliament to support the current definition. If members opposite were true to themselves, they would support the member for Goyder's amendment, which is simple and straight to the point—that we support the intention of the Prime Minister to change the Marriage Act and note that, as a consequence, it will not extend to same sex couples.

If members oppose that motion, I ask: who is playing politics? It is not the member for Hartley. I have included the Prime Minister and the federal Leader of the Opposition: I had it in a bipartisan motion. They could simply have supported it (because I am sure that Mark Latham agrees with that motion).

An honourable member: How can you say that?

Mr SCALZI: Because it has been in the media. You select the media you want to read. I thank members for their contributions and I urge them to support the motion of the member for Goyder, which is simple, and involves human rights and so on—as does that of the member for Unley. Let us keep the definition simple. We all agree that the definition of 'marriage' should be as the established definition. Let us vote for it.

Time expired.

Mr BRINDAL: Mr Speaker, I claim to have been misrepresented and I seek leave to make a brief personal explanation.

Leave granted.

Mr BRINDAL: The nature of the amendment that I placed before the house simply notes the intention of the Prime Minister and the federal parliament. It plays no politics at all.

The SPEAKER: Order, the member for Unley! The question is that the motion be agreed to.

Mr HANNA: Sir, I rise on a point of order. I question the fate of the amendments that have been moved.

The SPEAKER: I apologise to the member for Mitchell. The first amendment to be dealt with is the one from the member for Goyder.

Mr BRINDAL: Sir, on a point of clarification—

The SPEAKER: When I have something I can clarify I will hear the member for Unley. The chair has decided that the amendment moved by the member for Goyder has the earliest impact on the meaning of the proposition moved by the member for Hartley and I will, therefore, put that amendment first. That amendment would read:

That this house supports the intention of the Prime Minister to change the Marriage Act to support the established definition of 'marriage' as being between a man and a woman and notes that, as a consequence, the federal parliament will not extend this definition to include same sex couples.

The house divided on Mr Meier's amendment:

AYES (17)

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

NOES (25)

Atkinson, M. J.	Breuer, L. R.
Brindal, M. K.	Caica, P.
Ciccarello, V.	Conlon, P. F.
Geraghty, R. K. (teller)	Hanna, K.
Hill, J. D.	Key, S. W.
Koutsantonis, T.	Lomax-Smith, J. D.
Maywald, K. A.	McEwen, R. J.
O'Brien, M. F.	Rankine, J. M.
Rann, M. D.	Rau, J. R.
Redmond, I. M.	Snelling, J. J.
Stevens, L.	Such, R. B.
Thompson, M. G.	Weatherill, J. W.
Wright, M. J.	

Majority of 8 for the noes.

Mr Meier's amendment thus negated; Mr Brindal's amendment carried; motion as amended carried.

The SPEAKER: Whilst I was not able to be present during the whole of the debate, I was interested in, although not enamoured or proud of, the contributions that some honourable members made to the subject. For my part, the meaning of the word 'marriage' has always been the genetic, physical, sexual, spiritual and material union between a man and a woman in this country. To use the word to mean something different now, as many people choose to, requires

us to discover another word which means the same thing as marriage in the form that I have just defined.

Marriage, as I have just defined it, is to some a subset of a union which is at present not possible in the genetic sense in any context between people of the same sex, and it needs to be distinguished from people of the opposite sex. I am equally disappointed with the way in which language has changed and to which honourable members drew attention. When I was younger, the word 'gay' meant something bright and fun. I do not see homosexual relationships as being much fun, when they involve the kinds of practices that are not always but often involved—that is, promiscuity in particular—and contribute to a greater cost burden on the already overloaded public health system. It depresses me that I can no longer use that word to mean what I thought it meant. I do not think I am a stick in the mud.

I think it is appropriate for us not to allow euphemisms to creep into our language in a way which destroys our ability to express ourselves in ways which will be clear to those who read and hear it elsewhere than in our presence and at another point in history. I thank honourable members for the opportunity to express my view about the topic and commend the motion to the federal parliament and the Prime Minister.

Mr HANNA: On a point of order, I ask with the greatest respect and an appreciation of the sincerity of your remarks, Mr Speaker, are these not points of debate which might be more appropriately expressed as the member for Hammond from the floor of the chamber rather than from the Speaker's chair?

The SPEAKER: I do not mind. If the member who is in the chair is denied the opportunity to express a view, especially in circumstances where that member is not a member of any political party, then it denies his or her constituents the opportunity to judge that member in the way they might otherwise have done. To say that it is to be done from the floor of the house as compared to saying it from here makes no difference whatever in that, when I speak after the debate, I do not do so to endeavour to influence the debate or the vote but merely to put on the record the view I have about the topic in hand. I, as the member for Hammond, try to avoid reflecting on any individual member or their contribution to the debate from whatever point of view they have taken. That is to ensure that there is no mistaken perception that the chair wants to engage in controversy.

I only did so on this occasion because, in recent times, members took exception to a metaphorical remark that I made when I was trying to draw attention to the way in which hormones rather than reason were driving their contributions and behaviour. Yet, during the course of this debate, I heard a good many words used (to which no member took offence) which to my mind were cruder and more serious if taken in their literal vernacular context than the word that I used earlier. Notwithstanding that, it will not take any more or less time for the remarks to be made from the chair. It certainly makes it more awkward in that, whoever is in the chair at the time, has to vacate the chair and get someone else to take it whilst they go to the benches to say the same thing that they would otherwise have said if they had simply stayed there.

So that honourable members can move about the chamber, I have been asked not to stand when speaking not as the chair but as the member for Hammond, as in this instance, and I undertook to do that; hence the reason for my not having stood. Honourable members who were not interested in my

remarks may have chosen to leave the chamber and would have caused the chair no offence in doing so.

JACKSON, Mr W.

Ms CICCARELLO (Norwood): I move:

That this house congratulates Wayne Jackson on his significant contribution to Australian Rules Football during his seven years as chief executive of the AFL, and his lasting legacy of a strong and truly national competition.

This congratulatory motion has been some time in coming. It was on the paper last year and, after the very interesting debate this morning, what can I say? On behalf of the government of South Australia I take this opportunity to formally pay tribute to a great South Australian, Mr Wayne Jackson, former AFL chief executive, who retired from this position last year. He was born in Adelaide in 1944 and educated at Prince Alfred College from 1956 to 1961, and he then studied at Adelaide University gaining a Bachelor of Economics in 1968. He subsequently became a Fellow of the Australian Society of Accountants. From university, Wayne spent three years with Deloitte Touche Tohmatsu, then joined Thomas Hardy and Sons Pty Limited as accountant/assistant secretary in 1968.

In 1977 he was appointed General Manager, reporting to the board of directors, and appointed Group Managing Director in 1981, a position that he held for 12 years until July 1992. At that time, Thomas Hardy and Sons Pty Limited merged with Berri Renmano Limited to become BRL Hardy Limited, and was publicly floated. In 1992 he was appointed Business Development Director of BRL Hardy Limited and appointed to the main board. In October 1993 he was appointed Managing Director of the South Australian Brewing Company Pty Limited. During this time he was also a member of the South Australian National Football League Commission, from 1990 to 1995. He holds life membership of Woodville West Torrens Football Club, with which he played 160 games at both senior and reserves level.

He also coached both the seniors and reserves and held the position of Chairman of the West Torrens Football Club in the SANFL from 1975 to 1979. Wayne was appointed to the AFL Commission in 1995 and appointed chief executive of the commission in October 1996, replacing Ross Oakley and becoming the first South Australian to hold this very prestigious position. As AFL CEO he oversaw a time when the make-up of the league remained steady, although the financial plight of several clubs was dire. Under his tenure the AFL stopped using its former flagship ground at Waverley, which was replaced with the state-of-the-art Telstra Dome stadium. Although they did have a few problems initially with the turf, those were rectified.

He also helped negotiate a \$500 million television deal for the AFL, the most lucrative in league history. During his time as CEO, he led the AFL from being a very Victoria-centric competition to one that is truly national. This was evidenced by the fact that every one of the non-Victorian teams was represented in the final series last year, and that series was again won by Brisbane. Wayne Jackson has been quoted as saying that creating a truly national focus, building the financial strength of the AFL and assembling the corporate team within league headquarters were amongst his finest achievements. He might be a little disappointed about some of the controversies that are besetting both the AFL and the NRL at the moment but, hopefully, these problems will be overcome.

To life after football. Wayne had been quoted as saying that he wanted to enjoy life with his family on his farm near Keith in South Australia. Other than the farm, he was unsure what life would hold, but suggested that he would like to be involved with football at any level. Things did not go according to plan, because early this year, in what was considered by many as a major coup for the state government, Wayne agreed to join the Economic Development Board, which has the role of improving exports, education opportunities, infrastructure jobs, and population growth.

Premier Mike Rann, in announcing the appointment, acknowledged Mr Jackson's ability to think and plan strategically, and particularly his proven success in driving change. The Premier used a football analogy saying, 'I want Wayne Jackson kicking goals for South Australia.' Mr Jackson, who described himself as a proud South Australian, was quoted as saying:

Having lived outside the state for seven years, I am not blinkered to our soft spots within the state. Population growth and an expanding economy are critical. Without that we will not have jobs to provide people and our young people will continue to drift away.

He said that it was critical to change the perception that people interstate have about Adelaide being less relevant than other major cities in Australia. He said:

We have to work on our self-belief and need to break through this sense of being a poor cousin.

On behalf of the government of South Australia, I wish formally to congratulate him on his outstanding career and for being a great ambassador for the state of South Australia, and I look forward to Wayne's continued contribution to our state. We wish him well, and also thank his wife Liz for her contribution.

I did read yesterday that Mr Jackson is recovering from deep vein thrombosis, and I hope that he has a speedy recovery. I commend the motion to the house.

Dr McFETRIDGE (Morphett): I rise to support this motion. Like the member for Norwood, I have noted that Mr Jackson is suffering some ill-health at the moment. I wish him well, because without your health you have nothing. But what Mr Jackson has done for AFL, for the Australian sporting community and the Australian community generally could never be described as nothing.

The huge importance of AFL football, and sport generally, in people's lives is something that one cannot help but notice. The moment you open the newspaper there is a sporting identity there. I would love politicians to be held in the same high regard that sporting identities are held in Australian society. The Australian of the Year is often a sporting identity.

But behind every successful sport there is a huge number of volunteers and, in the case of the Australian Football League, there is also a significant number of paid executives. The role of the chief executive of the Australian Football League is pivotal because, as I said, AFL is such a huge part of people's lives. Wayne Jackson, in his time as Chief Executive Officer of the AFL, has done an exemplary job.

Wayne handled a number of crises associated with the egos of footballers, with the organisation of football clubs, with the need to obtain sponsorship and the need to obtain significant exposure in order to ensure that football goes ahead, not just as a game but also as the business that it has become. Footballers are paid a huge amount of money nowadays, but when you look at the length of their careers they do need to be compensated because by the time they are

in their early thirties they are just about worn out. We see their poor old knees, backs and shoulders all strapped up at the football and on the TV. They are the walking wounded.

To maintain a huge industry that will look after these sports stars during their careers and look after their families—because, like Mr Jackson's family, the families of football stars need to cope with huge amounts of pressure and media exposure—they need to be skilful in managing those careers. And the industry that is based around football and the AFL is something of which Wayne Jackson should be very proud, and this house certainly congratulates him on his ability. He should stand up and be recognised for a job well done.

For many footballers, life after football traditionally consists of running a used car yard or being involved in a pub. That is not something that is happening now. Because of people like Mr Jackson, footballers have been encouraged to become role models for society and not just people who can kick a bag of wind around.

An honourable member: They are well rounded.

Dr McFETRIDGE: Yes, they are well rounded. Footballers are under the media microscope even more than politicians are—you have only to read what some of them are being accused of. I know that footballers probably do not misbehave like, I am led to believe, some politicians do.

An honourable member interjecting:

Dr McFETRIDGE: I will not be misled by members of this house. I should focus back on this motion. Wayne Jackson has contributed a significant amount—a priceless amount—towards the future of Australian society, not just the AFL. He has always been cool and calm on the television, and I just wonder how he has been able to maintain that persona. I do not know what his heart rate is like, but I know that when I stand up in this place answering questions, asking questions, doing grieves and speaking in here your heart rate goes right up.

You are trying to look cool, calm and collected. Certainly on television interviews, when you get those microphones thrust in your face, the questions being asked in an aggressive, biased manner, you try to give answers that are not going to be construed and create perceptions out there that are totally wrong. Wayne Jackson has been able to handle that pressure, conduct himself with dignity and aplomb, and he is owed a huge debt by every player, every official in the AFL. The new chief executive officer—and I apologise, but I cannot remember his name at this stage—has certainly had a number of issues facing him, and I think Wayne Jackson would have handled those issues in a different way. I suppose that is experience, but Wayne Jackson, born in Adelaide—

An honourable member: Andrew Demetriou.

Dr McFETRIDGE: Andrew Demetriou is his name. I wish Andrew well, because he has certainly got a hard act to follow, continuing on from Wayne. I know that he would probably be on the phone to Wayne, trying to get some advice and support. It is worth noting that the issues that Mr Demetriou is facing now perhaps would have been handled differently by Wayne Jackson. Certainly, that is not to denigrate Mr Demetriou's actions, but it is just to exemplify the skilled, diplomatic, efficient executive style of Wayne Jackson. I do not know what Wayne is going to do. I heard that he is from down the South-East, the member for MacKillop's electorate—

An honourable member: At Willalooka.

Dr McFETRIDGE: At Willalooka, on the farm. I wish him well down there, because I know, having visited that electorate, that it is a fantastic area. The wines they produce

there are just the very tip of the iceberg of the quality of that electorate. I am glad they are so well represented by the member for MacKillop, and I know that Mr Jackson going down there will certainly add to the local community. I do not think he will be able to help but add to that community down there.

People like Wayne Jackson will just be asked over and again to help out, because he is able to do so. He is willing to, and people who ask him to help out know that he will give 100 per cent all the time. People like Wayne Jackson do not give 99 per cent, they give 100 per cent.

I understand that Wayne Jackson is also on the Economic Development Board, which is crucial to the development of South Australia. The Premier has a strategic plan there. I know that Wayne Jackson will not pull punches in expressing his opinions on the way in which the strategic plan and economy of South Australia is going to develop. I welcome him to that role within the state.

Wayne does deserve some time off down on the farm at Willalooka, though. I wish him well there. I hope that he gets over the deep vein thrombosis he has got. I do not know where it is—in his arm, leg or what—but it certainly would not have been from sitting down on his backside, because he is not that sort of person. I know the skilled medical officers we have in this state will be giving him the highest of care. I should say that we in South Australia have one of the highest levels of health care in the world. We will find out whether we will get any more money today, but that is a different issue.

Wayne Jackson will continue to serve this state and the people of Australia, because of his legacy in the AFL. I have not met him. I hope to meet him, having been appointed the shadow minister for recreation and sport, because I know that Wayne will still be out there, involved with sport. It is very important that we stand in this place with a private member's motion and recognise the ability, the effort and the input of South Australians such as Wayne Jackson.

Sometimes this place is criticised for members standing up and talking about the local basketball team, or the football grand final at Mount Barker. That should never be the case. Every South Australian is important. Every South Australian's achievement is important and, in this particular case, the high achievements of one person such as Wayne Jackson are something that I am proud to stand and support with this motion. I applaud the member for Norwood for moving this motion, because I know she is a keen football follower, although barracking for the wrong team!

I will just say that it was a very good result last Saturday when Glenelg beat Norwood. I just hope that Wayne Jackson perhaps might come down the Bays' way one day, and I can introduce him to some of the executives down there, because they are certainly trying hard. They could learn a lot from Wayne, although they are doing a good job, anyway. It is a great thing to stand here and congratulate Wayne Jackson. I support this motion.

Motion carried.

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

APPROPRIATION 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.

CONSTITUTIONAL CONVENTION

A petition signed by 197 residents of South Australia, requesting the house to pass the recommended legislation coming from the constitutional convention and provide for a referendum, at the next election, to adopt or reject each of the convention's proposals, was presented by the Hon. R.B. Such.

Petition received.

QUESTIONS ON NOTICE

The SPEAKER: I direct that the written answers to the following questions on the *Notice Paper*, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 234, 297, 303, 314, and 338.

THE RING

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: I rise to update the house in preparation for Wagner's *Ring* cycle to be staged in Adelaide from 16 November to 12 December 2004. The decision to stage a brand new production of this epic opera was made by the Olsen government in 2000. Because it is an initiative inherited by this government, I have kept the opposition briefed about the production's development. With 92 per cent of tickets sold, the *Ring* will be a major tourism event. It will attract 4 200 visitors to South Australia, including around 1 000 people from overseas, and generate \$15 million in economic benefits to the state. The *Ring* is projected to generate box office income of almost \$5.5 million—larger than the entire Adelaide Festival—and attract sponsorship and donations of \$1.15 million, including donations from over 650 people worldwide.

State Opera is only the fourth company to stand a brand new full production in one season of the *Ring* since Wagner created the work in 1876. The former government's original *Ring* budget was \$11 million. This has proven to be inadequate. Cost pressures were identified last year, amounting to \$2 million. Funding for this shortfall was provided through a \$1 million grant from the state government and a \$1 million grant in advance from the Howard government.

The Major Performing Arts Board and Arts SA made it a condition of this funding that technical and production experts be brought in to manage the budget. To this end, Mr Noel Staunton and Ms Pamela Foulkes have been employed as executive and associate producers to manage the *Ring* through to its conclusion. Mr Staunton is well known in the arts world, having successfully delivered blockbuster productions for Baz Luhrmann, including *La Boheme*, and first night openings of *Moulin Rouge*, and directing Sara O'Hare and Lachlan Murdoch's wedding.

In late March this expert team completed an exhaustive financial review that revealed the actual budget for the *Ring* to be \$15.345 million. This figure includes savings of \$910 000 to the production. This increase in the *Ring* budget has been met by a combination of:

- \$200 000 each from Arts SA and the Major Performing Arts Board;
- a loan of \$500 000 from Arts SA to State Opera;
- additional funding from State Opera's resources; and

improved income targets for box office, sponsorship and donations.

I am advised that the total funding from the commonwealth and state governments to the *Ring* is \$4.08 million and \$2.926 million (not including the loan) respectively. I have asked that Mr Staunton and State Opera seriously explore income generating options, such as leasing the production to companies around the world. The government's focus is to ensure that costs are contained and that the *Ring* will be a triumph for the state's international arts and festival reputation.

I find it surprising that members of the opposition, who are responsible for creating this problem, are accusing this government, which is trying to fix up the problem, of somehow or other blowing the budget. It was Diana Laidlaw's inept, naive budget that caused the problem.

Members interjecting:

The SPEAKER: Order!

MEDICAL PRACTITIONER, INVESTIGATION

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

Leave granted.

The Hon. L. STEVENS: A media report on Tuesday 25 May 2004 referred to a doctor who is being investigated in New South Wales in relation to matters at a Sydney hospital. I have received a brief from the Registrar of the South Australian Medical Board, which has statutory responsibility for the registration of doctors in South Australia. On the basis of information received on Friday 21 May 2004, the Registrar advised me that he made inquiries and had discussions with the New South Wales Medical Board, the New South Wales Coroner and the doctor concerned (who is registered here in South Australia).

The Registrar has advised me that the New South Wales Medical Board is assessing the matter in conjunction with the New South Wales Health Consumer Complaints Commission, and that they have not yet made a decision as to whether the evidence before them warrants any formal investigation or complaint being laid. The Registrar has informed me that the doctor's current employer has put in place additional practices and supervision whilst that decision is being made. The registrar has also advised me that the South Australian Medical Board has made the decision not to release the doctor's name in order to afford natural justice.

It is the South Australian Medical Board's view that it has taken all necessary steps at this time to satisfy its statutory responsibilities. The board has assured me that there is no risk to the public in relation to this matter and has undertaken to keep me informed. I wish to inform the house that yesterday, 26 May 2004, I wrote to the State Ombudsman asking him to review this matter and to provide me with an assurance that patient safety is not compromised in any way while this matter is being investigated. The Ombudsman confirmed with my office late yesterday that this request is being actioned.

QUESTION TIME

SNOWTOWN NEWSAGENCY

The Hon. R.G. KERIN (Leader of the Opposition): Will the Treasurer intervene as a matter of urgency to stop the removal of the Lotteries Commission agency from the Snowtown Newsagency?

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. KERIN: The Lotteries Commission is insisting on the Snowtown Newsagency spending approximately \$19 000 on a display to promote the sale of lotteries products or they will remove the agency. The net income from lotteries products to the owners is less than \$100 a week, and the owners have told me that the expense cannot be justified, causing the loss of another service to Snowtown.

The Hon. K.O. FOLEY (Treasurer): I have to confess that it is the first I have heard of it and, as a matter of priority, once I get through today, I will ensure that my attention is turned to the lotteries agency in Snowtown. I will seek a report from the chair of the Lotteries Commission and get back to the leader as soon as I can.

AMBULANCE SERVICE

Ms BREUER (Giles): My question is to the Minister for Health. Will the transfer of the South Australian Ambulance Service from the Department of Justice to the Department of Human Services impact on the volunteers who support the service?

The Hon. L. STEVENS (Minister for Health): I thank the member for Giles for the question because obviously the role of volunteers in the ambulance service in country areas is critical. I also acknowledge the children in the gallery from Wiltja and welcome them to the house. As I said, I thank the honourable member for her question because I want to assure all the 1 600 volunteers who work with the ambulance service that the recent transfer is about a closer alignment with the health system and will help volunteers continue the invaluable work that they do for our ambulance service. The ambulance service has been transferred from the Department of Justice to the Department of Human Services to allow more integrated planning of the delivery of primary and emergency care services. On 18 May 2004, the shadow minister for emergency services issued a statement to the media describing the transfer as 'idiocy'. He said 'idiocy that put the volunteer involvement in the ambulance service at risk'. The claim by the member for Bright has absolutely no substance and I would suggest that the adjective that he used more appropriately applies to him. The ambulance service is an important component of the health system and it makes sense for it to be part of an integrated health network.

The Hon. W.A. Matthew interjecting:

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

GAMBLING CODES OF CONDUCT

The Hon. R.G. KERIN (Leader of the Opposition): My question is to the Minister for Gambling. Does the minister consider that the government's policy in forcing newsagents and community clubs to spend large amounts on promoting lotteries products is at odds with the new gambling codes of conduct that specifically restrict the promotion of gambling?

The Hon. M.J. WRIGHT (Minister for Gambling): No.

The Hon. R.G. KERIN: Sir, I have a supplementary question: why?

The Hon. M.J. WRIGHT: Simply because it is not.

RACKETEER INFLUENCED AND CORRUPT ORGANISATIONS LEGISLATION

Mr RAU (Enfield): My question is to the Attorney-General. Will the government be introducing legislation based on the American Racketeer Influenced and Corrupt Organisations Act and, if not, why not?

The Hon. M.J. ATKINSON (Attorney-General): The government has looked at the RICO legislation. For the benefit of honourable members, I want briefly to explain the Racketeer Influenced and Corrupt Organisations Act. RICO was passed by the United States Congress in 1970. In general terms, it contains four 'crimes'. First, section 1962(a) generally makes it unlawful for a person to use an enterprise to launder money generated by a pattern of racketeering activity. This is a money laundering offence. Australia and South Australia have dealt, and continue to deal, with this problem directly and efficiently in other ways.

Second, section 1962(b) makes it unlawful for a person to acquire or maintain an interest in an enterprise through a pattern of racketeering activity. Third, section 1962(c) makes it unlawful for a person to manipulate an enterprise for the purpose of engaging in, concealing or benefiting from a pattern of racketeering activity.

These two sections were aimed at a phenomenon that was common in the United States at that time, that is, the movement of organised crime (most notably, the Mafia) into legitimate businesses and labour unions either as fronts or as a deliberate way of laundering profits. That is not, and never has been, a prevalent problem in Australia.

The Hon. D.C. Kotz interjecting:

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

The Hon. M.J. ATKINSON: The government allows its backbenchers to ask questions on their initiative, and this is one of them. Section 1962—

Mr Williams interjecting:

The Hon. M.J. ATKINSON: The member does not think there is any public interest in RICO? I suggest that the member for MacKillop listen to talk-back radio a bit—that he listen to the Bob Francis program once or twice. He might find there is more interest in RICO and American anti-racketeering legislation than he thinks.

Mr Williams interjecting:

The Hon. M.J. ATKINSON: That is what I am answering. Section 1962(d) makes it unlawful for a person to conspire to violate subsections (a), (b) or (c) of the RICO act. RICO did two other main things. First, it gave the federal Department of Justice the authority to charge otherwise state-based crimes in any Federal Court. For a variety of reasons, this objective is neither necessary nor desirable in Australia. Secondly, it allowed civil claims (that is, for treble damages) to be brought by any person injured in their business as a result of a RICO violation. Over the past 20 years, civil lawyers in America have been particularly creative with these claims. For example, one recent such claim was a mass tort claim—

Mr HAMILTON-SMITH: Sir, I rise on a point of order. The minister is making a ministerial statement from a prepared text, which you have ruled on previously, and is also straying into debate. I ask you to rule on that.

The SPEAKER: The minister may have notes or a prepared text—I do not know. The ambit of the question is being responded to. If it is a prepared text, it is disorderly, but I am not in a position to determine that.

The Hon. M.J. ATKINSON: One such recent claim was a mass tort action against the Catholic archdiocese of Boston alleging systematic cover-up of child sexual abuse. This appears to be the main modern use of RICO. Again, for a variety of reasons, this is neither necessary nor desirable in South Australia. RICO suffered from a number of disadvantages—most notably, it led to long and complicated investigations and trials. It has long passed its use by date. It had to be supplemented by further legislation on continuing criminal enterprises and pre-dated far more efficient laws on civil confiscation and money laundering laws. Whatever its merits at the time (and these are debatable) RICO is not useful any more. It was not relevant in the Australian context and probably never was. Time and events have moved on, and I do not intend to seek cabinet support for the introduction of such legislation here, but I thank the member for Enfield for his curiosity.

Mr BRINDAL (Unley): I have a supplementary question, Mr Speaker. You ruled that if the Attorney was reading from a prepared text, it would be disorderly. Therefore, my question is: was the Attorney reading a prepared text?

The SPEAKER: The member for Unley would realise that that does not form part of what the Attorney is responsible for in his portfolios. The member for Mawson has the call.

GAMBLING

Mr BROKENSHIRE (Mawson): My question is to the Minister for Gambling. Is the minister aware that the government, through the Lotteries Commission, spends over three times as much money on promoting the sale of lottery products than the government spends on gambler rehabilitation? Is this consistent with the government's attitude to problem gambling?

The Hon. K.O. FOLEY (Deputy Premier): I tell you what I will do. I will get a report on exactly how much we are spending on advertising now and compare it with what is being spent on gamblers' rehabilitation and compare that with what was spent when the opposition was in government, because I am not aware of any direction or issue since I have been a minister, although I may be wrong. Let us have a look, because these trading enterprises are governed by a board. The member for Bragg would know what that is like; she is a former member of the TAB Board, until she resigned because she was concerned about—

The Hon. M.J. Atkinson: Did that give her a promotion?

The Hon. K.O. FOLEY: I think they were heavily into promotion. At one stage, I think the TAB board won a prize for the most innovative advert. Was that the TAB? People were running down the street to get to the TAB to place a bet. So, the member for Bragg was part of a government business—

An honourable member interjecting:

The Hon. K.O. FOLEY: There's nothing wrong with that.

The Hon. M.J. Atkinson interjecting:

The Hon. K.O. FOLEY: It won a national award and she said it was a great ad.

An honourable member interjecting:

The Hon. K.O. FOLEY: We were hooked on gambling, they say. I do not want to talk for long, but one thing I can say is that national competition policy is overseen by the federal Treasurer, Peter Costello. You know what they want

us to do? I am happy to be corrected if this is not exact, but I can say that they want us to deregulate or at least allow a test to be undertaken as to whether or not we should allow competition in the lotteries business. So, they do not want us to have one lottery where most of the profits go to the hospital funds: they want open slather. That is what I think is their interpretation. However, as I said, if I am wrong, I would be happy to acknowledge that. It is a pretty lazy question to put something like that to us. I will get the comparison. Let us look at what it was like when the opposition was in government.

GLENELG TRAMS

Mrs GERAGHTY (Torrens): Will the Minister for Transport provide the house with a progress report on the replacement of the Glenelg trams?

The Hon. P.L. WHITE (Minister for Transport): It is anticipated that the first trams will be delivered on time, that is, in December 2005. The tram project consists of two main cost components: the procurement for new trams and the upgrading of the tram infrastructure. Members will appreciate that, as negotiations on the tram procurement are still in progress and tenders for the infrastructure works are yet to be called, it is not commercially prudent to disclose publicly the separate cost components. However, on preliminary work undertaken to date it is anticipated that the infrastructure works will be accomplished within the original budget.

I am advised that, in regard to the original cost estimates of the trams, the government sought advice from the private sector, took into account the current contract price of trams being purchased for the Melbourne tram network, and monitored published contracts of trams purchased overseas. Between the time that the government approved the original estimate in September and when the tenders were received in January, there was a dramatic increase in the price of trams worldwide.

As far as can be ascertained, the dramatic price increase was brought about by two main factors. Firstly, there was a renaissance within the light rail transport industry, with numerous cities entering into contracts to purchase a significant number of light rail vehicles. In fact, it now appears that the Victorians purchased—

Members interjecting:

The SPEAKER: Order! The Minister for Infrastructure will simply be quiet.

The Hon. P.L. WHITE: It is apparent now that the Victorians purchased at the bottom of the market before this increase in demand occurred. Secondly, the three main manufacturers of trams, all located in Europe and engaged in other heavy manufacturing, have each been experiencing financial difficulties, especially with their light rail business activities.

Mr Brokenshire interjecting:

The SPEAKER: Order! The honourable member for Mawson likewise will stop mooring.

The Hon. P.L. WHITE: All three manufacturers have increased the tram prices dramatically. Two of those three main manufacturers tendered for the South Australian government contract. Of those two, one has some very severe problems with the model of tram that it offered in its tender. In fact, recent media advice is that 450 trams of that type worldwide from that manufacturer are currently being recalled. The other tenderer is going out of production of the model offered to the South Australian government. The

government is currently negotiating to procure 70 per cent low floor trams, which are fully compliant with the Disability Discrimination Act, and work will also be done on our platforms. These types of trams are currently operating in Europe with established technology.

Dr McFETRIDGE (Morphett): As a supplementary question, are the 70 per cent low floor trams 20-metre trams or 30-metre trams, and are they narrower than we had anticipated?

The Hon. P.L. WHITE: They are 30-metre trams, but I point out to the house that, while we have a preferred tenderer, the contract negotiations are still ongoing, and it is not in the public interest to discuss these more openly.

Members interjecting:

The SPEAKER: Order! It is bad enough for us to be on the rails. If members want to get off the rails they will miss out on the budget.

HOMELESSNESS

Mrs REDMOND (Heysen): Will the Treasurer advise the house what amount of the \$12.5 million to combat homelessness announced last week as part of this year's budget is a re-announcement of the \$12 million announced in July last year? In July 2003 the government released its response to the Social Inclusion Board's report entitled, 'Everyone's Responsibility: Reducing Homelessness in South Australia.' As an initial response \$12 million for programs over four years was announced.

The Hon. K.O. FOLEY (Treasurer): In 42 minutes' time you can read it in the budget.

The SPEAKER: Notwithstanding that, I have to observe that, whilst the government is inclined to give information according to its inclinations ahead of the budget, when asked a question of the kind such as the honourable member for Heysen has asked, it is legitimate for the house, if the Treasurer knows the answer, to hear it at that time.

SEASONS FOR GROWTH PROGRAM

The Hon. D.C. KOTZ (Newland): Will the Treasurer provide additional funds for recurrent funding for the continuation of the Seasons for Growth program in South Australia? Seasons for Growth is a change, loss and grief program for children, young people and adults. It was funded by the Department of Human Services in 2002 and is recognised as a preventative strategy for youth suicide. Over 1 500 young people have participated in the program. On 30 June 2004 the current contract with the Department of Human Services ends and the Sisters of St Joseph and the Mary MacKillop Foundation are unable to financially support the program beyond that date.

The Hon. L. STEVENS (Minister for Health): I will answer this question. I am aware of the Seasons for Growth program and the issues in relation to it. We are giving it consideration.

POLICE NUMBERS

The Hon. G.M. GUNN (Stuart): Will the Minister for Police confirm that the Far North drug action team is not really a team but only one police officer who has to cover 73 per cent of the state?

The Hon. K.O. FOLEY (Minister for Police): As I have said before, the composition, allocation and management of

the force are matters which, by statute, are the province of the Commissioner. I would be happy to receive a report from the Commissioner on this important matter that the member has raised.

Mr BROKENSHIRE (Mawson): My question is also to the Minister for Police. Will the minister advise if the government intends to increase the number of police positions allocated to Operation Mantle? From July 2001, 36 police positions were funded and allocated to Operation Mantle. Police have advised me that, to date, there are still only 36 police dedicated to combating street drug trafficking in this state.

The Hon. K.O. FOLEY: The shadow minister for police seems to have it in for the Police Commissioner of this state. That is the only way you can interpret this constant attack on the Commissioner's decisions as to how he deploys his resources.

Mr BROKENSHIRE: I rise on a point of order, and that is relevance. I asked the Treasurer, the Minister for Police—who on many occasions has told you, sir, and this parliament that he is responsible for police policy and funding—whether he intends to put more than the 36 police into Operation Mantle. The Commissioner is excellent: the police minister is hopeless.

The Hon. K.O. FOLEY: The policy is very clear. Unlike the former government who cut police numbers, we increased them. That is the policy of this government. We are employing 200 extra officers to make our streets safer. That is Labor, unlike Liberals who cut. The distribution and allocation of those resources—you would think a former minister would comprehend and be aware of this—is a matter for the commissioner. This opposition tactic of attacking the allocation of resources is an attempt to try to say it is my fault, but, as they know, I have no jurisdiction or authority to tell the police commissioner how he should run his force. I am prohibited to do that by law. Therefore, it can only be interpreted as a consistent ongoing attempt to undermine and politicise the office of the Police Commissioner.

The sooner the shadow minister for police respects the office of the Police Commissioner and understands the division the better, because he has made many a comment in this house about the very point I am making—that operational matters are subject to the control, authority and responsibility of the Police Commissioner, and policy is that of government.

However, the honourable member has torn that up, because he seems intent upon attempting to destabilise our police force by what I consider to be naked politics in criticising decisions of the commissioner. This government supports the Commissioner of Police. He is a good, decent and effective commissioner. I only wish that the opposition would stop attempting to politicise his position.

Mr BROKENSHIRE: I have a supplementary question. Following those comments, can the minister advise the house how many police have left the South Australian police force year to date through retirement or resignation, and how many have been recruited and graduated year to date?

The SPEAKER: Order! The question is out of order. It is not supplementary to the inquiry about Operation Mantle.

METROPOLITAN FIRE SERVICE, ANTI-TERRORISM EQUIPMENT

The Hon. W.A. MATTHEW (Bright): My question is to the Minister for Emergency Services. How much funding has the state government received from the federal govern-

ment for anti-terrorism equipment and training within the Metropolitan Fire Service, and have these funds been fully utilised? The opposition has been advised that funding was issued from the federal government to the state for the purchase of specialist equipment, including protective suits to be used by members of the Metropolitan Fire Service if dangerous viruses and chemicals are used against innocent citizens.

We are advised that while some equipment was delivered to the Metropolitan Fire Service many months ago, the equipment delivery is not yet complete and that which has been delivered sits untouched with no training having been provided to firefighters.

The Hon. P.F. CONLON (Minister for Emergency Services): It would be helpful for me in answering the question if the member for Bright could explain by whom he has been advised. Is he hearing voices in the night? Who is it? It would really help his credibility if he told us where the voices were coming from.

I know we have taken delivery. I know it has been funded. It is an issue that is taken very seriously. I am happy, despite his hearing voices, to hear the proper voice of the chief of the fire service and bring back a report.

BARLEY MARKETING

Mr VENNING (Schubert): My question is to the Minister for Agriculture, Food and Fisheries. Has the minister lobbied the Treasurer to provide adequate funding for accurate economic modelling of the barley single desk in South Australia? Last year's Round report into the Barley Marketing Act found that there were limitations to the economic modelling of barley single desk in South Australia. Clause 5(9) of the competition principles agreement outlines that South Australia will not have competition payments for barely withheld if it can be demonstrated that the benefits of the single desk outweigh the costs.

The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries): I thank the member for Schubert for his question. The honourable member and a number of his colleagues are in total denial around the issue of the barley single desk and the federal government penalty on the state for what it considers to be anti-competitive practices within a state government act. Under federal national competition policy, the National Competition Council decides that there are anti-competitive practices.

Mr Venning interjecting:

The Hon. R.J. McEWEN: The member for Schubert now wishes to interrupt, but I need to explain to the member for Schubert that the genesis of his question lies in understanding the federal Liberal government's position on national competition policy and how the National Competition Council works. The National Competition Council advises the federal Treasurer, that in its view, this state is in breach of the federal government policy in relation to barley marketing, chicken meat, liquor licensing, and a number of other minor matters with penalties totalling \$12 million.

The challenge that we all face lies on two fronts. First, we have to convince the federal Treasurer that he ought to put all these penalties in abeyance while he actually reviews national competition policy and the National Competition Council. He has given that undertaking, but he continues to penalise us ahead of that. Some people choose to use a different word, they choose not to describe them as penalties. This is not my language; the federal Treasurer calls them penalties: he talks

about a \$2.94 million penalty per annum. Getting back to the genesis of the question, which is: can I lobby the federal Treasurer? The answer is: we are continuing to appeal to the federal Treasurer about the unfairness of this. What the member for Schubert needs to do is get his troops together, get them to Canberra, and give us a hand.

Members interjecting:

The SPEAKER: Order!

OUTBACK TOURISM

Mrs PENFOLD (Flinders): Does the Minister for Tourism agree with the comments made by the member for Giles on ABC radio yesterday that outback tourism funding is being neglected? On ABC radio yesterday the member for Giles stated:

We have got a lot of tourists now going into the outback areas and I think we deserve our fair share.

The Hon. J.D. LOMAX-SMITH (Minister for Tourism): I thank the member for Flinders for her question, although I think the comment she makes is out of context. Of course, regional South Australia deserves a fair share of tourists, which is what I understood the member for Giles to say.

CEMETERY BRASS PLAQUES

Mr MEIER (Goyder): Will the Minister for State/Local Government Relations consider the use of small brass plaques in cemeteries which have a 25-year lease on grave sites to indicate who has been buried on a particular site in past generations? A constituent of mine recently found out that his great-grandfather, together with his great-grandfather's wife, their son and two daughters, and a son-in-law, were all buried side-by-side in three grave sites in the Cheltenham cemetery. However, the lease on those grave sites expired in July 1986 and was released to other families in November 1992. The result is that other people have been buried on top of my constituent's ancestors. The Cemetery Trust holds records of the burials on these allotments, but on the actual grave sites there is no acknowledgment of early remains on the same site.

The Hon. R.J. McEWEN (Minister for State/Local Government Relations): I cannot give a considered opinion on what is a very serious question from the member for Goyder.

An honourable member interjecting:

The Hon. R.J. McEWEN: I agree with the interjection: any question from the member for Goyder is a considered question, I think we all respect the member for Goyder for the contribution that he makes to this place and his electorate. We will not necessarily say that for everybody in this house. Can I, first, take this up with the people on the select committee, obviously my ministerial colleagues, and others and bring back a considered answer about how we celebrate beyond death and in perpetuity the lives of our ancestors. I think this is a matter we ought to address and I will take it on board. I thank the member for Goyder for his question.

CITY OF PORT ADELAIDE ENFIELD, RATES

Dr McFETRIDGE (Morphett): Has the Minister for State/Local Government Relations liaised with the City of Port Adelaide Enfield to stop the proposed 700 per cent increase in rates for marina berths in North Haven, the Royal

Yacht Squadron and the Cruising Yacht Club? The Port Adelaide Enfield council is proposing to increase rates on marina berths from \$70 to \$492 per annum. Rates will also be levied on car parks and facilities. I am reliably informed that this move will greatly affect the viability of these sporting organisations and many recreational yachties.

The Hon. R.J. McEWEN (Minister for State/Local Government Relations): I compliment the member for Morphett as shadow minister, who, in a bipartisan way, has been working very closely with me in terms of what is an important relationship between state government and local government. At lunch time today it was great to see the shadow minister join me with the Lord Mayor to explore issues about the relationship we have in general.

In relation to the specific question, the honourable member is well aware that, within the provisions of the Local Government Act, local government has a methodology around raising rates which it must set against its budget and its budget against its long-term strategic priorities. Within that context they are consulting at present about whether or not it is appropriate for them to apply a minimum rate to a particular property. I have indicated to them that I am interested in the consultation process and that they need to handle this carefully.

I think it is inappropriate, ahead of the conclusion of that consultation process, to say any more on the matter. I am aware of the matter. I am aware that it has consequences in terms of what is a rateable property and, equally, what is a minimum rate. Equally, I am respectful of the fact that within the Local Government Act it is the domain of local government to first set its strategic priorities, then its budget and then raise the appropriate rate.

SOUTHERN SUBURBS

Mr BROKENSHIRE (Mawson): Will the Minister for the Southern Suburbs advise the house why the government does not give the residents of McLaren Vale, Willunga and Aldinga rural benefits, but classes the regions as rural? In late 2003 the Minister for the Southern Suburbs wrote to the federal Minister for Health calling on the federal government to allocate rural GPs to the McLaren Vale, Willunga and Aldinga regions. However, the state government does not class these regions as rural for state purposes and taxation.

The Hon. J.D. HILL (Minister for the Southern Suburbs): I certainly did write to the federal government asking for the provision of extra doctors for that southern area, including the member for Mawson's electorate. I thought he would be grateful for my assistance to get doctors for that region, because we are short of doctors in the southern suburbs. Of course, there is an issue to do with boundaries. In the commonwealth arena, the suburbs to which he has referred under Telstra arrangements are subject to STD calls if they ring the City of Adelaide, and that has been an ongoing concern for many years.

Since it has been in office, this government has put in a number of measures to try to provide better services for those outer suburbs. We introduced an urban growth boundary, which defined where the separation between city and country should be. In addition, early on during our term I was successful in lobbying the then minister for transport to extend the bus service arrangements so that those citizens living in Aldinga, Sellicks Beach and McLaren Vale, and so on, are now able to access the metropolitan bus system. I

know that is of particular benefit to those citizens. I am not sure exactly to what other issues the member is referring.

Mr Brokenshire interjecting:

The Hon. J.D. HILL: In relation to motor registration, I understand that electors south of Quinliven Road in Aldinga pay the rural rate for car registration.

Mr Brokenshire interjecting:

The Hon. J.D. HILL: The member says, 'We did it.' In fact that is not true. What the former minister for transport (Hon. Diana Laidlaw) did was to change what were the existing arrangements so that those south of Quinliven Road enjoyed the benefit as rural citizens. She introduced a measure which applied the urban rate to the whole of the postcode. With protests, led by me and others, we put sufficient pressure on her to review the position, and she was forced to go back to the original arrangement. I hardly think you can take credit for reintroducing a measure which was already in place. Obviously there are issues to do with the outer areas of Adelaide, particularly in the south. However, I can tell members, as the Minister for the Southern Suburbs, I am doing my best to ensure that the services provided to those citizens are the equivalent of those in the rest of Adelaide.

ROADS, BLACK SPOT PROJECTS

Mr BROKENSHIRE (Mawson): Will the Minister for Transport advise the house how many of the black spot projects scheduled for the 2003-04 financial year have begun or been completed? In the previous transport minister's media release of 24 June 2003, 19 projects were listed for upgrade. The opposition has been contacted by communities interested in how many black spot projects have begun or been completed.

The Hon. P.L. WHITE (Minister for Transport): The honourable member has asked a question in relation to 19 separate projects. Clearly, I will have to consult with my chief executive and come back with that information.

ROYAL FLYING DOCTOR SERVICE

Mr VENNING (Schubert): Will the Minister for Health give an assurance that the state government will ensure that the existing services of the Royal Flying Doctor Service at Port Augusta are maintained and not downgraded?

The Hon. L. STEVENS (Minister for Health): The government's position on this matter is quite clear. The Premier has written to the Prime Minister on this very matter, and I will refer to some of the points the Premier made in his letter. He said:

The Royal Flying Doctor Service has a long and proud association with South Australia and is an integral part of outback life. The regular visits by health professionals and the security of knowing that the RFDS will be there in emergencies makes living in remote areas much easier for families. . . Further, the activities of the RFDS have significant economic benefits for the Upper Spencer Gulf region, which will be lost in the event of services being moved. . . I urge you to join me in calling on the board of the Royal Flying Doctor Service to preserve existing operations in Port Augusta in the interests of outback people.

RESERVOIRS, RECREATIONAL PURPOSES

Dr McFETRIDGE (Morphett): When will the Minister for Administrative Services provide an answer to my question of 12 May 2003 about whether the government will consider allowing some reservoirs to be opened for recreational

purposes and, in particular, for non-powered recreational boating and fishing.

The Hon. M.J. WRIGHT (Minister for Administrative Services): The advice that I have received from the former minister is that he has cleared all his questions but, having said that, I will check that for the member. The former minister is a very busy man, as members well know and, if one did slip through, I will ensure that it is answered very promptly. However, the advice he has provided to me is that he has cleared all his questions.

BASIC SKILLS TEST

Ms CHAPMAN (Bragg): My question is to the Minister for Education and Children's Services. What were the results of the basic skills test in literacy for South Australian children for 2003; and were they better or worse than for 2001?

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): That is a rather peculiar question, because it does not refer to contiguous years; it goes back historically to 2001. I am not sure of the purpose of that oblique question, but I will try to answer it and get the information back to the member.

COAST RADIO ADELAIDE

Mrs PENFOLD (Flinders): My question is directed to the Minister for Transport. Will the minister advise the house of the outcome of the Australian Maritime Group's evaluation of Coast Radio Adelaide and the government's response to any issues that the report identified? On 24 December last year I again wrote to the minister expressing my concerns about Coast Radio Adelaide, particularly as the dedicated, long-serving volunteer coastguard at Louth Bay, Mike Dinon, was no longer able to fulfil this role due to ill-health. I have heard nothing to allay my concerns that a dangerous situation exists.

The Hon. P.L. WHITE (Minister for Transport): The member is referring to correspondence that was not sent—

Mrs Penfold: It has been re-sent.

The Hon. P.L. WHITE: I will check on that correspondence and the issue that the member raises and bring back a considered reply.

GAMBLING CODES OF CONDUCT

The Hon. R.G. KERIN (Leader of the Opposition): My question is directed to the Minister for Gambling. Will the minister apply the same standards and scrutiny to the government's own gambling enterprise as it does to the hotels and clubs? Whilst the minister is overseeing codes of conduct to restrict the promotion of gaming by hotels and clubs, the government owned lotteries commission is requiring newsagencies and clubs to spend large amounts of money on promoting gambling products.

The Hon. M.J. WRIGHT (Minister for Gambling): I am not sure whether the leader is fully aware of this, but I would guess by the questions that he has raised today that he may not be. It is my understanding that the codes of practice, which commenced on 30 April (and the former minister deserves to be congratulated on them), not only are mandatory (and that is not the case in all states; it varies from state to state) but apply to all areas of gambling. I am a little uncertain as to what the mischief is that the leader is alluding to with respect to the lotteries commission. Of course, if the

lotteries commission was to break any of those codes of practice, which have been put forward by the IGA, there would be a consequence of that.

The Hon. R.G. KERIN: Sir, I have a supplementary question. If, in fact, the lotteries commission is not promoting the lotteries product, why is it forcing these small businesses to spend \$20 000?

The Hon. M.J. WRIGHT: That is not a supplementary question. It has already been asked of the responsible minister for the lotteries commission—who, of course, is the Deputy Premier—and he is not here at the moment.

The SPEAKER: It is an interesting point.

GOVERNMENT, OPEN

Mr MEIER (Goyder): My question is to the Premier. Has the Premier specifically instructed his ministers to operate a closed shop government? My office contacted Transport SA several weeks ago, following a request from a constituent seeking information about when repairs to a section of road in my electorate would be completed. As was my practice (or that of my office staff) throughout the time of the Liberal government, contact was made with an officer from Transport SA at Crystal Brook to ascertain when the completion of repairs would occur. The officer of Transport SA at Crystal Brook, whilst being appreciative of our phone call, advised that a directive from the minister's office had been received stating that they were not allowed to talk to my staff and that I would have to put my questions to the minister in writing. I ask, therefore, what has happened to open government in South Australia?

The Hon. M.D. RANN (Premier): This may surprise the honourable member, but I have not been in touch with the person in Crystal Brook—although I have been to the Crystal Brook Hotel on a number of occasions, and I like Crystal Brook enormously. I have not actually been in touch with the relevant transport officer in Crystal Brook, neither was I aware—and I confess this freely—of the issues relating to the Snowtown lotteries agency. Question time is always an educative experience for all of us. I remember that, as leader of the opposition, whilst I tried to be, as a minister of TAFE, open to allowing members of the opposition to go to TAFEs and be briefed, things were so controlled in the time of the previous government that you basically had people there taking notes. This was the culture of fear that was perpetuated when Alex Kennedy and Vicky Thompson ran the government. It was a strange, weird culture.

An honourable member: A cult.

The Hon. M.D. RANN: It was a cult. It was basically about removing access. Fortunately, there were members opposite who tried to help us by making phone calls to tell us what was really going on. That is a story for another day. I do not think that any member opposite wants me to name those in the Liberal Party who were leaking to me, because I do not think there is enough time left in question time. I can remember the night when—

Mr MEIER: On a point of order, Mr Speaker, I simply asked whether a directive had been given that open government is not to occur for members wishing to contact departments for information.

The Hon. M.D. RANN: In answering, I was just trying to point out that the paranoia of some was contrasted with the openness of others who believed in a new form of freedom of information. I can remember, for instance, being told what

the premier was doing the next day during the election campaign. That is a story for another day as well. It is all going to be in my memoirs.

Members interjecting:

The Hon. M.D. RANN: For some reason there were rivalries that I do not understand. I will certainly take up this matter. The issue of the freedom of information regarding transport issues in the Crystal Brook office will be investigated by the Minister for Transport with resolution. I know that she will get back to the honourable member, as she always has in the past.

HOUSING TRUST

Mr WILLIAMS (MacKillop): My question is directed to the Minister for Housing. Will the government overturn its current policy of not installing rainwater tanks on Housing Trust properties? The government has announced that rainwater tanks will become compulsory for new housing from July 2006. Yet, constituents of mine have complained to me that the Housing Trust refuses to install rainwater tanks on Housing Trust homes where no tank exists. They tell me that where a Housing Trust home has a rainwater tank, it will be replaced if needed but, if such a home becomes vacant, the rainwater tank is removed.

The Hon. J.W. WEATHERILL (Minister for Housing): As I understand it, the announcement is in relation to all houses, so Housing Trust built houses will be caught by these arrangements. There are some special circumstances that apply to some Housing Trust homes. The client base for many Housing Trust homes is often made up of people who are unable to maintain various elements of their home, particularly large gardens and rainwater tanks. A range of health issues has been raised around the use of rainwater tanks for human consumption. It is an ongoing issue that we need to grapple with.

In the Housing Trust we are always looking at the design of our houses to make sure that they are water sensitive and to ensure that we capture whatever stormwater and rainwater we can. But there has for health reasons been a long-standing policy of incrementally removing rainwater tanks from Housing Trust homes. It is something that we will give thought to as time moves on. The general policy will, of course, capture all homes.

MOTOR VEHICLE BURNOUTS

Dr McFETRIDGE (Morphett): Will the Attorney-General ensure that local councils are able to access details of vehicles that have been reported by councils for doing burnouts and leaving shredded rubber, 'shards of rubber', to quote him on ABC radio yesterday, which can be classified as littering?

The Hon. M.J. ATKINSON (Attorney-General): The member for Morphett and I discussed this on ABC radio yesterday. I think it is a good idea and I will follow it up.

FOSTER CARE

Mrs REDMOND (Heysen): Will the Minister for Families and Communities advise why only 15 per cent of children who are placed into care in South Australia are placed with a relative when there is a FAYS-wide policy that requires that priority is to be given to placement with a relative? The workload analysis report recently tabled in this

parliament by the minister indicates that only 15 per cent of children are placed with a relative in spite of that policy, whereas in other states there is a 50 per cent rate of children placed with a relative in the first instance.

The Hon. J.W. WEATHERILL (Minister for Families and Communities): The honourable member has identified an area that is going to receive considerable attention from this government. It is not as simple as saying that those arrangements are strictly comparable with other states, because in South Australia—and this was an arrangement that the previous government presided over—we actually do not pay our relative foster carers, and that provides a disincentive for relative foster carers. Of course, the counting is done of the people we pay, so there might be a whole range of informal foster care arrangements for children placed with relatives. The figures are not perhaps as simple to pull out and analyse in that way. I have asked the agency to carry out work to look at ways in which we could lift the rate of relative carers who participate in the system.

Traditionally, the philosophy, at least, has been that relative carers owe some greater degree of moral responsibility for the children of a relative than perhaps a stranger does, and that has driven the thinking in the system. Perhaps we need to rethink some of those ideas, given that there is such a shortage of foster carers in the system, and that is an area that will be receiving our attention. Certainly it is the case with Aboriginal families, because of the particular sensitivities around the taking away of children, that extraordinary efforts are made to place children in an extended caring environment of the family and broader family networks. That occurs on a very broad basis and in most cases. So, it is receiving our active attention, but the honourable member is correct to identify that as one of the serious issues that we need to address in the child protection system.

The Hon. W.A. MATTHEW (Bright): As a supplementary question, will the minister advise the house how many of the proportion of people mentioned by the member for Heysen are known to be same sex couples into whose care foster children have been placed?

The Hon. J.W. WEATHERILL: I must say that I do not have those figures immediately to hand. What I can say is that the guiding principle at the heart of the child protection system is that the safety of the child is paramount. If that means that that child can be put in a caring home where there is a loving relationship, I think that is all we should be concerned about.

TRAIN NOISE

The Hon. I.F. EVANS (Davenport): My question is to the Minister for Environment and Conservation. What is the government doing to address the train squeal noise in the Mitcham Hills?

The Hon. J.D. HILL (Minister for Environment and Conservation): I know that this is a passion for the member for Davenport and I thank him for his question. In fact, this government is doing more than his government did in relation to it. I have asked the EPA to investigate this, and they are investigating. I understand that they have given the member for Davenport briefings from time to time. I am not aware of the most recent state of their investigations, but I will find out for him and make sure that he gets it.

The Hon. I.F. EVANS: Will the minister join me in a visit to the area so that he can understand the level of noise and the level of frustration of local residents? I think the minister and his officers underestimate the severity of the noise, and the health implications of the severity of the noise.

The Hon. J.D. HILL: I have said I will get a report for the member and I shall.

The SPEAKER: I thought he was hoping for a visit.

BUSHFIRES

Mr GOLDSWORTHY (Kavel): Can the Minister for Emergency Services advise the house of the actual locations and area of land where cold burning has occurred this autumn in an effort to reduce bushfire risk in the state, particularly in the Mount Lofty Ranges?

The Hon. P.F. CONLON (Minister for Emergency Services): I thank the honourable member for his question. I am sure the house would appreciate and think it a good thing that I do not actually pick out where the burns are done. We have an arrangement between the Department of Environment and Heritage—which we have funded for the first time in years to do cold burns—and the experts at the CFS. They have been conducting them according to their best judgment, not according to mine, which is a very good thing for the state of South Australia! I am very happy to get a report from them and bring it back.

BUDGET PAPERS

The Hon. K.O. FOLEY (Treasurer): I lay on the table the following budget papers: Budget Overview 2004-05; Budget Paper No. 1; Budget Speech 2004-05; Budget Paper No. 2; Budget Statement 2004-05; Budget Paper No. 3; Portfolio Statements 2004-05, Volumes 1, 2 and 3; Budget Paper No. 4; Capital Investment Statement 2004-05; Budget Paper No. 5; Regional Statement 2004-05; Budget Paper No. 6; and I move:

That the Portfolio Statements, Budget Statement and Capital Investment Statement be published.

Motion carried.

APPROPRIATION BILL

The Hon. K.O. FOLEY (Treasurer) obtained leave and introduced a bill for an act for the appropriation of money from the Consolidated Account for the financial year ending 30 June 2005, and for other purposes. Read a first time.

The Hon. K.O. FOLEY: I move:

That this bill be now read a second time.

Mr Speaker, I present this, my third budget, to a strong, confident and growing South Australian community.

Today I will outline a comprehensive range of initiatives that will make our State a better place to live, a better place to raise a family, a better place to work and a better place to do business.

Mr Speaker, this Government believes in South Australia. We believe in the people of this State and their potential to grow and prosper.

That's why earlier this year we published a Strategic Plan for the State, setting out a range of ambitious targets for our future.

The Plan is designed to set a direction and importantly, sets benchmarks so that we can measure our progress along the way.

Mr Speaker, this year's State Budget—and subsequent Budgets—will help to achieve the objectives set out in the Plan.

As with my first two Budgets, this Budget continues to deliver better services in the key areas of health, education, policing, economic development and the environment.

It will also deliver tax cuts to business and gives extra help to first home buyers....the first significant help for many years.

It will do all this and still deliver a healthy surplus next year and across the forward estimates.

Mr Speaker, this Budget is the result of good economic management...and as the Federal Treasurer has been saying a lot recently, that doesn't happen by accident.

Mr Speaker the South Australian economy has continued to perform strongly in 2003-2004.

Consumer spending, and business and housing investment have driven strong demand growth while recovery from drought has boosted production in the rural sector.

Since the Government assumed office, employment in South Australia has grown by 27 000 and the unemployment rate has, at times, reached 25-year lows.

Like many independent commentators and the Federal Government, the State Government expects economic growth to ease in 2004-2005 following the one-off boost from the farm sector, and moderating housing construction and business investment.

However, overseas exports are expected to partly offset softer domestic demand growth as the world economy strengthens through 2004-2005.

South Australia's Gross State Product is forecast to grow by 2.5 per cent in 2004-2005 while employment growth is expected to ease to 0.75 per cent.

Mr Speaker, these forecasts underline the need to remain prudent. Our fiscal policies reflect that need.

For the first time in decades, the State is consistently living within its means.

This is good economic management.

The 2004-2005 Budget will deliver a surplus of \$52 million, rising to \$126 million in 2005-2006, then \$137 million in 2006-2007 and \$165 million in 2007-2008.

When we first came to office, general government net debt was \$1.3 billion. On current projections, general government net debt will be eliminated in 2006-2007.

And that too, is good economic management.

This strong fiscal outlook is another step towards achieving a Triple-A credit rating, a key target identified in the State Strategic Plan.

Mr Speaker this Government has made an enormous effort to target and direct expenditure to the areas of greatest need. These are healthy and safe families, education and infrastructure.

These are the priorities of Labor. They have always been the priorities of Labor and they will remain the priorities of Labor.

Mr Speaker, this Labor Government has significantly increased spending since it came to office in 2002.

Indeed, a comparison between the last Liberal Budget of 2001-2002 and the 2004-2005 Budget shows that Labor has

increased total spending by 14.3 per cent since coming to office or approximately \$1.3 billion.

During the 2003-2004 financial year the Government made a number of significant organisational and funding decisions regarding the delivery of health, welfare and family services.

The 'super department' concept for the Department of Human Services was unworkable. Its structure meant that, in the past, money wasn't spent as effectively as it should have been to deliver frontline services.

So we have split Human Services to create the Department of Health and the Department of Families and Communities.

Over the next four years, this Government will provide \$548 million of additional operating funding for health and family care.

Mr Speaker, that is over half a billion dollars in extra money that this government is committing to our hospitals, our kids and our families.

The health and family services sector will also receive additional funding for capital works of \$55 million bringing the total capital works figure for 2004-2005 to \$270 million.

Additional health spending in this Budget includes:

- \$60 million a year to enhance metropolitan hospital services and support increased activity levels;
- \$30 million over four years for the Flinders Medical Centre emergency department; and
- \$8 million over four years for elective surgery and \$4.5 million over four years for dental care.

The Patient Assistance Transport Scheme will receive an additional \$1.7 million while more than \$27 million in additional funding will be spent over the next four years on a patient record system.

In line with recommendations in the Generational Health Review, we will spend \$20.5 million to provide alternatives to hospital where such a course is beneficial to the patient. This is a win-win initiative, because it allows a patient who doesn't need to be in hospital to receive treatment at home and it frees up a hospital bed for someone else who really needs it.

Mental health reform initiatives will receive an additional \$13.8 million.

\$27.7 million will be used to improve mental health facilities at The Queen Elizabeth, Noarlunga, Women's and Children's, Lyell McEwin and Modbury hospitals and begin the replacement of existing facilities at Glenside and Hillcrest.

The Government is also contributing funding towards the \$14.5 million Flinders Medical Centre Cancer Care facility.

Mr Speaker, nothing is more important than the safety of our children. As I have already said, this Government has made child protection a priority.

And our words are matched by action.

This budget provides additional funding of \$148 million over four years for child protection...and it comes on top of the extra \$58.6 million in last year's Budget.

Specific programs, in accordance with the recommendations of the Layton child protection review include:

- improvements to alternative care;
- additional counselling and therapeutic treatment; and
- increased family support services, additional Aboriginal community education and development officers and additional training for school counsellors.

Other vulnerable groups in our community receive help with additional funding of \$8 million for initiatives to address homelessness and \$900 000 for strategies to combat youth

suicide, youth unemployment and support for young offenders.

Mr Speaker, the State will increase funding by \$8.6 million in the Home and Community Care Program to match additional Commonwealth funds.

We'll also start a program in this Budget to improve access to public transport for people with disabilities at a cost of \$6.2 million.

These initiatives show the government is matching its commitment to families and the community with real action to achieve real results.

Mr Speaker, this Government wants South Australian children to have the best chances in life. Education is the key to this aspiration.

The State Strategic Plan has set ambitious literacy and numeracy targets. This budget allocates \$35 million over four years for a new Early Years Literacy Program.

The program sees 125 more teachers and resources dedicated to children in years 1 to 3. These extra teachers will be in classrooms for the start of the 2005 school year.

The budget also provides funding to expand the Reading Recovery program.

We'll fund a program specifically targeting pre-school Aboriginal children. The additional 13 teachers employed will directly influence nearly one thousand 3 to 4 year-old Aboriginal children.

The budget provides additional funding of \$6.4 million to support local school management with IT infrastructure and financial management training.

An additional \$8.1 million over four years will ensure the Senior Secondary Assessment Board of South Australia can meet the expectations of Year 12 students and the University entrance process.

Mr Speaker, building new infrastructure is essential for economic development. Let me tell you about just a few of the projects in this budget:

- a \$2.7 million contribution towards the \$9 million upgrade of roads and rail on the Le Fevre Peninsula;
- \$10 million for the upgrade of gas, electricity, stormwater infrastructure and other head works as part of the redevelopment of the Outer Harbor;
- \$18.1 million to widen South Road between Port Road and Torrens Road;
- \$3 million for a Tourism Infrastructure Fund to develop nature and culture based tourism;
- \$30 million for the replacement of the Bakewell Bridge; and
- we're fixing the Britannia Roundabout.

Total expenditure on capital projects and programs in 2004-2005 will be \$950 million.

The Government is also investing \$14.7 million to accelerate mineral exploration in South Australia.

These are just a few of the measures we are funding to build our economy and our future.

But Mr Speaker, the future also depends on population growth. The budget provides funds to pursue the aggressive and ambitious targets set in the Government's Population Policy.

\$10.2 million over the next four years will be provided for workforce and labour programs and migration support services to:

- build our population to 2 million people by 2050;
- at least double the intake of independent skilled migrants;
- achieve a five-fold increase in business migrants; and
- reduce the net outflow of interstate migrants to zero.

The Government will also introduce a \$1200 'Return to Work' credit to assist parents currently out of the workforce and caring for a child to get back into employment.

Eligible parents can use the credit for approved training and education costs, including child care.

Mr Speaker, the Government has shown its commitment to community safety by funding an additional 200 police officers, taking our overall police numbers to nearly 4000 sworn officers.

The budget funds this commitment with \$9 million provided in 2004-2005, building to \$20 million a year once all officers have been trained.

The additional officers will be performing operational duties in the areas of Criminal Justice, Metropolitan Patrols, Sexual Crimes Investigation Branch, State Protective Security Services and country relief pools.

Forensic Science will receive a further \$2.6 million to meet the growing demand for its services and will have a new scanning electron microscope for firearm investigations.

Additional funding for a District Court Master will help manage the increasing pressures being experienced in our civil courts.

We'll also put more money into support for legal services to Government and legal aid to the community.

Emergency Service agencies will receive new equipment to ensure they are kept as safe as possible while doing their jobs. Specific initiatives include:

- \$4.3 million for a third State Rescue helicopter;
- \$3.5 million for protective clothing and breathing apparatus for the South Australian Metropolitan Fire Service; and
- \$2 million for training and support of the Country Fire Service and capital funding of \$3.7 million for the early replacement of fire trucks, bulk water carriers and fire panel indicators.

A further \$600 000 will be provided for bushfire safety community awareness programs.

\$24 million has been allocated to continue the operation of the State's radio system beyond the current contract term, which expires in June 2006.

Mr Speaker, encouraging innovation and applying science and technology to boost economic opportunities are key objectives of the State Strategic Plan.

This budget delivers an additional \$8 million for the Premier's Science and Research Fund.

We'll also put in \$2.4 million in rental subsidies for start-up companies operating from a new \$9 million bioscience incubator to be built in the Thebarton Bioscience Precinct.

There's \$12.9 million to support the expansion of South Australia's fisheries, aquaculture and marine eco-tourism industries through the Marine Innovation SA (MISA) initiative. Adelaide and Flinders Universities have indicated they will both contribute to this initiative.

This Budget will provide funding that will enable Adelaide and South Australia to further enhance its reputation in arts innovation and cultural leadership.

An extra \$23.5 million will be provided over the next four years to support our festivals, heritage buildings, art galleries and museums.

Mr Speaker, the Budget targets spending in regional areas. Specific initiatives include:

- an additional \$2 million to improve the reliability of electricity supply on Kangaroo Island to accommodate the increases in electricity demand due to the booming tourism industry on the island;

- \$3 million for the Upper Spencer Gulf to establish a Fund to facilitate growth and leverage private sector investment in the area;
- \$14 million for the extension of the already successful FarmBis initiative aimed at the continued development of farm business and resource management skills;
- \$9.5 million to continue funding for the Wine Industry Council and the South Australian Food Centre;
- \$2 million to fund backlog maintenance works at regional Arts theatres;
- \$8 million for overtaking lanes to improve the safety of our country roads;
- \$6.8 million for the establishment and on-going support of Natural Resource Management Boards in regional South Australia; and
- \$4.3 million to support nursing in country hospitals. This is in addition to the \$7.5 million allocated during 2003-2004 for support of country doctors.

A further \$6.8 million for shoulder sealing and \$5.8 million for the State Black Spot Program should help to reduce the road toll.

Mr Speaker, the Government has acted decisively to improve the wellbeing of South Australia's Indigenous population, appointing Bob Collins as APY Lands Coordinator of Government services. To support Mr Collins and his team, a further \$13 million will be provided for police, health and training programs.

This funding is in addition to the \$12 million provided in last year's Budget.

Mr Speaker, protecting our environment remains a priority for this Government.

The Office of Sustainability will devise strategies to keep economic development and population growth consistent with environmental considerations.

Last year, the Government committed important resources to rescue the River Murray.

This year we are providing further funding for water management initiatives in South Australia.

In recognition of the importance of our coasts and marine waters to the economic prosperity to the State, this budget allocates \$5 million for the Living Coast Strategy.

The conservation of our built environment will be supported with \$2.9 million to assist local government conserving heritage buildings.

Mr Speaker, the forward outlook is for revenue to grow at a slower rate than inflation in 2004-2005 and 2005-2006.

Thereafter, revenues are projected to increase at a slightly faster rate than inflation (between 1 and 2 per cent per annum in real terms).

Stamp duty revenue from property transfers is expected to fall by 22 per cent in 2004-2005.

Despite this, the Government has taken the opportunity to provide some targeted tax relief in this Budget.

In total, the measures I am about to outline will return \$360 million to South Australians over the next four years.

These measures are designed to further improve the State's business competitiveness while at the same time providing important tax relief to first homebuyers.

Mr Speaker, payroll tax will be reduced from 5.67 per cent to 5.5 per cent from 1 July this year.

The reduction is expected to deliver payroll tax relief of \$94 million over four years.

It is estimated that 5500 firms employing approximately 340 000 employees will benefit from this rate reduction.

The Budget also abolishes two further business taxes in 2004-2005.

Lease duty and cheque duty will be abolished from 1 July this year at an estimated cost of \$5.2 million in the first year. Over four years more than \$22 million will be returned to South Australians.

The abolition of debits tax from 1 July 2005 will return \$180 million to South Australians across the out years.

These tax cuts are a result of good economic management. Mr Speaker, home ownership is a great Australian tradition.

Even with the recent growth in house prices, home ownership in South Australia remains more affordable than in the eastern States.

But we want to specifically help first homebuyers with the most significant concessions for many, many years.

Currently, first homebuyers receive stamp duty concessions on property conveyances which cease at a purchase price above \$130 000.

This budget extends the first homebuyer stamp duty concession so that it now ceases at a purchase price above \$250 000.

This will benefit more than 80 per cent of first homebuyers.

We will also abolish mortgage duty for all first homebuyers, in respect of mortgages that relate to the first home contracts that are entered into from today.

This concession will deliver benefits to first home buyers valued at \$64 million over the next four years.

Data on First Home Owner Grant recipients in 2003-2004 indicate the median purchase price for first homebuyers in South Australia is \$175 000.

At this value, the stamp duty concession and the mortgage duty exemption combine to save the first homebuyer \$2355.

Mr Speaker, these tax cuts provide real benefits to South Australian businesses and first homebuyers.

But they should also send a signal to the community that while our priority will remain the provision of essential services like health and education, we are a Government that will cut taxes when we have the capacity to do so.

That's simply good economic management.

Mr Speaker, as usual, I must place on record my gratitude to my Ministerial colleagues, their Chief Executives and their staff for their contribution to the Budget task. My thanks also go to the Under Treasurer and the Department of Treasury and Finance and to my personal staff for their efforts.

Mr Speaker, throughout this address, I have referred to the vision and aspirations of the State Strategic Plan.

As I said earlier, this budget has been framed with the objectives and targets of the State Strategic Plan in mind.

We believe in the direction we are taking South Australia and we are serious about the achievement of our targets.

This Budget continues the work begun in the two that preceded it.

We are spending more on the core services demanded by South Australians especially in health. We have committed record funds to keep our children safe.

We're building our infrastructure and our economy for the future

And we've cut taxes to keep our businesses competitive and help young people buy their first home.

Mr Speaker, we're doing all of this while still keeping our Budgets in surplus. That's good economic management.

I commend the Budget to the House.

I seek leave to insert the explanation of the clauses in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: commencement

This clause provides for the Bill to operate retrospectively to 1 July 2004. Until the Bill is passed, expenditure is financed from appropriation provided by the *Supply Act*.

Clause 3: interpretation

This clause provides relevant definitions.

Clause 4: Issue and application of money

This clause provides for the issue and application of the sums shown in the schedule to the Bill. Subsection (2) makes it clear that the appropriation authority provided by the *Supply Act* is superseded by the Bill.

Clause 5: Application of money if functions or duties of agency are transferred

This clause is designed to ensure that where Parliament has appropriated funds to an agency to enable it to carry out particular functions or duties and those functions or duties become the responsibility of another agency, the funds may be used by the responsible agency in accordance with Parliament's original intentions without further appropriation.

Clause 6: Expenditure from Hospitals Fund

This clause provides authority for the Treasurer to issue and apply money from the Hospitals Fund for the provision of facilities in public hospitals.

Clause 7: Additional appropriation under other Acts

This clause makes it clear that appropriation authority provided by this Bill is additional to authority provided in other Acts of Parliament, except, of course, in the *Supply Act*.

Clause 8: Overdraft limit

This sets a limit of \$50 million on the amount which the Government may borrow by way of overdraft.

The Hon. R.G. KERIN secured the adjournment of the debate.

STANDING ORDERS SUSPENSION

The Hon. K.O. FOLEY (Treasurer): I move:

That standing orders be so far suspended as to enable me to introduce a bill forthwith.

Motion carried.

STATUTES AMENDMENT (BUDGET 2004) BILL

The Hon. K.O. FOLEY (Treasurer) obtained leave and introduced a bill for an act to amend the Debits Tax Act 1994, the Payroll Tax Act 1971 and the Stamp Duties Act 1923. Read a first time.

The Hon. K.O. FOLEY: I move:

That this bill be now read a second time.

I seek leave to insert the second reading explanation in *Hansard* without my reading it.

Leave granted.

Tax reform measures introduced in the 2004/05 Budget will deliver tax relief to business, assist first homebuyers and progress commitments made under the *Intergovernmental Agreement on the Reform of Commonwealth-State Financial Relations* (IGA) to review the continued need for certain business stamp duties.

The pay-roll tax rate will be reduced from 5.67% to 5.5% in respect of wages paid or payable on or after 1 July 2004. This will provide significant relief to business and bring South Australia's pay-roll tax rate, which is already lower than that in most other jurisdictions, closer to the Victorian rate.

The reduction in the pay-roll tax rate is expected to deliver pay-roll tax relief of \$22 million in a full year. Approximately 5 500 firms employing about 340 000 employees or 56% of total private sector employment are estimated to benefit from this reform.

Progress with reviewing the continued need for business stamp duties as part of national tax reform initiatives will also be made with the abolition of lease duty and cheque duty in 2004/05 (at an estimated full year cost of \$5.5 million), followed by the abolition of debits tax in 2005/06 (at an estimated full year cost of \$61 million).

Relief will also be provided to first homebuyers in recognition of the erosion of the stamp duty concession by recent strong increases in property values.

Currently, first homebuyers receive a full stamp duty concession on first home purchases up to \$80 000 with the concession phasing out at \$130 000.

The first homebuyer stamp duty concession will be extended to provide a partial stamp duty concession for first homes between \$80 000 and \$250 000.

First home purchases up to \$80 000 will continue to receive a full concession. For first home purchases between \$80 000 and \$100 000 the concession rate reduces by 2.5% for each \$1 000 increase in property value above \$80 000. At a property value of \$100 000, the concession rate is 50% and remains at 50% for first home purchases between \$100 000 and \$150 000. The dollar value of the concession reaches a maximum at \$150 000 and phases out completely for first home purchases valued above \$250 000.

The expanded concession will be available where a contract to purchase a first home is entered into on or after 27 May 2004 and will cost an estimated \$9.4 million in 2004/05.

It is estimated that more than 80 per cent of first homebuyers will receive either a full or partial stamp duty benefit under the amended concession.

As an added benefit for first homebuyers, an exemption from mortgage duty will be provided where the mortgage relates to a first home contract entered into on or after 27 May 2004.

The exemption from mortgage duty is expected to benefit up to 9 500 first homebuyers and will cost \$5.2 million in 2004/05.

The exemption from mortgage duty on first home loans is also consistent with State undertakings to review the continued need for mortgage duty under the IGA.

The package of tax reforms announced in the Budget for introduction in 2004/05 is estimated to cost \$42 million in a full year.

I commend the Bill to Honourable Members.

The explanation of clauses will be included by the Office of Parliamentary Counsel.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

Part 2 of the Act, which amends the *Debits Tax Act 1994*, and Part 4, which amends the *Stamp Duties Act 1923*, come into operation on the day on which the Act is assented to by the Governor. The amendments made by Part 3 to the *Pay-roll Tax Act 1971* will come into operation on 1 July 2004.

3—Amendment provisions

This clause is formal.

Part 2—Amendment of *Debits Tax Act 1994*

4—Variation of section 3—Definitions

The amendment made to the definition of the term *taxable debit* by this clause has the effect of limiting the application of the term to debits made to accounts on or before 30 June 2005.

5—Insertion of section 5A

New section 5A provides that the Act does not apply to a debit made to an account after 30 June 2005.

6—Variation of section 44—Return in relation to exempt accounts

Section 44 provides that a financial institution must lodge with the Commissioner a return relating to all exempt accounts kept with the institution. New subsection (3), inserted by this clause, provides that a return is not required under section 44 in relation to the 2006 calendar year or a later calendar year.

7—Insertion of section 54

Under section 54, the Governor may, by proclamation, fix a date for the repeal of the Act. The Act is repealed on the day fixed by proclamation under the section.

Part 3—Amendment of *Pay-roll Tax Act 1971*

8—Amendment of section 9—Imposition of pay-roll tax on taxable wages

This clause amends section 9 of the *Pay-roll Tax Act 1971*. As a consequence of this amendment, the rate of payroll tax imposed and chargeable on wages paid or payable on or after 1 July 2004 will be 5.5 per cent of those wages.

Part 4—Amendment of Stamp Duties Act 1923

9—Amendment of section 45—Duty not to be chargeable after certain date

Section 45 of the *Stamp Duties Act 1923* ("the Act") currently provides that duty is not chargeable on a cheque form issued by a financial institution or paid by a financial institution on or after a day to be fixed by proclamation. Rather than requiring the making of a proclamation for the purposes of fixing a day, section 45 as amended by this clause provides in subsection (1) that duty is not chargeable on a cheque form issued on or after 1 July 2004. No refund of duty on cheque forms is to be allowed on or after that date. Under subsection (3), the Governor may, after 1 July 2004, fix a date by proclamation for the repeal of Part 3 Division 5 and Schedule 2 clause 13 of the Act. That Division and clause are repealed on the date fixed by proclamation in accordance with subsection (3).

10—Amendment of section 71C—Concessional rates of duty in respect of purchase of first home etc

The amendment made by this clause to section 71C(2) has the effect of limiting the operation of that subsection to conveyances or notional conveyances to which the section applies that give effect to a relevant contract entered into before 27 May 2004.

New subsection (3) operates in relation to conveyances or notional conveyances to which the section applies that give effect to a relevant contract entered into after 27 May 2004. The duty payable on such a conveyance or notional conveyance will be calculated as follows:

- if the amount by reference to which the duty would, apart from section 71C, be calculated (the *property value*) does not exceed \$80 000, no duty will be payable;
- if the property value exceeds \$80 000 but does not exceed \$100 000, the duty payable is the relevant percentage of the duty that would, apart from section 71C, be payable;
- the *relevant percentage* is a percentage in a range beginning at 2.5% for a property value of \$81 000, increasing in steps of 2.5% for each additional \$1 000 of property value, and ending at 50% for a property value of \$100 000;
- if the property value exceeds \$100 000 but does not exceed \$150 000, the duty payable will be 50% of the duty that would, apart from section 71C, be payable;
- the maximum concession under section 71C(3) of \$2 415 is reached at a property value of \$150 000 and where the property value exceeds \$150 000 but does not exceed \$250 000 the amount of duty payable is the amount that would, apart from section 71C, be payable less a concession calculated by reducing the maximum concession by \$24 for each additional \$1 000 by which the property value exceeds \$150 000;
- if the property value **exceeds** \$250 000, no concession applies;
- for the purposes of section 71C(3), property values are to be expressed to the nearest multiple of \$1 000 and if a property value lies exactly at the mid point between two multiples of \$1 000, the property value is to be rounded down to the lower of those multiples.

11—Insertion of section 75A

New section 75A provides in subsection (1) that no liability to duty arises in relation to a lease entered into on or after 1 July 2004. Following that date, the Governor may, by proclamation, fix a date for the repeal of Part 3 Division 9 and clause 10 of Schedule 2. On the date fixed by proclamation, Division 9 of Part 3 (including section 75A) and clause 10 of Schedule 2 are repealed.

12—Insertion of section 83

This clause inserts a new section. Under section 83, certain provisions apply in respect of a mortgage if the Commissioner is satisfied that the mortgage secures a loan taken out to finance liabilities under an eligible first home owner transaction entered into on or after 27 May 2004. Those provisions are as follows:

- if the mortgage secures liabilities under the first home owner transaction and no other liability—no stamp duty is payable in respect of the mortgage;
- if the mortgage secures liabilities under the first home owner transaction and some other liability—the stamp duty otherwise payable is reduced by the amount of stamp duty that would have been applicable if the mortgage secured only liabilities under the first home owner transaction but attracted no concessional rate of duty as a home mortgage.

A transaction is an eligible first home owner transaction if the party or parties to the transaction who seek the benefit of section 83 have made an application for a first home owner grant under the *First Home Owner Grant Act 2000* in relation to the transaction and comply with the eligibility criteria under that Act, and the transaction is an eligible transaction within the meaning of that Act and has been completed within the meaning of that Act.

The Commissioner may stamp a mortgage in anticipation of the relevant conditions for an exemption or partial exemption being met. If the conditions are not in fact satisfied, the Commissioner may recover the amount of the exemption or partial exemption from any party to the mortgage as a debt.

The Hon. R.G. KERIN secured the adjournment of the debate.

EQUAL OPPORTUNITY (CARER'S RESPONSIBILITIES) AMENDMENT BILL

Received from the Legislative Council and read a first time.

STATUTES AMENDMENT (COURTS) BILL

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

No. 1. Long title, page 1—

After 'Courts Administration Act 1993' insert:
the 'Criminal Law Consolidation Act 1935',

No. 2. New Part, page 4, after line 26—

Insert:

Part 2A—Amendment of Criminal Law Consolidation Act 1935

4A—Substitution of Division 11 of Part 9

Part 9 Division 11—delete the Division and substitute:

Division 11—Witness fees and expenses

297—Witness fees

Witness fees and expenses in respect of proceedings under this Act are payable in accordance with the regulations.

4B—Amendment of section 353—Determination of appeals in ordinary cases

Section 353 (4)—delete subsection (4) and substitute:

(4) Subject to subsection (5), on an appeal against sentence, the Full Court must—

(a) if it thinks that a different sentence should have been passed—

(i) quash the sentence passed at the trial and substitute such other sentence as the Court thinks ought to have been passed (whether more or less severe); or

(ii) quash the sentence passed at the trial and remit the matter to the court of trial for resentencing; or

(b) in any other case—dismiss the appeal.

No. 3 Clause 16, page 9, after line 4—

Insert:

(2) Section 6A (3)—after paragraph (b) insert:

(c) if the jury is retiring to consider whether or not to return a verdict without hearing further evidence—direct that they rejoin the jury in the event that the jury decides that it wishes to hear further evidence before returning a verdict.

ADJOURNMENT

At 3.47 p.m. the house adjourned until Monday 31 May
at 2 p.m.

HOUSE OF ASSEMBLY

Monday 24 May 2004

QUESTIONS ON NOTICE

STUDENT CARD

173. **Mr HAMILTON-SMITH:** What action has the government taken in establishing a protocol for the national reciprocity of student card concessions?

The Hon. P.L. WHITE: Each State & Territory provides a range of concession cards, each with their own eligibility criteria & entitlements.

While there has been significant resistance from other states I will raise this with the Modal Public Transport Group of the Standing Committee on Transport (SCOT) in order to gauge whether it is an issue that may feasibly be introduced at a national level.

ANTIQUÉ FIREARMS

226. **Dr McFETRIDGE:**

1. How many antique firearms are held or displayed by the South Australian Museum, South Australian Art Gallery, South Australian Police Museum and the Warradale Army Barracks?

2. What other institutions possess antique firearms?

3. Will all institutions that hold or display antique firearms be required to surrender or secure these weapons according to the new requirements of the hand gun buy back?

The Hon. K.O. FOLEY:

1. The Commissioner of Police has advised that the South Australia Police History Section is managed by volunteers who are members of the South Australian Police Historical Society.

The museum has been closed for about four years and is currently undergoing renovation. As a result, no firearms are currently displayed.

The South Australian Police Historical Society does not possess any antique firearms as defined in the relevant legislation.

The South Australian Police Historical Society is in possession of 26 pistols, 25 revolvers, 40 rifles, 2 shotguns, 1 machine gun and 1 flare gun. Although some of these weapons are old, none are classified by definition as 'antique'.

All firearms are owned by the South Australia Police but are on loan to the South Australian Police Historical Society.

The Minister Assisting the Premier in the Arts has advised that:

• The South Australian Museum holds 121 registered 'antique' firearms. All are held in secure storage off site and none are currently on display.

• The Art Gallery of South Australia has no antique firearms in its collection and consequently none on display

• The Art Gallery of South Australia's records indicate that all antique firearms were transferred to the collection of the History Trust of South Australia in June 1986. The History Trust of South Australia confirms that the antique firearms from the Art Gallery of South Australia were received and fully catalogued and placed in secure storage during the intervening period since 1986. Items are drawn on for one or two major exhibitions such as one held in 1996. Some items are displayed at the Migration Museum.

Even though there has been a recent change to the law in relation to the definition of antique handguns, the situation with regard to licensing and registration of antique firearms has not changed. It is still the case that an antique firearm is not required to be registered and the owner is not required to possess a firearms licence.

The Registrar of Firearms is not required to maintain a register of firearms such as antique firearms that are not required to be registered or the owners licensed.

The South Australian Museum, South Australian Art Gallery, South Australian Police Museum and the Warradale Army Barracks are all institutions administered by the Crown in right of this State or the Crown in another capacity. As such the Firearms Act does not bind or apply.

2. The Registrar of Firearms has advised that the exact number of institutions that possess antique firearms is unknown because

antique firearms have been exempt, and will continue to be exempt from the Firearms Act with regard to registration and licensing.

3. The Registrar of Firearms has advised that non exempt institutions that possess handguns that were previously considered to be antique, but now fall into the category of not being exempt will now be required to register these firearms and have an appropriate licence.

ROADS, EXPENDITURE

234. **Dr McFETRIDGE:** For each year since 2000-01—

(a) how much has the South Australian Government spent on building and maintaining metropolitan and non-metropolitan roads, respectively;

(b) what is this expenditure in per capita terms; and

(c) what has been the Federal Government's contribution?

The Hon. P.L. WHITE: I have been advised that State Government expenditure on building and maintaining non-metropolitan roads (Expenditure per capita shown in brackets).

2001-02 \$90.460 million (\$223)

2002-03 \$74.687 million (\$182)

2003-04 \$102.056 million (\$248)

Variation between the 2001-02 and 2002-03 is predominantly due to the completion of Gomersal Road and the Flinders Ranges Tourist Roads as well as the major components of the Unsealed Rural Arterial Program.

Variation between 2002-03 and 2003-04 is predominantly due to increased investment on safety driven works eg State Black Spot Program, Shoulder Sealing and Safety Driven Improvements and the purchase of major plant requirements.

Federal Government expenditure on building and maintaining non-metropolitan roads in South Australia (Expenditure per capita shown in brackets).

2001-02 \$21.301 million (\$52)

2002-20 \$30.140 million (\$73)

2003-04 \$30.069 million (\$73)

State Government expenditure on building and maintaining metropolitan roads (Expenditure per capita shown in brackets).

2001-02 \$62.648 million (\$56)

2002-03 \$63.113 million (\$57)

2003-04 \$98.501 million (\$88)

Variation between 2002-03 and 2003-04 is predominantly due to increased investment on safety driven improvements, the purchase of major plant requirements, the LED traffic signal lantern replacement program and stage 2 and 3 of the Port River Expressway.

Federal Government expenditure on building and maintaining metropolitan roads in South Australia (Expenditure per capita shown in brackets).

2001-02 \$22.937 million (\$21)

2002-03 \$29.264 million (\$26)

2003-04 \$25.263 million (\$23)

BUSHFIRES

240. **The Hon. G.M. GUNN:** Who is liable in the event of a bushfire escaping a National or Conservation Park with an inadequate fire management system in place?

The Hon. P.F. CONLON: I provide the following information:

Liability for fire depends upon the facts in any particular case. Whether any person or the State would be liable in the event of a bushfire escape from a national or conservation park would depend on the usual principles of the law of negligence. The fire management system that was in place in the park would be considered by the court.

Under Section 42 of the Country Fires Act 1989, the owner of government land in the country is required to take reasonable steps to prevent or inhibit the outbreak of fire on the land, or the spread of fire through the land. The Act requires that proper land management principles be taken into account in the discharge of this responsibility. In the case of National or Conservation Parks, those principles include the need to conserve flora and fauna on the land.

What are reasonable steps to prevent or inhibit the outbreak of fire will vary for each parcel of land. Even if all reasonable steps are taken, this is not an absolute guarantee that there will be no fire on the land, or that it will not escape from the land.

This government has introduced a systematic program of fire management in parks to reduce the risk of outbreak of fire. Following the Premier's bushfire Summit, in July 2003, the government committed \$10 million over 4 years to improve fire management

practices in parks. Specialist staff have been recruited to improve the capacity of the Department for Environment and Heritage and fire management plans are being developed for all parks.

CONSULTANTS

262. **Dr McFETRIDGE:**

1. Who were the consultants engaged to consult with key stakeholders in the development of the planning strategy for the Inner Region and what was the total expenditure allocated to this process in each year since 2001-02?

2. Have consultants been engaged to continue this process in 2003-04 and if so, who are they and what funding has been allocated?

The Hon. P.L. WHITE:

1. No consultants were engaged to consult with key stakeholders in the development of the planning strategy for the Inner Region. However, Halliburton KBR Pty Ltd & Greg Tucker Planning Pty Ltd were engaged as contractors in the development of the Inner Region Planning Strategy. This was primarily to develop the "Action Plans" for the Inner Region. This involved the contractors facilitating workshops in the Barossa, Central Adelaide Hills, Northern Adelaide Plains and Southern Fleurieu.

The total expenditure allocated to this process was \$100 000. This was split as follows:

2001-02	Greg Tucker Planning Pty Ltd	\$11 500
	Halliburton KBR Pty Ltd	\$20 000
2002-03	Halliburton KBR Pty Ltd	\$40 000
	Greg Tucker Planning Pty Ltd	\$28 500
2003-04	no consultants or contractors	

2. No consultants have been engaged to continue the consultation process in 2003-04. The Inner Region Planning Strategy team currently comprises of 2 full time officers & 1 part time officer.

QUESTIONS ON NOTICE, REPLIES

265. **Dr McFETRIDGE:** When will questions 119 and 120 be responded to?

The Hon. K.O. FOLEY: Responses to Questions on Notice 119 & 120 in the House of Assembly were published in *Hansard* on 3 May 2004.

POLICE RECORDS

269. **Mrs HALL:** Has any unauthorised personnel gained access or attempted access to police records relating to any non-government member of parliament since March 2002 and if so, what are the details and what action has been taken?

The Hon. K.O. FOLEY: The Commissioner of Police advises that complaints in respect to the unauthorised access to records held by the South Australia Police (SAPOL) are investigated by the Internal Investigation Branch. The officer in charge of this section has indicated that there has been no reported unauthorised access to information relating to a Member of Parliament since 2002.

GLENELG TRAMLINE

276. **The Hon. M.R. BUCKBY:** Is it feasible for the Glenelg Tramline to be extended from Adelaide to Gepps Cross to Walkley Heights and what would the demand be for this service?

The Hon. P.L. WHITE: I can advise that the government has no plans to extend the tramline to Walkley Heights.

Extending the tram service to the Gepps Cross and Walkley Heights area is not under consideration. Any such extension would require significant capital investment and may include some land acquisition.

TERRORISM

287. **The Hon. M.R. BUCKBY:** Has consideration been given to the Ghan as being a possible terrorist target and if so, are current security measures adequate?

The Hon. P.L. WHITE: I am advised that the Department of Transport and Urban Planning has discussed this matter with Great Southern Railway senior management.

Great Southern Railway, the owner and operator of the Ghan passenger train believe that the security arrangements currently in place for the Ghan and its other interstate passenger trains, the Indian Pacific and Overland are wholly appropriate. Nevertheless, Great

Southern Railway is keeping its security arrangements under constant review including the use of independent expert advice.

BOWERS, Mr H.

288. **Mr HAMILTON-SMITH:** Is Mr Hugh Bowers representing the taxpayer on the Bresagen Administration Creditors Committee and if so, has responsibility for this matter been assigned to the Minister for Business, Manufacturing and Trade?

The Hon. J.D. LOMAX-SMITH: The Minister for Industry, Trade and Regional Development has provided the following information:

Mr Hugh Bowers and in his absence Mr Ian Withall of the Department of Trade and Economic Development were appointed to represent the Minister for Industry, Trade and Regional Development at the 28 January 2004 creditors meeting and at any adjournment of that meeting.

Following the appointment of the Hon. Paul Holloway MLC as Minister for Industry, Trade and Regional Development, the Department for Trade and Economic Development will be the lead agency in the matter of the administration of BresaGen Ltd and will be represented by Mr Ian Withall from that Department.

LIBRARIES, BOOK SALES

296. **Mr HAMILTON-SMITH:** How many books have been sold by city libraries at regular public sales, what was the total revenue raised and is there an archive to store surplus or non-contemporary books?

The Hon. J.D. HILL: I have been advised that Local Government owns the books held in public libraries and the details of the number of items sold at book sales are not recorded. They are also responsible for revenue raised by libraries and library revenue is not reported at a State level in sufficient detail to indicate the revenue from book sales. Revenue is usually returned to the library for library purchases.

However, it is understood that funds raised through book sales are not substantial. For example, inquiries made at Mount Gambier public library and at Onkaparinga public library indicate that usually a small income of \$500 to \$1,500 per year is raised from book sales, including donations from the community.

In the mid-1980s PLAIN Central Services housed a collection of books no longer held in libraries. This collection was not well used. A review of this service indicated that the State and University Libraries have the primary archival role. As a result of the review, the PLAIN Central Services archive collection was closed in 1992. This was approved by the Libraries Board.

A last copy indicator was added to the State-wide public library database, as a safeguard to ensure that the last copy of any item was retained within the public library network.

With over 3,000,000 items in the SA Public Library system, as well as access to the State Library archival collection and the national database through Kinetica (a database of library collections across Australia), most items can be located.

The cooperative nature of libraries provides access to collections across Australia and ensures that, in most cases, an item not housed in the South Australian public library network can be located and accessed. This is standard practice for public libraries in Australia and worldwide.

RECREATION AND ARTS TRAINING BOARD

297. **Mr HAMILTON-SMITH:** Will the South Australian Recreation and Arts Training Board be realigned with other industry training advisory boards to form a new skills council and if so, what reduction in State Government funding is planned for programs previously run by SARAT?

The Hon. R.J. McEWEN: All existing Industry Training Advisory Boards, including the South Australian Recreation and Arts Training Board (SARAT), are currently exploring options with their respective industry parties, to form new industry skills bodies in South Australia. Based upon these consultations, it seems likely that SARAT will combine with the Retail, Wholesale and Personal Services Training Advisory Group to form a South Australian Services Skills Council.

Recurrent funding provided through the Department of Further Education, Employment, Science and Technology to underpin industry training advisory arrangements will continue to be maintained.

SPEED CAMERAS

303. **Dr McFETRIDGE:** In each year since 1999-2000: What were the top five speed camera revenue locations, how many times were they operational, how many expiation notices were issued and how many casualty accidents occurred at or near the site in each of the following postcode areas—5040, 5044, 5045, 5046 and 5048?

The Hon. K.O. FOLEY: The following tables have been provided by the Commissioner of Police:

Location	1999 Number of times used	Total Notices Issued
Main North Rd,	N/A	6,070
Blair Athol	N/A	4,511
Unley Rd, Adelaide	N/A	4,511
Main South Rd,	N/A	3,667
Morphett Vale	N/A	2,753
Port Road, Adelaide	N/A	2,753
Waverley Ridge Rd, Crafers	N/A	2,030
Location	2000 Number of Times Used	Total Notices Issued
Main North Rd,	145	3,976
Blair Athol	91	3,129
Unley Rd, Adelaide	96	3,915
Port Road, Beverley	72	2,875
Wakefield Rd, Adelaide	43	3,347
Seaview Rd, Grange		

Location	2001 Number of Times Used	Total Notices Issued
Ocean Bvd, Seacliff Pk	66	5,227
Main North Rd		
Blair Athol	132	5,212
Unley Rd, Adelaide	93	3,836
Wakefield Rd, Adelaide	84	3,739
Port Wakefield Rd, Bolivar	37	2,847
Location	2002 Number of Times Used	Total Notices Issued
Port Rd, Adelaide	139	4,924
Wakefield Rd, Adelaide	113	5,010
Chief St, Brompton	61	4,181
Main North Rd, Blair Athol	96	4,734
Ocean Bvd, Seacliff Park	32	2,880
Location	2003 Number of Times Used	Total Notices Issued
South Tce, Adelaide	60	8,090
King William Rd, Adelaide	39	5,269
Peacock Rd, Adelaide	27	3,038
Wakefield Rd, Adelaide	50	2,526
Hutt Rd, Adelaide	31	2,665

1999-2003 Casualty Crashes by Postcode

	1999	2000	2001	2002	2003	Total
5040	2	9	6	4	4	25
5044	17	23	36	32	26	134
5045	73	70	69	78	75	365
5046	63	63	53	52	41	272
5048	45	51	53	51	58	258
Total	200	216	217	217	204	1054

CAPE JARVIS FERRY TERMINAL

306. **Mr HAMILTON-SMITH:**

1. How will the \$1.5 million upgrade of the Cape Jarvis ferry terminal be funded, over what period will it apply and from which budget line?

2. What financial arrangements currently exist between Sealink and the government with respect to the terminal and how will this change under the new development?

3. What was the original cost of the terminal and how much revenue has been received from the operators to date?

4. Has the Government entered into any arrangement to restrict the use of the terminal by other ferry operators and if so, what are the details?

5. Are any other ferry services to Kangaroo Island proposed and if so, what are the details?

The Hon. P.L. WHITE:

1. The proposed Cape Jarvis ferry terminal will be funded by a \$400,000 contribution by Sealink, \$400,000 by the Tourism Commission and the balance funded by Transport SA. The Government is considering recouping its investment in the new terminal via a 'user pays' charge.

2. Sealink pays Port Charges in accordance with the Harbours and Navigation Act. At the moment, the charges amount to \$523,244 per annum. They are due to expire at the end of June 2004 and I am currently considering a recommendation for the fees that will apply from 1 July for operators using Ports under this Act.

3. The cost has always been estimated at \$1.5 million and other than port charges, no revenue has been received from the operators.

4. No.

5. Kangaroo Island Ferries Pty Ltd is proposing to operate a passenger and car ferry service. Negotiation regarding leases, licenses and infrastructure are continuing. Transport SA is in the early stages of negotiation of a proposed freight only service between Port Adelaide and Kingscote.

PLAYFORD CENTRE

311. **Mr HAMILTON-SMITH:** What plans are there to develop Playford Capital and the Playford Centre, and what State and Federal Government funding will be committed to continuing programs?

The Hon. P.L. WHITE: The South Australian government recognises the strong performance of Playford Centre and Playford Capital (collectively called Playford) in investing seed capital in early stage technology companies. Playford has been particularly successful in helping portfolio companies raise the additional capital necessary for them to reach their full potential.

The money invested by Playford is largely spent on high value jobs and on growing export focused ICT companies. In addition, Playford is a key plank of the South Australian Government's strategy to promote venture capital. Its investments seed the development of what may later become venture capital investments. In this way, Playford's activities complement those of the Venture Capital Board.

With the establishment of the Venture Capital Board, Playford Centre will coordinate its activities with the Board to achieve the State Government's strategy of growing venture capital investment in South Australia.

The South Australian Government will continue to support the growth in early stage information and communications technology companies through Playford Centre and its subsidiary Playford Capital. The State Government funding commitment to Playford will be determined in the 2004-05 budget.

The State government is awaiting the Federal Government's decision regarding the future of the Building on IT Strengths (BITS) program that is administered by Playford.

NGAPARTJI CENTRE

312. **Mr HAMILTON-SMITH:** What proceeds were received by the Government from the Ngapartji centre closure, how were the

proceeds disbursed and for what purpose?

The Hon. P.L. WHITE: Ngapartji Pty Ltd was officially wound up on 18 March 2004. Proceeds from the liquidation of assets, after payment of outstanding liabilities, were received as follows:

- The Minister for Science and Information Economy received the sum of \$15,953.84
- The Minister for the Arts received the sum of \$23,904.26
- The Minister for Education and Children's Services received the sum of \$19,982.05

The proceeds were disbursed based on the following shareholding:

- The Minister for Science and Information Economy holding 1 Ordinary A class shares and 300 Ordinary B Class shares
- The Minister for Arts holding 1 Ordinary A Class share and 450 Ordinary B Class shares
- The Minister for Education and Children's Services holding 2 Ordinary A Class shares and 375 Ordinary B Class shares

The proceeds disbursed to Government provided a part return of the capital originally invested by the Government in Ngapartji. The monies have been received by the respective Ministers and will be applied for such purposes as each Minister directs.

The proceeds received by me as Minister for Science and Information Economy is being put towards a TAFE subsidy targeting digital divide issues affecting disadvantaged students.

BIOTECH COMPANIES

314. Mr HAMILTON-SMITH:

1. What percentage of national biotech companies and biotech employees are located in South Australia?
2. How much allocated Bio Innovation SA funding has been used to support the "Thinkers in Residence" program or other non core activities since March 2002?

The Hon. P.L. WHITE:

1. According to South Australian estimates compiled by Bio Innovation SA and national data published by Ernst & Young, South Australia is home to approximately 10% of Australia's bioscience companies and employs over 11 per cent of the nation's bioscience employees.

2. Bio Innovation SA is a partner in the appointment of two Adelaide Thinkers in Residence:

- Dr Maire Smith is the founding Chief Executive Officer of Manchester Innovation Ltd (the commercialisation arm of the University of Manchester, UK), and an internationally acclaimed expert in the commercialisation of bioscience research. She is also managing a very successful bioscience business incubator in Manchester.
- Baroness Professor Susan Greenfield is a world-renowned expert on the human brain, and is the Director of the Royal Institute of Great Britain.

Bio Innovation SA has invested a total of \$73,000 in the appointment of these two Thinkers in Residence.

I have been advised that no Bio Innovation SA funding has been allocated to non-core activities. Bio Innovation SA continues to pursue opportunities and activities that practically advance the State's biotechnology industry, doing this with the advice and oversight of the Bio Innovation SA Board.

BIOTECHNOLOGY ECONOMIES

315. Mr HAMILTON-SMITH:

1. What key performance indicators has the government applied to measure the effectiveness of Bio Innovation SA, Playford Capital and the Playford Centre?

2. What key performance indicators has the Government applied to measure the state and activities of the information and biotechnology economies in South Australia?

The Hon. P.L. WHITE:

1. Bio Innovation SA's key performance indicator is to assist the creation of 50 new bioscience companies and 2,500 jobs by 2010.

Playford Centre and its subsidiary Playford Capital Pty Ltd are taken together for performance reporting purposes. The Government has applied key performance measures in the area of financial, economic development, operations and BITS targets which are published in Playford Centre's annual report and tabled in Parliament.

2. Key performance indicators to measure the State's innovative performance across all science and technology-related fields, including the information and biotechnology economies, are contained within the *Fostering Creativity* target in the State Strategic Plan, and the targets contained in the 10 year Vision for Science, Technology and Innovation for South Australia. Both of these documents have been sent to all Members of Parliament.

The key performance indicator applied to Bio Innovation SA (50 new bioscience companies and 2,500 jobs by 2010) also applies as an indicator of the state and activities of the biotechnology economy in South Australia.

NATIONAL WINE CENTRE

322. **Mr HAMILTON-SMITH:** Will the final and any supplementary reports by Ferrier Hodgson into the National Wine Centre, together with any terms of reference or written directions be made publicly available and if so, when?

The Hon. K.O. FOLEY: A copy of the report prepared by Ferrier Hodgson into the National Wine Centre was forwarded via letter to the Member for Waite on 16 February 24.

VOTING, PENALTIES

338. **Dr McFETRIDGE:** How many South Australians were fined for not voting at either of the most recent State and Federal elections and of these, how many were imprisoned for the offence?

The Hon. M.J. ATKINSON: The Electoral Commissioner has provided this advice:

After the State Election held on 9 February, 2002, 34,609 Please Explain Notices (EA reg. Form 8) were sent on 3 May, 2002, to electors who appeared to have failed to vote. Electoral Act 1985 sec. 85.

13,199 Expiation Notices (\$10 Expiation, \$7 C.I.C. levy = \$17) were then issued followed by 8,081 Reminder Expiation Notices. (\$10 Expiation, \$7 C.I.C. levy, \$30 reminder fee = \$47).

A data file containing the names and enrolled addresses of those electors who either failed to respond to previous notices or failed to pay the fine as requested was sent to the Courts Administration Authority, which then issued Enforcement Orders.

To date 3,130 electors have expiated the offence of failing to attend a polling booth and have their name crossed off.

It must be noted that on 6 March, 2000, changes to the Expiation of Offences Act by Part 6 of the Statutes Amendment (Fine Enforcement) Act 1998 (No. 60 of 1998) no longer allows for imprisonment resulting from non-payment of a fine consequent on an offence that can be expiated.

The Statutes Amendment (Fine Enforcement) Act 1998 (No. 60 of 1998) sets out the procedures for recovery of outstanding fines e.g. sec 70E (1) Suspension of Driver's licence, sec. 70F Restriction on Transacting Business with the Registrar of Motor Vehicles, sec. 70G (1) Seizure and sale of land or personal property.

The Australian Electoral Commission follows the procedures set out in the Commonwealth Electoral Act sec. 245, compulsory voting.